

The Commission's rules of practice and procedure require all interveners filing documents with the Commission to serve a copy of that document on each person in the official service list for the project. Further, if an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

j. *Description of Project:* The proposed pumped storage project would consist of: (1) An upper reservoir, an enlargement of the existing Pope Reservoir, with a surface area of 550 acres and a storage capacity of 60,000 acre-feet at a water surface elevation of 5,500 feet msl, (2) a 4,000-foot-long, 310-foot-high earthen upper dam, (3) a 1,500-foot-long, 30-foot-diameter concrete low pressure tunnel, (4) a 270-foot-deep, 30-foot-diameter concrete surge shaft, (5) a 1,100-foot-long, 30-foot diameter vertical concrete power shaft, (6) a 3,800-foot-long, 24-foot-diameter concrete power tunnel, (7) a powerhouse containing four reversible generating units with a total installed capacity of 1,000 megawatts, (8) a lower reservoir with a surface area of 1,480 acres and a storage capacity of 110,000 acre-feet at a water surface elevation of 4,220 feet msl, (9) a 21,500-foot-long, 135-foot-high earthen lower dam, (10) a 4-mile-long, 500-kilovolt transmission line, and (11) appurtenant facilities.

Water for the project would be obtained from the D canal by an intake and pumping plant to be located 1.5 miles east of the town of Malin and a 5,700-foot-long, 36-inch-diameter pipeline to the lower reservoir, and from the J canal by an intake and pumping plant to be located one mile south of Malin and a 17,000-foot-long, 36-inch-diameter pipeline to the lower reservoir. The D and J canals convey water diverted from the Lost River in southern Oregon for irrigation. The applicant proposes to fill the project reservoirs when the canals are not being used to capacity for irrigation.

k. This filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, call toll-free 1-866-208-3676 or e-mail FERCOnlineSupport@ferc.gov. For TTY, call (202) 502-8659.

l. *Competing Preliminary Permit—* Anyone desiring to file a competing application for preliminary permit for a

proposed project must submit the competing application itself, or a notice of intent to file such an application, to the Commission on or before the specified comment date for the particular application (*see* 18 CFR 4.36). Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30(b) and 4.36.

m. *Competing Development Application—* Any qualified development applicant desiring to file a competing development application must submit to the Commission, on or before a specified comment date for the particular application, either a competing development application or a notice of intent to file such an application. Submission of a timely notice of intent to file a development application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

n. *Notice of Intent—*A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

o. *Proposed Scope of Studies under Permit—*A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

p. *Comments, Protests, or Motions to Intervene—*Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the

Commission's rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

q. *Filing and Service of Responsive Documents—*Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing an original and eight copies to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. An additional copy must be sent to Director, Division of Hydropower Administration and Compliance, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

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 electronic filings.

r. *Agency Comments:* Federal, State, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Magalie R. Salas,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM98-1-000]

Regulations Governing Off-the-Record Communications; Public Notice

March 25, 2003.

This constitutes notice, in accordance with 18 CFR 385.2201(h), of the receipt

of exempt and prohibited off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive an exempt or a prohibited off-the-record communication relevant to the merits of a contested on-the-record proceeding, to deliver a copy of the communication, if written, or a summary of the substance of any oral communication, to the Secretary.

Prohibited communications will be included in a public, non-decisional file associated with, but not part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such requests only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication should serve the document on all parties listed on the official service list for the applicable proceeding in accordance with rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications will be included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of exempt and prohibited off-the-record communications recently received in the Office of the Secretary. The communications listed are grouped by docket numbers. These filings are available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll-free at (866)208-3676, or for TTY, contact (202)502-8659.

Prohibited

Docket No., Date Filed, Presenter/Requester

1. Project No. 1354-000, 3-11-03 Hon. Ron W. Goode

Exempt

Docket No., Date Filed, Presenter, or Requester

1. Project No. 719-000, 3-10-03, Reid Brown
2. Project No. 184-000, 3-10-03, Sharon Waechter
3. Project No. 2090-000, 3-10-03, Janet Hutzell
5. CP02-434-000, 3-10-03, Peter Nauth
6. CP02-434-000, 3-18-03, David Swearingen
7. CP02-90-000, 3-11-03, James Martin
8. Project No. 516-000, 3-13-03, Patti Leppert
9. Project No. 2042-013, 3-19-03, Jeff Selle

Magalie R. Salas,
Secretary.

[FR Doc. 03-7773 Filed 3-31-03; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[CA090-NOA; FRL-7475-6]

Official Release of EMFAC2002 Motor Vehicle Emission Factor Model for Use in the State of California

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: EPA is approving and announcing the availability of the latest version of the California EMFAC model for use in state implementation plan (SIP) development in California. EMFAC2002 is the latest update to the EMFAC model for use by California state and local governments to meet Clean Air Act (CAA) requirements. EMFAC2002 calculates air pollution emission factors for passenger cars, trucks and buses. The new model is based on new and improved data and is also a more user-friendly version of the model, allowing agencies to update assumptions and run multiple scenarios for emissions analyses. Today's notice also starts a time period before EMFAC2002 is required to be used statewide in all new transportation conformity analyses in California. Since the EMFAC model is only used in California, EPA's approval of the model does not affect MOBILE model users in other states.

DATES: This determination is effective April 1, 2003. See below for further information regarding how today's approval starts a time period after which EMFAC2002 is required in new transportation conformity analyses.

FOR FURTHER INFORMATION CONTACT:

Karina O'Connor,
occonnor.karina@epa.gov, (775) 833-1276, Air Planning Office (AIR-2), Air Division, U.S. EPA, Region 9, 75 Hawthorne Street, San Francisco, California 94105-3901.

SUPPLEMENTARY INFORMATION: Copies of the official version of the EMFAC2002 model are available on the California Air Resources Board (CARB) Web site: <http://www.arb.ca.gov/planning/emfac2002/emfac2002.htm> (transmittal and links to support documents) and http://www.arb.ca.gov/msei/on-road/latest_version.htm (model, technical support documents, etc.).

I. Background

A. What Is the EMFAC Model?

The EMFAC model (short for Emission FACtor) is a computer model that can estimate emission rates for motor vehicles for calendar years from 1970 to 2040 operating in California. Pollutant emissions for hydrocarbons, carbon monoxide, nitrogen oxides, particulate matter, lead, sulfur oxides, and carbon dioxide are output from the model. Emissions are calculated for passenger cars, eight different classes of trucks, motorcycles, urban diesel and school buses and motor homes. The EMFAC2002 model is operated with a user-friendly graphical user interface (GUI) which facilitates data input and allows the development of alternative emissions scenarios through a What If Scenarios (WIS) generator. The WIS interface can be used to incorporate updated vehicle data, adjust ambient conditions or make changes to potential emission control programs in a specific area.

EMFAC is used to calculate current and future inventories of motor vehicle emissions at the state, county, air district, air basin, or air basin within county level. EMFAC contains default vehicle activity data, and the option of modifying that data, so it can be used to estimate a motor vehicle emission inventory in tons/day for a specific day, month, or season, and as a function of ambient temperature, relative humidity, vehicle population, mileage accrual, miles of travel and speeds. Thus the model can be used to make decisions about air pollution policies and programs at the local or state level. Inventories based on EMFAC are also used to meet the federal CAA's state