

304, Room 107, 22541 Millstone Road, Patuxent River, MD 20670.

**FOR FURTHER INFORMATION CONTACT:** Mr. Paul Fritz, Naval Air Warfare Center Aircraft Division, Business Development Office, Office of Research and Technology Applications, Building 304, Room 107, 22541 Millstone Road, Patuxent River, MD 20670, telephone (301) 342-5586, fax (301) 342-1134, or E-Mail: [paul.fritz@navy.mil](mailto:paul.fritz@navy.mil).

(Authority: 35 U.S.C. 207, 37 CFR Part 404.)

Dated: February 5, 2004.

**J.T. Baltimore,**

*Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Alternate Federal Register Liaison Officer.*

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**BILLING CODE 3810-FF-P**

## DEPARTMENT OF ENERGY

### Energy Information Administration

#### **Notice; Energy Information Administration Surveys Conducted in Accordance With the Provisions of the Confidential Information Protection and Statistical Efficiency Act of 2002**

**AGENCY:** Energy Information Administration (EIA), Department of Energy (DOE).

**ACTION:** Notice; Energy Information Administration surveys conducted in accordance with the provisions of the Confidential Information Protection and Statistical Efficiency Act of 2002.

**SUMMARY:** The Energy Information Administration (EIA) is announcing those surveys that are being designated to collect information in accordance with the Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA) (title 5 of Public Law 107-347). Survey information collected in accordance with CIPSEA is treated as confidential and should not be disclosed in identifiable form for any use other than an exclusively statistical purpose, except with the informed consent of the respondent. As defined in CIPSEA section 502, the term statistical purpose "(A) means the description, estimation, or analysis of the characteristics of groups, without identifying the individuals or organizations that comprise such groups; and (B) includes the development, implementation, or maintenance of methods, technical or administrative procedures, or information resources that support the purposes described in subparagraph (A)." Without a survey respondent's informed consent, information collected

in accordance with CIPSEA should not be used in identifiable form for any purpose that is not a statistical purpose, including any administrative, regulatory, law enforcement, adjudicatory, or other purpose that affects the rights, privileges, or benefits of a particular identifiable respondent. Also, such survey information should not be disclosed under section 552 of Title 5, United States Code (popularly known as the Freedom of Information Act).

**DATES:** Comments must be filed by March 18, 2004.

**ADDRESSES:** Requests for additional information or comments about this action should be directed to Jay Casselberry. Contact by FAX (202-287-1705), e-mail ([jay.casselberry@eia.doe.gov](mailto:jay.casselberry@eia.doe.gov)), or telephone (202-287-1717) is recommended to expedite receipt and response. The mailing address is Statistics and Methods Group (ATTN: Jay Casselberry), EI-70, Forrestal Building, U.S. Department of Energy, 1000 Independence Ave., SW., Washington, DC 20585.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Mr. Casselberry at the address listed above.

#### **SUPPLEMENTARY INFORMATION:**

- I. Background
- II. Current Actions

#### **I. Background**

The Federal Energy Administration Act of 1974 (Pub. L. 93-275, 15 U.S.C. 761 *et seq.*) and the DOE Organization Act (Pub. L. 95-91, 42 U.S.C. 7101 *et seq.*) require the EIA to carry out a centralized, comprehensive, and unified energy information program. This program collects, evaluates, assembles, analyzes, and disseminates information on energy resource reserves, production, demand, technology, and related economic and statistical information. This information is used to assess the adequacy of energy resources to meet near and longer-term domestic demands.

The EIA provides the public and other Federal agencies with opportunities to comment on collections of energy information conducted by EIA. As appropriate, EIA also requests comments on important issues relevant to the dissemination of energy information. Comments received help the EIA when preparing information collections and information products necessary to support EIA's mission.

EIA currently conducts the surveys listed below in accordance with CIPSEA. Unless noted otherwise, all

survey elements are collected under CIPSEA.

- EIA-28, Financial Reporting System;
- EIA-851A, Domestic Uranium Production Report—Annual (majority of survey elements collected in accordance with CIPSEA);
- EIA-851Q, Domestic Uranium Production Report—Quarterly (majority of survey elements collected in accordance with CIPSEA);
- EIA-858, Uranium Marketing Annual Survey (majority of survey elements collected in accordance with CIPSEA);
- EIA-863, Petroleum Product Sales Identification Survey;
- EIA-871, Commercial Buildings Energy Consumption Survey;
- EIA-878, Motor Gasoline Price Survey;
- EIA-888, On-Highway Diesel Fuel Price Survey.

Beginning with the next reporting period after April 1, 2004, EIA will conduct the additional surveys listed below in accordance with CIPSEA:

- EIA-457, Residential Energy Consumption Survey;
- EIA-910, Monthly Natural Gas Marketers Survey;
- EIA-912, Weekly Underground Natural Gas Storage Report.

In addition to publishing this notice, EIA will notify the persons and companies selected for inclusion in the affected surveys that the information will be considered as confidential, used for exclusively statistical purposes, and treated in accordance with CIPSEA.

#### **II. Current Actions**

EIA announces that surveys EIA-28, 457, 851A, 851Q, 858, 863, 871, 878, 888, 910, and 912 have been designated to collect information in accordance with the Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA) (title 5 of Pub. L. 107-347). Survey information collected in accordance with CIPSEA is treated as confidential and is not disclosed in identifiable form for any use other than an exclusively statistical purpose, except with the informed consent of the respondent.

In the future EIA may modify the list of surveys designated to collect information in accordance with CIPSEA. Any changes will be addressed in **Federal Register** notices, and cleared with the Office of Management and Budget through the processes of the Paperwork Reduction Act of 1995 (Pub. L. 104-13).

