

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 11

[Docket No. RM04-1-000]

Update of the Federal Energy Regulatory Commission's Fees Schedule for Annual Charges for the Use of Government Lands

November 20, 2003.

AGENCY: Federal Energy Regulatory Commission.

ACTION: Final rule; update of Federal land use fees.

SUMMARY: In accordance with the Commission's regulations, the Commission by its designee, the Executive Director, is updating its schedule of fees for the use of government lands. The yearly update is based on the most recent schedule of fees for the use of linear rights-of-way prepared by the United States Forest Service. Since the next fiscal year will cover the period from October 1, 2003 through September 30, 2004 the fees in this notice will become effective October 1, 2003. The fees will apply to fiscal year 2004 annual charges for the use of government lands.

The Commission has concluded, with the concurrence of the Administrator of the Office of Information and Regulatory Affairs of OMB that this rule is not a "major rule" as defined in section 251 of the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C 804(2).

EFFECTIVE DATE: October 1, 2003.

FOR FURTHER INFORMATION CONTACT: Fannie Kingsberry, Financial Services Division, Office of the Executive Director, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-6108.

SUPPLEMENTARY INFORMATION: *Document Availability:* In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the Internet through FERC's Home Page (<http://www.ferc.gov>) and in FERC's Public Reference Room during normal business hours (8:30 a.m. to 5 p.m. Eastern time) at 888 First Street, NE., Room 2A, Washington, DC 20426.

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List of Subjects in 18 CFR Part 11

Electric power, Reporting and recordkeeping requirements.

Thomas R. Herlihy,

Executive Director, Office of the Executive Director.

■ Accordingly, the Commission, effective October 1, 2003, amends part 11 of Chapter I, Title 18 of the Code of Federal Regulations, as follows:

PART 11—[AMENDED]

■ 1. The authority citation for part 11 continues to read as follows:

Authority: 16 U.S.C. 791a-825r; 42 U.S.C. 7101-7352.

■ 2. In part 11, Appendix A is revised to read as follows.

APPENDIX A TO PART 11—FEE SCHEDULE FOR FY 2004

State/County	Rate per acre
Alabama: All Counties	\$26.64
Arkansas: All Counties	19.99
Arizona:	
Apache	6.64
Cochise	
Gila	
Graham	
La Paz	
Mohave	
Navajo	
Pima	
Yavapai	
Yuma	
Coconino (North of Colorado R.)	
Coconino (South of Colorado R.)	26.64
Greenlee	
Maricopa	
Pinal	
Santa Cruz	
California:	
Imperial	13.32
Inyo	
Lassen	
Modoc	
Riverside	
San Bernardino	
Siskiyou	19.99
Alameda	33.30
Alpine	
Amador	
Butte	

APPENDIX A TO PART 11—FEE SCHEDULE FOR FY 2004—Continued

State/County	Rate per acre
Calaveras	
Colusa	
Contra Costa	
Del Norte	
El Dorado	
Fresno	
Glenn	
Humboldt	
Kern	33.30
Kings	
Lake	
Madera	
Mariposa	
Mendocino	
Merced	
Mono	
Napa	
Nevada	
Placer	
Plumas	
Sacramento	
San Benito	
San Joaquin	
Santa Clara	
Shasta	
Sierra	
Solano	
Sonoma	
Stanislaus	
Sutter	
Tehama	
Trinity	
Tulare	
Tuolumne	
Yolo	
Yuba	
Los Angeles	39.98
Marin	
Monterey	
Orange	
San Diego	
San Francisco	
San Luis Obispo	
San Mateo	
Santa Barbara	
Santa Cruz	
Ventura	
Colorado:	
Adams	6.64
Arapahoe	
Bent	
Cheyenne	
Crowley	
Elbert	
El Paso	
Huerfano	
Kiowa	
Kit Carson	
Lincoln	6.64
Logan	
Moffat	
Montezuma	
Morgan	
Pueblo	
Sedgewick	
Washington	
Weld	
Yuma	
Baca	13.32
Broomfield ¹	

