

corporation with its principal place of business in Calgary, Alberta, Canada. EMC is an indirect, wholly-owned subsidiary of EPCORE Utilities Inc. of Edmonton, Alberta, Canada. EMC is a power marketer that does not own or control any electric generation or transmission facilities nor does it have a franchised service territory in the United States.

In FE Docket No. EA-260-A, EMC proposes to export electric energy to Canada and to arrange for the delivery of those exports over the international transmission facilities owned by Basin Electric Power Cooperative, Bonneville Power Administration, Eastern Maine Electric Cooperative, International Transmission Company, Joint Owners of the Highgate Project, Long Sault, Inc., Maine Electric Power Company, Maine Public Service Company, Minnesota Power, Inc., Minnkota Power Cooperative, New York Power Authority, Niagara Mohawk Power Corporation, Northern States Power, and Vermont Electric Transmission Company.

The construction of each of the international transmission facilities to be utilized by EMC, as more fully described in its application, has previously been authorized by a Presidential permit issued pursuant to Executive Order 10485, as amended.

**Procedural Matters:** Any person desiring to become a party to this proceeding or to be heard by filing comments or protests to this application should file a petition to intervene, comment or protest at the address provided above in accordance with §§ 385.211 or 385.214 of the FERC's Rules of Practice and Procedures (18 CFR 385.211, 385.214). Fifteen copies of each petition and protest should be filed with the DOE on or before the date listed above.

Comments on the EMC applications to export electric energy to Canada should be clearly marked with Docket EA-260-A. Additional copies are to be filed directly with Riaz Jessa, Transaction Accounting Assistant, EPCOR Merchant and Capital (US) Inc., EPCOR Place, 8th Floor, 505—2nd Street, SW., Calgary, Alberta T2P 1N8, Canada and Sandra E. Rizzo, Esq., Preston Gates Ellis, & Rouvelas Meeds, LLP, 1735 New York Avenue, NW., Suite 500, Washington, DC 20006.

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above or by accessing the Fossil Energy home page at <http://www.fe.doe.gov>. Upon reaching the Fossil Energy home page, select "Electricity Regulation," and then

"Pending Proceedings" from the options menus.

Issued in Washington, DC, on August 16, 2004.

**Ellen Russell,**

*Acting Deputy Director, Electric Power Regulation, Office of Coal & Power Import/Export, Office of Coal & Power Systems, Office of Fossil Energy.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[IC04-519-000, FERC-519]

#### Commission Information Collection Activities, Proposed Collection; Comment Request; Extension

August 13, 2004.

**AGENCY:** Federal Energy Regulatory Commission, DOE.

**ACTION:** Notice.

**SUMMARY:** In compliance with the requirements of Section 3506(c)(2)(a) of the Paperwork Reduction Act of 1995, 44 U.S.C. 3506(c)(2)(A), the Federal Energy Regulatory Commission (Commission) is soliciting public comment on the specific aspects of the information collection described below.

**DATES:** Comments on the collection of information are due by October 12, 2004.

**ADDRESSES:** Copies of the proposed collection of information can be obtained from Michael Miller, Office of the Executive Director, ED-30, 888 First Street NE., Washington, DC 20426. Comments may be filed either in paper format or electronically. Those persons filing electronically do not need to make a paper filing. For paper filings, the original and 14 copies of such comments should be submitted to the Office of the Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426 and should refer to Docket No. IC04-519-000.

Documents filed electronically via the Internet must be prepared in WordPerfect, MS Word, Portable Document Format, or ASCII format. To file the document, access the Commission's Web site at <http://www.ferc.gov> and click on "Make an E-filing," and then follow the instructions for each screen. First time users will have to establish a user name and password. The Commission will send an automatic acknowledgment to the sender's E-mail address upon receipt of

comments. User assistance for electronic filings is available at 202-502-8258 or by e-mail to [efiling@ferc.gov](mailto:efiling@ferc.gov). Comments should not be submitted to the e-mail address.

All comments are available for review at the Commission or may be viewed on the Commission's Web site at <http://www.ferc.gov>, using the 'eLibrary' link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact

[FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208-3676 or for TTY, contact (202) 502-8659.

#### FOR FURTHER INFORMATION CONTACT:

Michael Miller may be reached by telephone at (202) 502-8415, by fax at (202) 273-0873, and by e-mail at [michael.miller@ferc.gov](mailto:michael.miller@ferc.gov).

**SUPPLEMENTARY INFORMATION:** The information is collected under the requirements of FERC-519 "Application for Sale, Lease or Disposition, Merger or Consolidation of Facilities or for Purchase or Acquisition of Securities" (OMB No. 1902-0082). The information is used by the Commission to implement the statutory provisions of the Section 203 of the Federal Power Act (FPA), 16 U.S.C. 824b. Section 203 authorizes the Commission to grant approval for transactions in which a public utility disposes of jurisdictional facilities, merges such facilities with the facilities owned by another person or acquires the securities of another public utility. Under this statute, the Commission must find that the proposed transaction will be consistent with the public interest. Section 318 exempts certain persons from the requirements of Section 203 which would otherwise concurrently apply under the Public Utility Holding Company Act of 1935.

