

n. A copy of 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, contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll-free at 1 (866) 208-3676, or TTY (202) 502-8659. A copy is also available for inspection and reproduction at the address in item h above.

Register online at <http://www.ferc.gov/esubscribenow.htm> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support as shown in the paragraph above.

Magalie R. Salas,

Secretary.

[FR Doc. 03-10466 Filed 4-28-03; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Application Tendered for Filing With the Commission, Soliciting Additional Study Requests, and Establishing Procedural Schedule for Relicensing and a Deadline for Submission of Final Amendments

April 23, 2003.

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

- a. *Type of Application:* New Major License.
- b. *Project No.:* 178-017.
- c. *Date filed:* April 14, 2003.
- d. *Applicant:* Pacific Gas and Electric Company.
- e. *Name of Project:* Kern Canyon Project.
- f. *Location:* On the Kern River, near the Town of Bakersfield, Kern County, California. The project occupies approximately 11.26 acres of public land located within the Sequoia National Forest.
- g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. §§ 791(a)-825(r).
- h. *Applicant Contact:* Mr. Randal S. Livingston, Pacific Gas and Electric Company, Power Generation, Mail Code N11E, P.O. Box 770000, San Francisco, CA 94177, (415) 973-7000.
- i. *FERC Contact:* Tim Looney, 202-502-6096 or timothy.looney@ferc.gov

j. *Cooperating agencies:* We are asking Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues to cooperate with us in the preparation of the environmental document. Agencies who would like to request cooperating status should follow the instructions for filing comments described in item l below.

k. Pursuant to section 4.32(b)(7) of 18 CFR of the Commission's regulations, if any resource agency, Indian Tribe, or person believes that an additional scientific study should be conducted in order to form an adequate factual basis for a complete analysis of the application on its merit, the resource agency, Indian Tribe, or person must file a request for a study with the Commission not later than 60 days from the date of filing of the application, and serve a copy of the request on the applicant.

l. Deadline for filing additional study requests and requests for cooperating agency status: June 13, 2003.

All documents (original and eight copies) should be filed with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor 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.

Additional study requests and requests for cooperating agency status may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (<http://www.ferc.gov>) under the "e-Filing" link. After logging into the e-Filing system, select "Comment on Filing" from the Filing Type Selection screen and continue with the filing process.

m. The application is not ready for environmental analysis at this time.

n. The Kern Canyon Project consists of: (1) An existing 150-foot-long and 23-foot-high dam; (2) an existing 3-acre reservoir having a usable capacity of 27-acre-feet; (3) a 1.58 mile long horseshoe shaped tunnel; (4) a 520-foot-long steel penstock varying in diameter from 96 inches to 90 inches; (5) a powerhouse containing one generating unit with an installed capacity of 9,540 kilowatts; (6)

existing transmission facilities; and (7) appurtenant facilities. The project is estimated to generate an average of 67.6 gigawatt hours annually. The dam and existing project facilities are owned by the applicant.

o. A copy of the application 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, contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll-free at 1 (866) 208-3676, or for TTY, (202) 502-8659. A copy is also available for inspection and reproduction at the address in item h above.

Register online at <http://www.ferc.gov/esubscribenow.htm> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

p. With this notice, we are initiating consultation with the CALIFORNIA STATE HISTORIC PRESERVATION OFFICER (SHPO), as required by § 106, National Historic Preservation Act, and the regulations of the Advisory Council on Historic Preservation, 36 CFR 800.4.

q. Procedural schedule and final amendments: The application will be processed according to the following Hydro Licensing Schedule. Revisions to the schedule will be made as appropriate.

Issue Acceptance or Deficiency Letter—June 2003

Request Additional Information—June 2003

Issue Acceptance Letter—September 2003

Issue Scoping Document 1 for Comments—October 2003

Request Additional Information (if necessary)—December 2003

Issue Scoping Document 2—January 2004

Notice that application is ready for environmental analysis—January 2004

Notice of the availability of the draft EA—July 2004

Notice of the availability of the final EA—October 2004

Ready for Commission decision on the application—October 2004

Final amendments to the application must be filed with the Commission no later than 30 days from the issuance

date of the notice of ready for environmental analysis.

Magalie R. Salas,
Secretary.

[FR Doc. 03-10541 Filed 4-28-03; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM98-1-000]

Regulations Governing Off-the-Record Communications; Public Notice

April 22, 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 prohibited and exempt 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.

Docket No.	Date filed	Presenter or requester
PROHIBITED		
1. PF01-1-000, CP02-396-000	4-10-03	Retha Warren.
2. PF01-1-000, CP02-396-000	4-10-03	Jerry Warren.
EXEMPT		
1. CP03-13-000	4-10-03	Joanne Wachholder.
2. Project No. 459-000	4-17-03	Nancy Brunson. ¹
3. Project No. 459-000	4-17-03	Mark A. Miles. ²
		Nancy Brunson. ³
4. Project No. 459-000	4-17-03	Nancy Brunson. ⁴
5. Project No. 459-000	4-17-03	Claire F. Blackwell. ⁵

¹ Record of April 7th phone conversation with Federal Preservation Officer (FPO).

² Letter from Missouri State Historic Preservation Officer.

³ Copy of Environmental Justice Complaint filed with EPA.

⁴ Record of April 16th phone conversation with FPO.

⁵ Letter from Missouri State Historic Preservation Officer.

Magalie R. Salas,
Secretary.

[FR Doc. 03-10467 Filed 4-28-03; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[CA089-NOT; FRL-7489-2]

Adequacy Status of the San Diego County, California Submitted 1-Hour Ozone Redesignation to Attainment and Maintenance Plan for Transportation Conformity Purposes

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of adequacy determination.

SUMMARY: In this notice, EPA is notifying the public that we have found that the motor vehicle emissions budgets contained in the submitted San Diego County, California serious 1-hour ozone nonattainment area redesignation request and maintenance plan are adequate for transportation conformity purposes. As a result of our finding, the San Diego Association of Governments (SANDAG), the Federal Highway Administration and the Federal Transit Authority must use the VOC and NO_x motor vehicle emissions budgets from the submitted plan for future conformity determinations.

DATES: This determination is effective May 14, 2003.

FOR FURTHER INFORMATION CONTACT: The finding is available at EPA's conformity Web site: <http://www.epa.gov/oms/traq>. Once there, go to "Transportation Conformity," then select "Adequacy Web Pages." You may also contact John Kelly, U.S. EPA, Region IX, Air Division, AIR-2, 75 Hawthorne Street, San Francisco, CA 94105; (415) 947-4151 or kelly.johnj@epa.gov.

SUPPLEMENTARY INFORMATION:

Background

This notice announces our finding that the emissions budgets contained in the *Ozone Redesignation Request and Maintenance Plan for San Diego County*,