APPENDIX A TO PART 11—FEE
SCHEDULE FOR FY 2004—Continued

APPENDIX A TO PART 11—FEE
SCHEDULE FOR FY 2004—Continued

APPENDIX A TO PART 11—FEE
SCHEDULE FOR FY 2004—Continued

State/County	Rate per acre	State/County	Rate per acre	State/County	Rate per acre
Dolores		Wakulla		Mackinac	
Garfield		Walton		Marquette	
Las Animas		Washington		Menominee	
Mesa		All Other Counties	66.59	Ontonagon	
Montrose		Georgia:		Schoolcraft	
Otero		All Counties	39.98	All Other Counties	26.64
Prowers		Idaho:		Minnesota: All Counties	19.99
Rio Blanco		Cassia	6.64	Mississippi: All Counties	26.64
Routt		Gooding		Missouri: All Counties	19.99
San Miguel		Jerome		Montana	
Alamosa	26.64	Lincoln		Big Horn	6.64
Archuleta		Minidoka		Blaine	
Boulder		Oneida		Carter	
Chaffee		Owyhee		Cascade	
Clear Creek		Power		Chouteau	
Conejos		Twin Falls		Custer	
Costilla		Ada	19.99	Daniels	
Custer		Adams		McCone	
Denver		Bannock		Meagher	
Delta		Bear Lake		Dawson	
Douglas		Benewah		Fallon	
Eagle		Bingham		Fergus	
Fremont		Blaine		Garfield	
Gilpin		Boise		Glacier	
Grand		Bonner		Golden Valley	
Gunnison		Bonneville		Hill	
Hinsdale		Boundary		Judith Basin	
Jackson		Butte		Liberty	
Jefferson		Camas		Musselshell	
Lake		Canyon		Petroleum	
La Plata		Caribou		Phillips	
Larimer		Clark		Pondera	
Mineral		Clearwater		Powder River	
Ouray		Custer		Prairie	
Park		Elmore		Richland	
Pitkin		Franklin		Roosevelt	
Rio Grande		Fremont		Rosebud	
Saguache		Gem		Sheridan	6.64
San Juan	26.64	Idaho		Teton	
Summit		Jefferson		Toole	
Teller		Kootenai		Treasure	
Connecticut: All Counties	6.64	Latah		Valley	
Florida:		Lemhi		Wheatland	
Baker	39.98	Lewis		Wibaux	
Bay		Madison		Yellowstone	
Bradford		Nez Perce		Beaverhead	19.99
Calhoun		Payette		Broadwater	
Clay		Shoshone		Carbon	
Columbia		Teton		Deer Lodge	
Dixie		Valley		Flathead	
Duval		Washington		Gallatin	
Escambia		Illinois: All Counties	19.99	Granite	
Franklin		Indiana: All Counties	33.30	Jefferson	
Gadsden		Kansas:		Lake	
Gilchrist		Morton	13.32	Lewis & Clark	
Gulf		All Other Counties	6.64	Lincoln	
Hamilton		Kentucky: All Counties	19.99	Madison	
Holmes		Louisiana: All Counties	39.98	Mineral	
Jackson		Maine: All Counties	19.99	Missoula	
Jefferson		Michigan:		Park	
Lafayette		Alger	19.99	Powell	
Leon		Baraga		Ravalli	
Liberty		Chippewa		Sanders	
Madison		Delta		Silver Bow	
Nassau		Dickinson		Stillwater	
Okaloosa		Gogebic		Sweet Grass	
Santa Rosa		Houghton		Nebraska: All counties	6.64
Suwannee		Iron		Nevada:	
Taylor		Keweenaw		Churchill	3.33
Union		Luce		Clark	

