

Docket No. ER03-1118, Midwest Independent Transmission System Operator, Inc.

Docket No. ER04-691 and EL04-104, Midwest Independent Transmission System Operator, Inc., *et al.*

Docket No. ER04-375, Midwest Independent Transmission System Operator, Inc., *et al.*

Docket Nos. EL04-43 and EL04-46, *Tenaska Power Services Co. and Cargill Power Markets, LLC v. Midwest Independent Transmission System Operator, Inc.*

The meeting is open to the public.

For more information, contact Patrick Clarey, Office of Markets, Tariffs and Rates, Federal Energy Regulatory Commission at (317) 249-5937 or [patrick.clarey@ferc.gov](mailto:patrick.clarey@ferc.gov), or Christopher Miller, Office of Markets, Tariffs and Rates, Federal Energy Regulatory Commission at (317) 249-5936 or [christopher.miller@ferc.gov](mailto:christopher.miller@ferc.gov).

Magalie R. Salas,

Secretary.

[FR Doc. E4-1799 Filed 8-11-04; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM98-1-000]

### Records Governing Off-the-Record Communications; Public Notice

August 6, 2004.

This constitutes notice, in accordance with 18 CFR 385.2201(b), 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 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 a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a 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 a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall 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 eLibrary (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](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659.

### PROHIBITED

| Docket number                                   | Date filed | Presenter or requester |
|---|------------|------------------------|
| 1. ER04-510-003, EL04-88-001, EL04-88-002 ..... | 7-22-04    | Robert Carey.          |
| 2. Project No. 1390-005 .....                   | 8-3-04     | Katie Maloney Bellomo. |

### EXEMPT

| Docket number                 | Date filed | Presenter or requester     |
|-------------------------------|------------|----------------------------|
| 1. CP04-223-000 .....         | 7-22-04    | Fran Lowell <sup>1</sup> . |
| 2. CP04-223-000 .....         | 8-4-04     | Capt. William C. Reed.     |
| 3. CP04-223-000 .....         | 8-4-04     | David Sanders.             |
| 4. Project No. 1971-000 ..... | 7-28-04    | Brian J. Brown.            |

<sup>1</sup> Project Meeting Minutes.

Magalie R. Salas,  
Secretary.

[FR Doc. E4-1792 Filed 8-11-04; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. ER04-699-000, ER03-1272-002, ER98-4410-000, ER98-4410-001, ER98-4410-002, EL02-101-000, EL02-101-001, and EL02-101-002]

**Entergy Services, Inc., CLECO Power, LLC Dalton Utilities Entergy Services, Inc., Georgia Transmission Corporation, JEA, MEAG Power, Sam Rayburn G&T Electric Cooperative, Inc., Southern Company Services, Inc., City of Tallahassee, FL; Notice of Comment Period**

August 6, 2004.

On July 29-30, 2004, the Federal Energy Regulatory Commission (FERC) held a technical conference to discuss issues raised by Entergy Services Inc.'s (Entergy) proposal in Docket No. ER04-699-000 to, among other things, establish an Independent Coordinator of Transmission (ICT), as well as to address additional proceedings currently pending before the Commission that raise issues of transmission access on the Entergy system. Members of the FERC, the Louisiana Public Service Commission, the Arkansas Public Service Commission, the Mississippi Public Service Commission and the Council of the City of New Orleans, as well as the staff of the Public Utilities Commission of Texas, participated in the discussions. In addition, the Commission heard from speakers representing various market participants on Entergy's system.

Any party wishing to provide additional or supplemental comments as a result of issues discussed at the conference should file such comments no later than August 31, 2004. Comments may be filed electronically via the Internet in lieu of filing by paper. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site at <http://www.ferc.gov> under the "e-Filing" link. For additional information, please contact Anna Cochrane at (202) 502-6357; [anna.cochrane@ferc.gov](mailto:anna.cochrane@ferc.gov).

Magalie R. Salas,  
Secretary.

[FR Doc. E4-1788 Filed 8-11-04; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[OW-2004-0017, FRL-7800-6]

**Agency Information Collection  
Activities: Proposed Collection;  
Comment Request; Combined Sewer  
Overflow Control Policy, EPA ICR  
Number 1680.03, OMB Control Number  
2040-0170**

AGENCY: Environmental Protection  
Agency.

ACTION: Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit a continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB). This is a request to renew an existing approved collection. This ICR is scheduled to expire on October 31, 2004. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted on or before October 12, 2004.

**ADDRESSES:** Submit your comments, referencing docket ID number OW-2004-0017 to EPA online using EDOCKET (our preferred method), by email to [OW-DOCKET@epa.gov](mailto:OW-DOCKET@epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, Water Docket (Mail Code 4101T), 1200 Pennsylvania Ave., NW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Timothy J. Dwyer, Environmental Protection Agency, Water Permits Division (4203M), 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: 202-564-0717; fax number: 202-564-6392; e-mail address: [dwyer.tim@epa.gov](mailto:dwyer.tim@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA has established a public docket for this ICR under Docket ID number OW-2004-0017, which is available for public viewing at the Water Docket in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Water Docket is (202) 566-2426. An electronic version of the public docket is available through EPA Dockets (EDOCKET) at <http://www.epa.gov/edocket>. Use

EDOCKET to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the docket ID number identified above.

Any comments related to this ICR should be submitted to EPA within 60 days of this notice. EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EDOCKET as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose public disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EDOCKET. The entire printed comment, including the copyrighted material, will be available in the public docket.

Although identified as an item in the official docket, information claimed as CBI, or whose disclosure is otherwise restricted by statute, is not included in the official public docket, and will not be available for public viewing in EDOCKET. For further information about the electronic docket, see EPA's **Federal Register** notice describing the electronic docket at 67 FR 38102 (May 31, 2002), or go to <http://www.epa.gov/edocket>.

**Affected entities:** Entities potentially affected by this action are approximately 770 municipalities with combined sewer systems, which are covered by EPA's Combined Sewer Overflow (CSO) Control Policy.

**Title:** Combined Sewer Overflow Control Policy (OMB Control No. 2040-0170; EPA ICR No. 1680.03) expiring on October 31, 2004.

**Abstract:** EPA is proposing to continue its ICR for the Combined Sewer Overflow (CSO) Control Policy. The ICR was approved in April 1994. The first renewal was approved in September 1997; the second in October 2001. This renewal ICR includes the burden associated with documenting implementation of the nine minimum controls identified in the CSO control policy, public notification of CSO events and their impacts, developing and submitting long-term CSO control plans (LTCPs), and post-construction compliance monitoring.

Combined sewer systems (CSSs) serve approximately 770 municipalities, primarily in the Northeast and Great Lakes regions. This number is smaller than that in the former ICR largely