Under Section 203 of the FPA, FERC must review proposed mergers, acquisitions and dispositions of jurisdictional facilities by public utilities, if the value of the facilities exceeds \$50,000, and must approve these transactions if they are consistent with the public interest. Today, one of FERC's overarching goals is to promote competition in wholesale power markets, having determined that effective competition, as opposed to traditional forms of price regulation, can best protect the interests of ratepayers. Market power, however, can be exercised to the detriment of effective competition and customers. Therefore, FERC regulates transmission service, mergers and wholesale rates so as to prevent the exercise of market power in bulk power markets. The Commission

implements these filing requirements in the Code of Federal Regulations (CFR) under 18 CFR part 33.

*Action:* The Commission is requesting a three-year approval of these reporting requirements, with no changes to the existing collection of data.

*Burden Statement:* Public reporting burden for this collection is estimated as:

Number of respondents annually (1)	Number of responses per respondent* (2)	Average burden hours per response # (3)	Total annual burden hours (1)x(2)x(3)
134 .....	1	395	52,930

\*The Commission anticipates that over the next three years it will receive on average per year the following number of filings: merger applications (2); disposition of facilities (109); corporate restructuring (20); and acquisition of securities (3).

# The Commission has estimated that it takes on average anywhere from 91 hours to 12,557 hours to comply with the requirements of Part 33 and encompasses non-merger transactions i.e. divestiture of assets, acquisition of securities; simple merger applications where no competitive concerns are raised to complex merger applications where horizontal competitive concerns are raised and there is a need for extensive analysis.

Estimated cost burden to respondents: 52,930 hours / 2,080 hours per year × \$107,185 per year = \$2,727,549.

The reporting burden includes the total time, effort, or financial resources expended to generate, maintain, retain, disclose, or provide the information including:

- (1) Reviewing instructions; (2) developing, acquiring, installing, and utilizing technology and systems for the purposes of collecting, validating, verifying, processing, maintaining, disclosing and providing information; (3) adjusting the existing ways to comply with any previously applicable instructions and requirements; (4) training personnel to respond to a collection of information; (5) searching data sources; (6) completing and reviewing the collection of information; and (7) transmitting, or otherwise disclosing the information.

The estimate of cost for respondents is based upon salaries for professional and clerical support, as well as direct and indirect overhead costs. Direct costs include all costs directly attributable to providing this information, such as administrative costs and the cost for information technology. Indirect or overhead costs are costs incurred by an organization in support of its mission. These costs apply to activities which benefit the whole organization rather than any one particular function or activity.

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information to be collected; and (4) ways to minimize the

burden of the collection of information on those who are to respond.

**Linda Mitry,**  
*Acting Secretary.*  
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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. IC04-574-000; FERC-574]

**Commission Information Collection Activities, Proposed Collection; Comment Request; Extension**

August 16, 2004.  
**AGENCY:** Federal Energy Regulatory Commission, DOE.  
**ACTION:** Notice.

**SUMMARY:** In compliance with the requirements of section 3506(c)(2)(a) of the Paperwork Reduction Act of 1995 (Pub. L. 104-13), the Federal Energy Regulatory Commission (Commission) is soliciting public comment on the specific aspects of the information collection described below.

**DATES:** Comments on the collection of information are due by October 15, 2004.

**ADDRESSES:** Copies of the proposed collection of information can be obtained from and written comments may be submitted to the Federal Energy Regulatory Commission, Attn: Michael Miller, Office of the Executive Director, ED-30, 888 First Street, NE., Washington, DC 20426. Comments may be filed either in paper format or electronically. Those parties filing electronically do not need to make a paper filing. For paper filings, the original and 14 copies of such comments should be submitted to the Office of the Secretary, Federal Energy Regulatory Commission, 888 First

Street, NE., Washington, DC 20426 and refer to Docket No. IC04-574-000.

Documents filed electronically via the Internet must be prepared in WordPerfect, MS Word, Portable Document Format, or ASCII format. To file the document, access the Commission's Web site at <http://www.ferc.gov> and click on "Make an E-filing," and then follow the instructions for each screen. First time users will have to establish a user name and password. The Commission will send an automatic acknowledgement to the sender's e-mail address upon receipt of comments.

All comments may be viewed, printed or downloaded remotely via the Internet through FERC's home page using the eLibrary link. For user assistance, contact [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208-3676 or for TTY, contact (202) 502-8659.

**FOR FURTHER INFORMATION CONTACT:** Michael Miller may be reached by telephone at (202) 502-8415, by fax at (202) 273-0873, and by e-mail at [michael.miller@ferc.gov](mailto:michael.miller@ferc.gov).

**SUPPLEMENTARY INFORMATION:** The information collected under the requirements of FERC-574 "Gas Pipeline Certificates: Hinshaw Exemption" (OMB No. 1902-0116) is used by the Commission to implement the statutory provisions of sections 1(c), 4 and 7 of the Natural Gas Act (NGA) (Pub. L. 75-688) (15 U.S.C. 717-717w). Natural gas pipeline companies file applications with the Commission furnishing information in order for a determination to be made as to whether the applicant qualifies for an exemption under the provisions of the Natural Gas Act (section 1(c)). If the exemption is granted, the pipeline is not required to file certificate applications, rate schedules, or any other applications or forms prescribed by the Commission.

The exemption applies to companies engaged in the transportation or sale for resale of natural gas in interstate