

Pipeline Project and the Proposed Action would be up to 25 years.

**Gerald M. Smith,**  
*Field Manager.*

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**BILLING CODE 4310-HC-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[WY-100-04-1310-DB]

#### Notice of Meetings of the Pinedale Anticline Working Group Adaptive Management Advisory Committee

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of public meetings.

**SUMMARY:** In accordance with the Federal Land Policy and Management Act (1976) and the Federal Advisory Committee Act (1972), the U.S. Department of the Interior, Bureau of Land Management (BLM) Pinedale Anticline Working Group adaptive management advisory committee will meet in Pinedale, WY, on Monday, July 12, 2004, and again on Wednesday, August 11, 2004, for business meetings. The meetings are open to the public.

**DATES:** The Pinedale Anticline Working Group (PAWG) will meet July 12, 2004, and August 11, 2004. Both meetings will begin at 9 a.m. and continue until finished, as late as 5 p.m.

**ADDRESSES:** The July 12 and August 11 PAWG meetings will be held in the Lovatt Room of the Sublette County Public Library, 155 So. Tyler Avenue, Pinedale, WY.

**FOR FURTHER INFORMATION CONTACT:** Carol Kruse, BLM/PAWG Liaison, Bureau of Land Management, Pinedale Field Office, 432 E. Mill St., PO Box 768, Pinedale, WY 82941; (307) 367-5352 or [carol\\_kruse@blm.gov](mailto:carol_kruse@blm.gov).

**SUPPLEMENTARY INFORMATION:** The Pinedale Anticline Working Group (PAWG) was authorized and established with release of the Record of Decision (ROD) for the Pinedale Anticline Oil and Gas Exploration and Development Project on July 27, 2000. The PAWG is to advise the BLM on the development and implementation of monitoring plans and adaptive management decisions as development of the Pinedale Anticline Natural Gas Field (PAPA) proceeds, for the life of the field.

After the ROD was issued, Interior determined that a Federal Advisory Committees Act (FACA) charter was required for this group. The charter was signed by Secretary Norton on August 15, 2002. An announcement of

committee initiation and call for nominations was published in the **Federal Register** on February 21, 2003 (68 FR 8522). PAWG members were appointed by Secretary Norton on May 4, 2004.

The first business meeting of the PAWG will begin at 9 a.m. on Monday, July 12, 2004, in the Lovatt Room of the Sublette County Public Library, 155 So. Tyler Ave., Pinedale, WY. Agenda topics will include: Introductions; review of PAWG and Task Group (subcommittee) organizational structure; review of the roles and responsibilities of the PAWG and its Task Groups; election of chairman; establishment of Task Groups; discussion on staffing those Task Groups; presentation and discussion on the Questar Exploration and Development proposal to drill year-round in crucial winter range/sage-grouse habitat in the Pinedale Anticline natural gas field project area (PAPA); and discussion of a potential PAWG tour of the PAPA. Public comment will be heard in the last 30 minutes of the meeting.

The second business meeting will begin at 9 a.m. on Wednesday, August 11, 2004, in the Lovatt Room of the Sublette County Public Library, 155 So. Tyler Ave., Pinedale, WY. Agenda topics will include: Appointment of Task Group members; initiation of Task Group activities; discussion of and decision on PAWG recommendation to BLM regarding the Questar proposal; discussion of other issues raised for PAWG consideration; setting the next PAWG meeting date and place. Public comment will be heard in the last 30 minutes of the meeting.

Dated: June 4, 2004.

**Priscilla E. Mechem,**  
*Field Manager, Pinedale BLM.*

[FR Doc. 04-13143 Filed 6-9-04; 8:45 am]

**BILLING CODE 4310-22-P**

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### Agency Information Collection Activities: Proposed Collection, Comment Request

**AGENCY:** Minerals Management Service (MMS), Interior.

**ACTION:** Notice of an extension of a currently approved information collection (OMB Control Number 1010-0104).

**SUMMARY:** To comply with the Paperwork Reduction Act (PRA) of 1995, we are inviting comments on a collection of information that we will

submit to the Office of Management and Budget (OMB) for review and approval. The information collection request (ICR) is titled "30 CFR Part 206, Subpart E—Indian Gas, Sections 206.172, 206.173, and 206.176, Accounting for Comparison [Dual Accounting] (Form MMS-4410)." We changed the title of this ICR to clarify the regulatory language we are covering under 30 CFR part 206. The previous title was "Accounting for Comparison (Dual Accounting) (Form MMS-4410)."

