

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 are 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 off-the-record communications recently received by the Secretary of the Commission. The communications

listed are grouped by docket numbers in ascending order. 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 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.

EXEMPT

Docket No.	Date received	Presenter or requester
1. CP98-150-007 .....	2-21-06	Hon. Sherwood Boehlert.
2. CP03-33-002 .....	2-28-06	John Wisniewski.
3. CP03-33-002 .....	3-3-06	John Wisniewski.
4. CP06-54-000, CP06-55-000, CP06-56-000 .....	2-23-06	Hon. Richard Blumenthal.
5. Project No. 2210-000 .....	2-21-06	Hon. Virgil H. Goode, Jr.
6. Project No. 11841-002 .....	2-16-06	Kenneth Hogan.

Magalie R. Salas,  
Secretary.

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**DEPARTMENT OF ENERGY**

**Southeastern Power Administration**

**Proposed Rate Adjustment for Kerr-Philpott System**

**AGENCY:** Southeastern Power Administration, DOE.

**ACTION:** Notice of public hearing and opportunities for review and comment.

**SUMMARY:** Southeastern Power Administration (Southeastern) proposes to replace existing schedules of rates and charges applicable for the sale of power from the Kerr-Philpott System effective for a five-year period from October 1, 2006, to September 30, 2011. Additionally, opportunities will be available for interested persons to review the present rates, the proposed rates and supporting studies, to participate in a forum, and to submit written comments. Southeastern will evaluate all comments received in this process.

**DATES:** Written comments are due on or before June 8, 2006. A public information and comment forum will be held in Raleigh, North Carolina, at 10 a.m. on April 26, 2006. Persons desiring to speak at the forum should notify Southeastern at least seven (7) days before the forum is scheduled so that a list of forum participants can be prepared. Others present at the forum

may speak if time permits. Persons desiring to attend the forum should notify Southeastern at least seven (7) days before the forum is scheduled. Unless Southeastern has been notified by the close of business on April 19, 2006, that at least one person intends to be present at the forum, the forum may be canceled with no further notice.

**ADDRESSES:** Five copies of written comments should be submitted to: Charles Borchardt, Administrator, Southeastern Power Administration, Department of Energy, Elberton, GA 30635. The public comment forum will meet at the Raleigh Marriott Crabtree Valley, 4500 Marriott Drive, Raleigh, NC 27612, (919) 781-7000.

**FOR FURTHER INFORMATION CONTACT:** Leon Jourolmon, Assistant Administrator, Finance and Marketing, Southeastern Power Administration, Department of Energy, 1166 Athens Tech Road, Elberton, GA 30635-6711, (706) 213-3800.

**SUPPLEMENTARY INFORMATION:** The Federal Energy Regulatory Commission (FERC), by order issued March 6, 2002, confirmed and approved Rate Schedules VA-1, VA-2, VA-3, VA-4, CP&L-1, CP&L-2, CP&L-3, C&L-4, AP-1, AP-2, AP-3, AP-4, and NC-1 for the period October 1, 2001, to September 30, 2006. A current repayment study prepared in February of 2006 shows that existing rates are not adequate to recover all costs required by present repayment criteria. Southeastern is proposing new rates to recoup these unrecovered costs.

A revised repayment study with a revenue increase of \$4,815,000 in Fiscal Year 2007 and all future years over the

current repayment study shows that all costs are repaid within their service life. Therefore, Southeastern is proposing to revise the existing rates to generate this additional revenue. The increase is primarily due to costs associated with the rehabilitation of the John H. Kerr Project currently underway. The rate adjustment is an increase of about 42 percent.

**Proposed Unit Rates**

Under the proposed rates, the capacity charge will increase from the current \$1.96 per kilowatt per month to \$3.17 per kilowatt per month. The energy charge will increase from the current 8.25 mills per kilowatt-hour to 12.66 mills per kilowatt-hour. In addition, Southeastern proposes to continue a Tandem Transmission rate, which is designed to recover the cost of transmitting power from a project to the border of another transmitting system. This rate is to be a formula pass-through rate based on the charges by transmission facilitators and is estimated to be \$1.69 per kilowatt per month.

Southeastern is proposing the following rate schedules to be effective for the period from October 1, 2006, to September 30, 2011.

*Rate Schedule PJM-1*

Available to public bodies and cooperatives in Virginia and North Carolina to whom power may be transmitted and scheduled pursuant to contracts between the Government and the PJM Interconnection, LLC (PJM).

**Rate Schedule PJM-2**

Available to public bodies and cooperatives in Virginia and North Carolina to whom power may be transmitted pursuant to contracts between the Government and PJM. The customer is responsible for providing a scheduling arrangement with the Government.