**Statutory Authority:** Section 52 of the Federal Energy Administration Act (Pub. L. 93-275, 15 U.S.C. 790a).

Issued in Washington, DC, February 10, 2004.

Jay H. Casselberry,

Agency Clearance Officer, Statistics and Methods Group, Energy Information Administration.

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## DEPARTMENT OF ENERGY

### Energy Information Administration

#### Policy Statement. Solicitation of Comments on the Disclosure Limitation Policy for Statistical Information Based on Renewable Fuels Survey Data

**AGENCY:** Energy Information Administration (EIA), Department of Energy (DOE).

**ACTION:** Policy Statement. Solicitation of Comments on the Disclosure Limitation Policy for Statistical Information Based on Renewable Fuels Survey Data.

**SUMMARY:** The EIA is requesting comments on the disclosure limitation policy for statistical information based on renewables fuels data collected on Forms EIA-63A ("Annual Solar Thermal Collector Manufacturers Survey"), EIA-63B ("Annual Photovoltaic Module/Cell Manufacturers Survey"), and EIA-902 ("Annual Geothermal Heat Pump Manufacturers Survey"). EIA's policy will be to only apply disclosure limitation methods to statistics based on financial data reported on those forms. For statistics based on nonfinancial data reported on the forms, EIA will not apply disclosure limitation methods. EIA will continue to protect information collected under a pledge of confidentiality by not publicly releasing respondent-level survey data directly linked to names or other identifiers. This proposed policy is based on EIA's mandate for carrying out a central, comprehensive, and unified energy data and information program responsive to users' needs for credible, reliable, and timely energy information that will improve and broaden understanding of energy in the United States.

**DATES:** Comments must be filed by March 18, 2004. If you anticipate difficulty in submitting comments within that period, contact the person listed below as soon as possible.

**ADDRESSES:** Comments on this policy should be directed to Fred Mayes, Chief of EIA's Renewables Information Team. To ensure receipt of the comments by the due date, submission by FAX (202-287-1964) or e-mail

(fred.mayes@eia.doe.gov) is recommended. The mailing address is Renewables Information Team (EI-52), Forrestal Building, U.S. Department of Energy, 1000 Independence Ave., SW., Washington, DC 20585-0650. Alternatively, Mr. Mayes may be contacted by telephone at (202) 287-1750.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Mr. Mayes at the address listed above.

#### SUPPLEMENTARY INFORMATION:

- I. Background
- II. Current Actions
- III. Request for Comments

##### I. Background

The Federal Energy Administration Act of 1974 (Pub. L. No. 93-275, 15 U.S.C. 761 *et seq.*) and the DOE Organization Act (Pub. L. No. 95-91, 42 U.S.C. 7101 *et seq.*) require the EIA to carry out a centralized, comprehensive, and unified energy information program. This program collects, evaluates, assembles, analyzes, and disseminates information on energy resource reserves, production, demand, technology, and related economic and statistical information. This information is used to assess the adequacy of energy resources to meet near and longer-term domestic demands.

The EIA provides the public and other Federal agencies with opportunities to comment on collections of energy information conducted by EIA. As appropriate, EIA also requests comments on important issues relevant to the dissemination of energy information. Comments received help the EIA when preparing information collections and information products necessary to support EIA's mission.

EIA sponsors three surveys that collect information about the manufacturer and distribution of renewable fuels equipment. Statistics based on data from these three surveys are used to analyze the renewables fuels situation in the U.S.

Form EIA-63A collects data on shipments of solar thermal collectors by end use and market sector. Collector types include low-temperature, medium-temperature air, medium-temperature liquid, high temperature, and other. EIA-63A respondents are manufacturers, importers, and exporters of solar thermal collectors.

Form EIA-63B collects data on shipments of photovoltaic modules/cells by end use and market sector. Module/cell types include crystalline silicon, thin film, concentrator, and "other". EIA-63B respondents are

manufacturers, importers, and exporters of photovoltaic modules/cells.

Form EIA-902 collects data on shipments of geothermal heat pumps by type, end use, and sector. EIA-902 respondents are geothermal heat pump manufacturers.

Forms EIA-63A, 63B, and 902 are collected under a pledge of confidentiality. EIA does not publicly release the names or other identifiers of the survey respondents linked to their submitted data. For statistics based on financial data (e.g., value of shipments), EIA applies disclosure limitation. However, for all statistics based on nonfinancial data (e.g., number of units shipped), EIA does not apply disclosure limitation.

When used, disclosure limitation methods are designed to minimize the possibility that individually-identifiable information reported by a survey respondent may be inferred from published statistics. By not using disclosure limitation methods, a statistic based on nonfinancial data reported by fewer than three respondents or dominated by nonfinancial data from one or two large respondents may be used by a knowledgeable person to estimate data reported by a specific respondent.

Data collected on Forms EIA-63A, 63B, and 902 are used to meet EIA's mandates and energy data users' needs for credible, reliable, and timely energy information on renewable fuels. Adequate evaluation of renewable fuels issues requires detailed, comprehensive data. Data collected on the three surveys are used to create statistics disseminated by EIA in various information products available on EIA's Web site at <http://www.eia.doe.gov/fuelrenewable.html>.

EIA's renewable fuels statistics provide Congress, other government agencies, businesses, trade associations, and private research and consulting organizations with information for analysis, projections, and monitoring purposes. To be most effective, EIA's renewable fuels statistical information must be available by various breakdowns including unit type, customer type, and economic sector categories.

Given the relatively small number of respondents to each of the three surveys, certain statistics based primarily on data reported by a few respondents with large operations, and the need for detailed renewable fuels statistics, the use of disclosure limitation methods would result in a large amount of detailed, nonfinancial statistics being suppressed from public dissemination. The suppressed nonfinancial statistics would then be