**DATES:** Submit written comments on or before August 9, 2004.

**ADDRESSES:** Submit written comments to Sharron L. Gebhardt, Lead Regulatory Specialist, Minerals Management Service, Minerals Revenue Management, P.O. Box 25165, MS 302B2, Denver, Colorado 80225. If you use an overnight courier service, our courier address is Building 85, Room A-614, Denver Federal Center, Denver, Colorado 80225. You may also e-mail your comments to us at [mrm.comments@mms.gov](mailto:mrm.comments@mms.gov). Include the title of the information collection and the OMB control number in the "Attention" line of your comment. Also include your name and return address. Submit electronic comments as an ASCII file avoiding the use of special characters and any form of encryption. If you do not receive a confirmation that we have received your e-mail, contact Ms. Gebhardt at (303) 231-3211.

**FOR FURTHER INFORMATION CONTACT:** Sharron L. Gebhardt, telephone (303) 231-3211, FAX (303) 231-3781, or e-mail [sharron.gebhardt@mms.gov](mailto:sharron.gebhardt@mms.gov).

#### SUPPLEMENTARY INFORMATION:

*Title:* 30 CFR Part 206, Subpart E—Indian Gas, Sections 206.172, 206.173, and 206.176, Accounting for Comparison [Dual Accounting] (Form MMS-4410).

*OMB Control Number:* 1010-0104.  
*Bureau Form Number:* Form MMS-4410.

*Abstract:* The Secretary of the U.S. Department of the Interior is responsible for collecting royalties from lessees who produce minerals from leased Federal and Indian lands. The Secretary is required by various laws to manage mineral resources production on Federal and Indian lands, collect the royalties due, and distribute the funds in accordance with those laws. The Secretary also has an Indian trust responsibility to manage Indian lands and seek advice and information from Indian beneficiaries. The MMS performs the royalty management functions and assists the Secretary in carrying out the Department's Indian trust responsibility. Applicable citations of the laws pertaining to mineral leases on Indian

lands include 25 U.S.C. 369d (Chapter 12—Lease, Sale or Surrender of Allotted or Unallotted Lands); 25 U.S.C. 2103 (Indian Minerals Development Act); and Public Law 97-451—Jan. 12, 1983 (Federal Oil and Gas Royalty Management Act of 1982).

When a company or an individual enters into a lease to explore, develop, produce, and dispose of minerals from Federal or Indian lands, that company or individual agrees to pay the lessor a share (royalty) of the value received from production from the leased lands. The lease creates a business relationship between the lessor and the lessee. The lessee is required to report various kinds of information to the lessor relative to the disposition of the leased minerals. Such information is similar to data reported to private and public mineral interest owners and is generally available within the records of the lessee or others involved in developing, transporting, processing, purchasing, or selling of such minerals. The information collected includes data necessary to ensure that the royalties are paid appropriately.

Proprietary information submitted to MMS under this collection is protected.

The product valuation determination process is essential to ensuring that Indians receive payment on the proper value of the minerals being removed. Indian tribes and individual Indian mineral owners receive all royalties generated from their lands. The Indian tribal representatives have expressed concern that the Secretary properly ensures the correct royalty is received. Failure to collect the data described in this information collection could result in the under valuation of leased minerals.

Most Indian leases contain the requirement to perform accounting for comparison (dual accounting) for gas produced from the lease. According to 30 CFR 206.176, dual accounting is the greater of the following two values:

- (1) The value of gas prior to processing less any applicable allowances, or
- (2) The combined value of residue gas and gas plant products resulting from processing the gas less any applicable allowances plus any drip condensate associated with the processed gas recovered downstream of the point of royalty settlement without resorting to processing, less applicable allowances.