APPENDIX A TO PART 11—FEE SCHEDULE FOR FY 2004—Continued		APPENDIX A TO PART 11—FEE SCHEDULE FOR FY 2004—Continued		APPENDIX A TO PART 11—FEE SCHEDULE FOR FY 2004—Continued	
State/County	Rate per acre	State/County	Rate per acre	State/County	Rate per acre
Elko		Grant		Sevier	
Esmeralda		Jefferson		Summit	
Eureka		Klamath		Utah	
Humboldt		Morrow		Wasatch	
Lander		Sherman		Weber	
Lincoln		Umatilla		Vermont: All counties	26.64
Lyon		Union		Virginia: All counties	26.64
Mineral		Wallowa		Washington:	
Nye		Wasco		Adams	13.32
Pershing		Wheeler		Asotin	
Washoe		Coos	19.99	Benton	
White Pine		Curry		Chelan	
Carson City	33.30	Douglas		Columbia	
Douglas		Jackson		Douglas	
Story		Josephine		Franklin	
New Hampshire: All counties	19.99	Benton	26.64	Garfield	
New Mexico:		Clackamas		Grant	
Chaves	6.64	Clatsop		Kittitas	
Curry		Columbia		Klickitat	
De Baca		Hood River		Lincoln	
Dona Ana		Lane		Okanogan	
Eddy		Lincoln		Spokane	
Grant		Linn		Walla Walla	
Guadalupe		Marion		Whitman	
Harding		Multnomah		Yakima	
Hidalgo		Polk		Ferry	19.99
Lea		Tillamook		Pend Oreille	
Luna		Washington		Stevens	
McKinley		Yamhill		Clallam	26.64
Otero		Pennsylvania: All counties	26.64	Clark	
Quay		Puerto Rico: All	39.98	Cowlitz	
Roosevelt		South Carolina: All counties	39.98	Grays Harbor	
San Juan		South Dakota:		Island	
Socorro		Butte	19.99	Jefferson	
Torrence		Custer		King	
Rio Arriba	13.32	Fall River		Kitsap	
Sandoval		Mead	19.99	Lewis	
Union		Pennington		Mason	
Bernalillo	26.64	All other counties	6.64	Pacific	
Catron		Tennessee: All counties	26.64	Pierce	
Cibola		Texas:		San Juan	
Colfax		Culberson	6.64	Skagit	
Lincoln		El Paso		Skamania	
Los Alamos		Hudspeth		Snohomish	
Mora		All other counties	39.98	Thurston	
San Miguel		Utah:		Wahkiakum	
Santa Fe		Beaver	6.64	Whatcom	
Sierra		Box Elder		West Virginia: All counties	26.64
Taos		Carbon		Wisconsin: All counties	19.99
Valencia		Duchesne		Wyoming:	
New York: All counties	26.64	Emery		Albany	6.64
North Carolina: All counties	39.98	Garfield		Campbell	
North Dakota: All counties	6.64	Grand		Carbon	
Ohio: All counties	26.64	Iron		Converse	
Oklahoma:		Juab		Goshen	
Beaver	13.32	Kane		Hot Springs	
Cimarron		Millard		Johnson	
Roger Mills		San Juan		Laramie	
Texas		Tooele		Lincoln	
Le Flore	19.99	Uintah		Natrona	
McCurtain		Wayne		Niobrara	
All other counties	6.64	Washington	13.32	Platte	
Oregon:		Cache	19.99	Sheridan	
Harney	6.64	Daggett		Sweetwater	
Lake		Davis		Fremont	
Malheur		Morgan		Sublette	
Baker	13.32	Piute		Unita	
Crook		Rich		Washakie	
Deschutes		Salt Lake		Big Horn	19.99
Gilliam		Sanpete		Crook	

APPENDIX A TO PART 11—FEE
SCHEDULE FOR FY 2004—Continued

State/County	Rate per acre
Park Teton Weston	
All other zones	6.16

¹Note: Broomfield County created November 2001 from parts of Adams, Boulder, Jefferson and Weld Counties.

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Parts 1, 301, and 602

[TD 9096]

RIN 1545-BC53

Installment Payments

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Removal of final regulations.

SUMMARY: This document removes regulation §§ 1.6152-1 and 301.6152-1 relating to installment payments made pursuant to section 6152 of the Internal Revenue Code. These regulations are obsolete because section 6152 was repealed for tax years beginning after December 31, 1986. The removal of these regulations will not affect taxpayers.

DATES: The removal of these regulations is effective December 3, 2003.

