

(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-547, "Gas Pipeline Rates: Refund Report Requirements" (OMB No. 1902-0084) is used by the Commission to implement the statutory refund provisions governed by sections 4, 5, and 16 of the Natural Gas Act (NGA) (15 U.S.C. 717-717w). Sections 4 and 5 authorize the Commission to order a refund, with interest, on any portion of a natural gas

company's increased rate or charge found to be not just or reasonable. Refunds may also be instituted by a natural gas company as stipulation to a Commission-approved settlement agreement or provision under the company's tariff. Section 16 authorizes the Commission to prescribe the rules and regulations necessary to administer its refund mandates. The Commission's refund and reporting requirements are set forth at Sections 154.501 and 154.502 of the Commission's regulations (18 CFR 154.501 and 154.502). The data

collected thereunder allows the Commission to monitor the refunds owed by the Natural gas companies and to ensure the flow through of the refunds, with applicable interest, to the appropriate customers and ultimately to the residential customers and end users.

**Action:** The Commission is requesting a three-year extension of the current expiration date, with no changes to the existing collection of data.

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

Number of respondents annually (1)	Number of responses per respondent (2)	Average burden (number of hours per response) (3)	Total annual burden (total number of hours) (1)x(2)x(3)
75 .....	1	75	5,625

**Estimated cost to respondents:** 5,625 hours (2,080 per year × \$107,185 = \$289,863. The cost per respondent = \$3,865 (rounded off). The reporting burden includes the total time, effort, or financial resources to generate, maintain, retain, disclose, or provide the information including: (1) Reviewing instructions; (2) developing, acquiring, installing, and utilizing technology and systems for the purpose 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 anyone 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, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

**Linda Mitry,**  
*Acting Secretary.*

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. IC03-537-001, FERC-537]

**Commission Information Collection Activities, Proposed Collection; Comment Request; Submitted For OMB Review**

February 11, 2004.

**AGENCY:** Federal Energy Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** In compliance with the requirements of section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507, the Federal Energy Regulatory Commission (Commission) has submitted the information collection described below to the Office of Management and Budget (OMB) for review and extension of the current

expiration date. Any interested person may file comments directly with OMB and should address a copy of those comments to the Commission as explained below. The Commission received no comments in response to an earlier **Federal Register** notice of October 6, 2003 (68 FR 57679-80), and has made this notation in its submission to OMB.

**DATES:** Comments on the collection of information are due by March 17, 2004.

**ADDRESSES:** Address comments on the collection of information to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Federal Energy Regulatory Commission Desk Officer. Comments to OMB should be filed electronically, c/o [Pamela L. Beverly@omb.eop.gov](mailto:Pamela_L.Beverly@omb.eop.gov) and include the OMB Control No. as a point of reference. The Desk Officer may be reached by telephone at 202-395-7856. A copy of the comments should also be sent to the Federal Energy Regulatory Commission, Office of the Executive Director, ED-30, Attention: Michael Miller, 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, 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. IC03-537-001.

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 [www.ferc.gov](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 FERC Online Support at [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:**

**Description**

The information collection submitted for OMB review contains the following:

1. *Collection of Information:* FERC-537 "Gas Pipeline Certificates: Construction, Acquisition and Abandonment."

2. *Sponsor:* Federal Energy Regulatory Commission.

3. *Control No.:* 1902-0060.

The Commission is now requesting that OMB approve and reinstate with a three-year extension of the expiration date, with no changes to the existing collection. The information filed with the Commission is mandatory.

4. *Necessity of the Collection of Information:* Submission of the information is necessary to enable the Commission to carry out its responsibilities in implementing the statutory provisions of the Natural Gas Policy Act of 1978 (NGPA), and the Natural Gas Act (NGA). Under the NGA, natural gas pipeline companies must obtain Commission authorization to undertake the construction or extension of any facilities, or to acquire or operate any such facilities, or to acquire or operate any such facilities or extensions in accordance with section 7(c) of the NGA. A natural gas company must also obtain Commission approval under section 7(b) of the NGA prior to abandoning any jurisdictional facility or service. Under the NGPA interstate and intrastate pipelines must obtain

authorization for certain transportation arrangements.