On August 10, 1999, MMS published a final rule titled "Amendments to Gas Valuation Regulations for Indian Leases" (64 FR 43506) with an effective date of January 1, 2000. This regulation applies to all gas produced from Indian oil and gas leases, except leases on the Osage Indian Reservation. The intent of the rule was to ensure that Indian mineral lessors receive the maximum revenues from mineral resources on their land, consistent with the Secretary's trust responsibility and with lease terms. The rule requires lessees to elect to perform either actual dual accounting under 30 CFR 206.176, or the alternative methodology for dual accounting under 30 CFR 206.173.

#### **Form MMS-4410 Reporting Information**

Payors use Form MMS-4410, Accounting for Comparison (Dual Accounting), to certify that dual accounting was not required on an Indian lease and to make an election for actual or alternative dual accounting.

In this information collection request, we are asking approval to continue using the Form MMS-4410 to clarify the lessee's justification for not performing dual accounting and for the lessee's separate election to use the actual or alternative dual accounting methodology.

#### **Form MMS-4410, Part A, Certification for Not Performing Dual Accounting**

Form MMS-4410, Part A, requires lessees to identify the MMS-designated areas where the leases are located and provide specific justification for not performing dual accounting. Part A is a one-time notification. To assist the lessees in identifying the reason(s) for not performing dual accounting, Part A lists acceptable reasons for not performing dual accounting including: (1) The lease terms do not require dual accounting; (2) none of the gas from the lease is ever processed; (3) gas has a Btu content of 1000 Btu's per cubic foot or less at lease's facility measurement point(s); (4) none of the gas from the lease is processed until after gas flows into a pipeline with an index located in an index zone; and (5) none of the gas from the lease is processed until after gas flows into a mainline pipeline not located in an index zone.

#### **Form MMS-4410, Part B, Election to Perform Actual Dual Accounting or Alternate Dual Accounting**

Effective January 2002, we collected elections to perform actual dual accounting or alternative dual accounting from lessees on Part B, "Election to Perform Actual Dual Accounting or Alternate Dual Accounting." A lessee makes an election by checking either the actual or alternative dual accounting box for each MMS-designated area where its leases are located. Part B also includes lease prefixes within each MMS-designated area to assist lessees in making the appropriate election. The election to perform actual or alternative dual accounting applies to all of a lessee's Indian leases in each MMS-designated area. The first election on Part B to use the alternative dual accounting is effective from the time of election through the end of the following calendar year. Thereafter, each election to use the alternative dual accounting methodology must remain in effect for 2 calendar years. However, lessees may return to the actual dual accounting method only at the beginning of the next election period or with written approval of MMS and the tribal lessors for tribal leases, and MMS for Indian allotted leases in the MMS-designated area (30 CFR 206.173(a)).

*Frequency of Response:* On occasion.

*Estimated Number and Description of Respondents:* 370 payors of Indian gas royalties.

*Estimated Annual Reporting and Recordkeeping "Hour" Burden:* 170 hours.

Since the previous renewal of this ICR, we have obtained more accurate estimates of the number of respondents and the time required to provide the information requested. There are approximately 370 payors of Indian gas royalties. The form related to this ICR is only required if the payor wants to change their dual accounting election. We have adjusted the burden hours accordingly. We reviewed actual data from past years to project burden hours for future years. We estimate that we will receive 60 responses from 50 payors of Indian gas royalties. The following chart shows the estimated burden hours by CFR section and paragraph:

**RESPONDENTS' ESTIMATED ANNUAL BURDEN HOURS CHART**

30 CFR section	Reporting or recordkeeping requirement	Burden hours per response	Annual number of responses	Annual burden hours
206.172(b)(1)(ii) .....	How do I value gas produced from leases in an index zone?	4	25	100