FOR FURTHER INFORMATION CONTACT: Janice R. Feldman, (202) 622-4940 (not a toll-free number).

SUPPLEMENTARY INFORMATION

Background and Explanation of Provisions

This document removes one section from the Income Tax Regulations (26 CFR part 1) and one section from the Procedure and Administration Regulations (26 CFR part 301) relating to installment payments made pursuant to section 6152 of the Internal Revenue Code. Section 6152, prior to its repeal in 1986, generally permitted a decedent's estate to pay income taxes in four equal installments, with the fourth installment due on or before 9 months after the date prescribed for the payment of the tax. Section 6152 was repealed by section 1404(c)(1) of the Tax Reform Act of 1986, (Pub. L. 99-514, 100 Stat. 2714), applicable to taxable years beginning after December 31, 1986. The repeal of

section 6152 has rendered §§ 1.6152-1 and 301.6152-1 obsolete.

Section 1.6152-1 was added by TD 6364, published in the **Federal Register** for November 26, 1960 (25 FR 12138). Section 1.6152-1 was amended by TD 6914 (32 FR 3819) and by TD 7953 (49 FR 19643). Section 1.6152-1, as amended, provides that corporations (relevant only with respect to provisions in regulation 6152 repealed in 1982) and estates of decedents may elect to pay income taxes in installments.

Section 301.6152-1 was added by TD 6498 (25 FR 10154) published in the **Federal Register** for October 25, 1960. Section 301.6152-1 provides that the regulations relating to the installment payments of income taxes are found at § 1.6152-1.

Effect on Other Documents

The final regulation § 1.6152-1 published in the **Federal Register** for May 9, 1984 (49 FR 19643) and the final regulation § 301.6152-1 published in the **Federal Register** for October 25, 1960 (25 FR 10154) are removed as of December 3, 2003.

Special Analyses

It has been determined that the removal of these regulations is not a significant regulatory action as defined in Executive Order 12866. Therefore, a regulatory assessment is not required. Because this rule merely removes regulatory provisions made obsolete by statute, prior notice and comment and a delayed effective date are unnecessary and contrary to the public interest. 5 U.S.C. 553(b)(B) and (d). Because no notice of proposed rulemaking is required, the Regulatory Flexibility Act (5 U.S.C. chapter 6) does not apply.

Drafting Information

The principal author of the removals of these regulations is Janice R. Feldman of the Office of Associate Chief Counsel, Procedure and Administration (Administrative Provisions and Judicial Practice Division).

List of Subjects

26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

26 CFR Part 301

Employment taxes, Estate taxes, Gift taxes, Income taxes, Penalties, Reporting and recordkeeping requirements.

26 CFR Part 602

Reporting and recordkeeping requirements.

Adoption of Amendments to the Regulations

■ Accordingly, 26 CFR parts 1, 301, and 602 are amended as follows:

PART 1—INCOME TAXES

■ Paragraph 1. The authority citation for part 1 continues to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

§ 1.6152-1 [Removed]

■ Par. 2. Section 1.6152-1 is removed.

PART 301—PROCEDURE AND ADMINISTRATION

■ Par. 3. The authority citation for part 301 continues to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

§ 301.6152-1 [Removed]

■ Par. 4. Section 301.6152-1 is removed.

PART 602—OMB CONTROL NUMBERS UNDER THE PAPERWORK REDUCTION ACT

■ Par. 5. The authority citation for part 602 continues to read as follows:

Authority: 26 U.S.C. 7805 * * *

§ 602.101 [Amended]

■ Par. 6. In § 602.101, paragraph (b) is amended by removing the entry for 1.6152-1 from the table.

Approved: November 19, 2003.

Robert E. Wenzel,

Deputy Commissioner for Services and Enforcement.

Pamela F. Olson,

Assistant Secretary of the Treasury (Tax Policy).

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DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 242

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 100

Subsistence Management Regulations for Public Lands in Alaska, Subpart D; Seasonal Adjustments—Units 9(D), 10 and 24

AGENCIES: Forest Service, USDA; Fish and Wildlife Service, Interior.

ACTION: Seasonal adjustments.