The information collected is necessary to certificate interstate pipelines engage the transportation and sale of natural gas, and the construction, acquisition, and operation of facilities to be used in those activities, to authorize the abandonment of facilities and services and to authorize certain NGPA transactions. If a certificate is granted, the natural gas company can construct, acquire, or operate facilities plus engage in transportation or sale of natural gas. Conversely, approval of an abandonment application permits the pipeline to cease service and/or discontinue the operation of such facilities. Authorization under NGPA section 311(a) allows the interstate or intrastate pipeline applicants to render certain transportation services. The Commission implements the filing requirements in the Code of Regulations (CFR) under 18 CFR parts 157.5-.11; 157.13-.20; 157.22; 157.53; 157.201-.209; 157.211; 157.214-.218; 284.8; 284.11; 284.126; 284.221; 284.223-.224; 284.227.

5. *Respondent Description:* The respondent universe currently comprises 76 companies (on average per year) subject to the Commission's jurisdiction.

6. *Estimated Burden:* 210,234 total hours, 76 respondents (average per year), 10.2 responses per respondent, and 271.2 hours per response (average).

7. *Estimated Cost Burden to respondents:* 210,234 hours / 2080 hours per years × \$107,185 per year = \$11,829,807. The cost per respondent is equal to \$155.655.

**Statutory Authority:** Section 311 Natural Gas Policy Act of 1978 (NGPA), 15 U.S.C. 33301-3432, and the Natural Gas Act (NGA) 15 U.S.C. 717-717w.

**Linda Mitry,**

*Acting Secretary.*

[FR Doc. E4-309 Filed 2-17-04; 8:45 am]

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

**Notice of Application to Reclassify Project Shoreline and for Non-Project Use of Project Lands and Waters and Soliciting Comments, Motions to Intervene, and Protests**

February 11, 2004.

Take notice that the following application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Reclassification of project shoreline and non-project use of project lands and waters.

b. *Project No.:* 2232-459.

c. *Date Filed:* January 13, 2004.

d. *Applicant:* Duke Power, a Division of Duke Energy Corporation.

e. *Name of Project:* Catawba-Wateree Hydroelectric Project.

f. *Location:* The project is located in Alexander, Burke, Caldwell, Catawba, Gaston, Iredell, Lincoln, McDowell and Mecklenburg Counties, North Carolina and Chester, Fairfield, Kershaw, Lancaster, and York Counties, South Carolina. This project does not occupy any Federal or tribal lands.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791 (a) 825(r) and 799 and 801.

h. *Applicant Contact:* Mr. Joe Hall, Lake Management Representative, Duke Energy Corporation, PO Box 1006, Charlotte, North Carolina, 28201-1006, (704) 382-8576.

i. *FERC Contact:* Any questions on this notice should be addressed to Brittany Schoenen at (202) 502-6097, or e-mail address: [bschoenen@ferc.gov](mailto:bschoenen@ferc.gov).

j. *Deadline for filing comments and or motions:* March 12, 2004.

All documents (original and eight copies) should be filed with: Ms. Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington DC 20426. Please include the project number (P-2197-068) on any comments or motions filed. Comments, protests, and interventions may be filed electronically via the internet in lieu of paper. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. The Commission strongly encourages e-filings.

k. *Description of Request:* Duke Power (Duke) is seeking Commission approval to reclassify 560' of project shoreline from "Public Infrastructure" to "Business Industrial". Upon approval Duke seeks to issue a permit to Lake Norman Dredging & Marina Construction for the construction and operation of a commercial pier with one boat ramp and two boat slips.

l. *Location of the Application:* This filing is 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 FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659.