## RESPONDENTS' ESTIMATED ANNUAL BURDEN HOURS CHART—Continued

30 CFR section	Reporting or recordkeeping requirement	Burden hours per response	Annual number of responses	Annual burden hours
206.173(a)(1) .....	<p>* * * (b) Valuing residue gas and gas before processing. (1) * * * (ii) Gas production that you certify on Form MMS-4410, Certification for Not Performing Accounting for Comparison (Dual Accounting), is not processed before it flows into a pipeline with an index but which may be processed later; * * *.</p> <p>(Part A of revised Form MMS-4410) .....</p> <p>How do I calculate the alternative methodology for dual accounting? .....</p> <p>(a) Electing a dual accounting method .....</p> <p>(1) * * * You may elect to perform the dual accounting calculation according to either §206.176(a) (called actual dual accounting), or paragraph (b) of this section (called the alternative methodology for dual accounting).</p> <p>(Part B of revised Form MMS-4410) .....</p>	2	35	70
206.173(a)(2) .....	<p>How do I calculate the alternative methodology for dual accounting? .....</p> <p>(a) Electing a dual accounting method. ....</p> <p>* * * .....</p> <p>(2) You must make a separate election to use the alternative methodology for dual accounting for your Indian leases in each MMS-designated area.</p> <p>* * * .....</p> <p>(Part B of revised Form MMS-4410) .....</p>	See 206.173 (a)(1) above.		
206.176(b) .....	<p>How do I perform accounting for comparison? .....</p> <p>* * * (b) If you are required to account for comparison, you may elect to use the alternative dual accounting methodology provided for in §206.173 instead of the provisions in paragraph (a) of this section.</p> <p>(Part B of revised Form MMS-4410).</p>	See 206.173 (a)(1) above.		
206.176(c) .....	<p>How do I perform accounting for comparison? .....</p> <p>* * * (c) * * * If you do not perform above. dual accounting, you must certify to MMS that gas flows into such a pipeline before it is processed.</p> <p>(Part A of revised Form MMS-4410) .....</p>	See 206.172(b)(1)(ii) above.		
Totals .....	.....		60	170

*Estimated Annual Reporting and Recordkeeping “Non-hour Cost” Burden:* We have identified no “non-hour” cost burdens.

*Comments:* The PRA (44 U.S.C. 3501, *et seq.*) provides that an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Before submitting an ICR to OMB, PRA section 3506(c)(2)(A) requires each agency “\* \* \* to provide notice \* \* \* and otherwise consult with members of the public and affected agencies concerning each proposed collection of information \* \* \*.” Agencies must specifically solicit comments to: (a) Evaluate whether the proposed collection of information is necessary for the agency to perform its duties, including whether the information is useful; (b) evaluate the accuracy of the agency’s estimate of the burden of the proposed collection of information; (c) enhance the quality, usefulness, and clarity of the information to be

collected; and (d) minimize the burden on the respondents, including the use of automated collection techniques or other forms of information technology.

The PRA also requires agencies to estimate the total annual reporting “non-hour cost” burden to respondents or recordkeepers resulting from the collection of information. We have not identified non-hour cost burdens for this information collection. If you have costs to generate, maintain, and disclose this information, you should comment and provide your total capital and startup cost components or annual operation, maintenance, and purchase of service components. You should describe the methods you use to estimate major cost factors, including system and technology acquisition, expected useful life of capital equipment, discount rate(s), and the period over which you incur costs. Capital and startup costs include, among other items, computers and software you purchase to prepare for collecting information; monitoring,

sampling, and testing equipment; and record storage facilities. Generally, your estimates should not include equipment or services purchased: (i) Before October 1, 1995; (ii) to comply with requirements not associated with the information collection; (iii) for reasons other than to provide information or keep records for the Government; or (iv) as part of customary and usual business or private practices.

We will summarize written responses to this notice and address them in our ICR submission for OMB approval, including appropriate adjustments to the estimated burden. We will provide a copy of the ICR to you without charge upon request. The ICR also will be posted on our Web site at [http://www.mrm.mms.gov/Laws\\_R\\_D/FRNotices/FRInfColl.htm](http://www.mrm.mms.gov/Laws_R_D/FRNotices/FRInfColl.htm).

*Public Comment Policy:* We will post all comments in response to this notice on our Web site at [http://www.mrm.mms.gov/Laws\\_R\\_D/FRNotices/FRInfColl.htm](http://www.mrm.mms.gov/Laws_R_D/FRNotices/FRInfColl.htm). We also will make copies of the comments available

for public review, including names and addresses of respondents, during regular business hours at our offices in Lakewood, Colorado. Upon request, we will withhold an individual respondent's home address from the public record, as allowable by law. There also may be circumstances in which we would withhold from the rulemaking record a respondent's identity, as allowable by law. If you request that we withhold your name and/or address, state your request prominently at the beginning of your comment. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

*MMS Information Collection Clearance Officer:* Arlene Bajusz (202) 208-7744.

Dated: June 4, 2004.

**Cathy J. Hamilton,**

*Acting, Associate Director for Minerals Revenue Management.*

[FR Doc. 04-13162 Filed 6-9-04; 8:45 am]

BILLING CODE 4310-MR-P

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-512]

### In the Matter of Certain Light-Emitting Diodes and Products Containing Same; Notice of Investigation

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Institution of investigation pursuant to 19 U.S.C. 1337.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on May 6, 2004, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of OSRAM GmbH and OSRAM Opto Semiconductors GmbH, both of Germany. Letters supplementing the complaint were filed on May 25 and May 27, 2004. The complaint, as supplemented, alleges violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain light-emitting diodes and products containing same by reason of infringement of claims 1, 3, 6-7, and 10-13 of U.S. Patent No. 6,066,861; claims 1, 3, 6-7, 10-13, and 15 of U.S. Patent No. 6,245,259; claims 1-2, 6-7, 11-12, and 15 of U.S. Patent No. 6,277,301; claims

1, 5-10, and 13-16 of U.S. Patent No. 6,376,902; claims 1 and 5-8 of U.S. Patent No. 6,469,321; claims 1, 5-8, 10-13, and 16-19 of U.S. Patent No. 6,573,580; claim 4 of U.S. Patent No. 6,576,930; claims 2-5, 7, and 10 of U.S. Patent No. 6,592,780; and claims 1, 3, 6-7, 10, 12-15, 17, and 21 of U.S. Patent No. 6,613,247. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue a permanent general exclusion order and permanent cease and desist orders.

**ADDRESSES:** The complaint and supplements, except for any confidential information contained therein, are available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Room 112, Washington, DC 20436, telephone 202-205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Benjamin D.M. Wood, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone 202-205-2582.

**Authority:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2003).

**Scope of Investigation:** Having considered the complaint, the U.S. International Trade Commission, on June 4, 2004, *ordered that*—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain light-emitting diodes or products containing same by

reason of infringement of one or more of claims 1, 3, 6-7, and 10-13 of U.S. Patent No. 6,066,861; claims 1, 3, 6-7, 10-13, and 15 of U.S. Patent No. 6,245,259; claims 1-2, 6-7, 11-12, and 15 of U.S. Patent No. 6,277,301; claims 1, 5-10, and 13-16 of U.S. Patent No. 6,376,902; claims 1 and 5-8 of U.S. Patent No. 6,469,321; claims 1, 5-8, 10-13, and 16-19 of U.S. Patent No. 6,573,580; claim 4 of U.S. Patent No. 6,576,930; claims 2-5, 7, and 10 of U.S. Patent No. 6,592,780; and claims 1, 3, 6-7, 10, 12-15, 17, and 21 of U.S. Patent No. 6,613,247; and whether an industry in the United States exists as required by subsection (a)(2) of section 337.

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are—OSRAM GmbH, Hellabrunner Strasse 1, 81543 Munich, Germany.

OSRAM Opto Semiconductors GmbH, Wernerwerkstrasse 2, 93049 Regensburg, Germany.

(b) The respondents are the following companies alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Dominant Semiconductors Sdn. Bhd., Lot 6, Batu Berendam, FTZ Phase III, 75350 Melaka, Malaysia.

American Microsemiconductor Inc., 133 Kings Road, Madison, NJ 07940.

American Opto Plus Inc., 1206 E. Lexington Avenue, Pomona, CA 91766.

(c) Benjamin D.M. Wood, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Suite 401, Washington, DC 20436, who shall be the Commission investigative attorney, party to this investigation; and

(3) For the investigation so instituted, the Honorable Charles E. Bullock is designated as the presiding administrative law judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(d) and 210.13(a), such responses will be considered by the Commission if received no later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be