**Rate Schedule PJM-3**

Available to public bodies and cooperatives in Virginia and North Carolina to whom power may be scheduled pursuant to contracts between the Government and PJM. The customer is responsible for providing a transmission arrangement.

**Rate Schedule PJM-4**

Available to public bodies and cooperatives in the service area of PJM. The customer is responsible for providing a scheduling arrangement with the Government and for providing a transmission arrangement.

**Rate Schedule CP&L-1-A**

Available to public bodies and cooperatives in North Carolina to whom power may be transmitted and scheduled pursuant to contracts between the Government and Carolina Power & Light.

**Rate Schedule CP&L-2-A**

Available to public bodies and cooperatives in North Carolina to whom power may be transmitted pursuant to contracts between the Government and Carolina Power & Light. The customer is responsible for providing a scheduling arrangement with the Government.

**Rate Schedule CP&L-3-A**

Available to public bodies and cooperatives in North Carolina to whom power may be scheduled pursuant to contracts between the Government and Carolina Power & Light. The customer is responsible for providing a transmission arrangement.

**Rate Schedule CP&L-4-A**

Available to public bodies and cooperatives in the service area of Carolina Power & Light. The customer is responsible for providing a scheduling arrangement with the Government and for providing a transmission arrangement.

**Rate Schedule NC-1-A**

Available to public bodies and cooperatives in Virginia and North Carolina to whom power may be transmitted pursuant to a contract between the Government and PJM and scheduled pursuant to a contract

between the Government and Carolina Power & Light.

**Rate Schedule Replacement-2**

This rate schedule shall be applicable to the sale energy purchased to meet contract minimum energy and sold under appropriate contracts between the Government and the Customer.

The referenced repayment studies are available for examination at 1166 Athens Tech Road, Elberton, GA 30635. Proposed Rate Schedules PJM-1, PJM-2, PJM-3, PJM-4, CP&L-1-A, CP&L-2-A, CP&L-3-A, CP&L-4-A, NC-1-A, and Replacement-2 are also available.

Dated: February 27, 2006.

**Charles A. Borchart,**

Administrator.

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## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6673-2]

### Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at 202-564-7167. An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 1, 2005 (70 FR 16815).

#### Draft EISs

*EIS No. 20050501, ERP No. D-NRS-G39045-AR*, Walnut Bayou Irrigation Project, Natural Resource Plan for the Little Red River Watershed, Little River County, AR.

*Summary:* EPA expressed environmental concern about potential impacts to wetlands, and requested additional information to address wetland impacts and required mitigation.

Rating EC2.

*EIS No. 20050518, ERP No. D-BLM-J02049-WY*, Atlantic Rim Natural Gas Field Development Project, Proposed Natural Gas Development to 2000 Wells, 1800 to Coal Beds and 200 to Other Formations, Carbon County, WY.

*Summary:* EPA expressed environmental concerns about air and water/wetland impacts, and requested

additional information on these issues and mitigation.

Rating EC2.

*EIS No. 20050520, ERP No. D-BIA-L61230-OR*, Coyote Business Park, Confederated Tribes of the Umatilla Indian Reservation, Proposes to Develop, Build and Manage a Light Industrial Commercial Business Park, Umatilla County, OR.

*Summary:* EPA expressed environmental concerns about surface and ground water quality impact, and suggests that the use of low input development strategies could help reduce those impacts.

Rating EC1.

*EIS No. 20050535, ERP No. D-BIA-L03012-AK*, Cordova Oil Spill Response Facility, Construct an Oil Spill Response Facility at Shepard Point, NPDES Permit and U.S. Army COE Section 10 and 404 Permits, Cordova, AK.

*Summary:* EPA expressed environmental concerns about impacts to rocky shoreline habitat and special aquatic resources (eelgrass beds).

Rating EC2.

*EIS No. 20050543, ERP No. D-NPS-D61058-VA*, Manassas National Battlefield Park General Management Plan, Implementation, Fairfax and Prince William Counties, VA.

*Summary:* EPA expressed environmental concerns about wetland, vegetation wildlife, transportation, and the local community impacts, and requested additional forest and wetland mitigation and additional information on the impacts of closing U.S. Route 29 and VA Route 234 within Manassas National Battlefield Park.

Rating EC2.

*EIS No. 20050551, ERP No. D-NAS-A12044-00*, Programmatic—Development of Advanced Radioisotope Power Systems, Two New Advanced RPS's: Multi-Mission Radioisotope Thermoelectric Generator (MMRTG) and Stirling Radioisotope Generator (SRG).

*Summary:* EPA does not object to the proposed action. Rating LO.

*EIS No. 20050552, ERP No. D-FRC-E03014-FL*, Cypress Pipeline Project and Phase VII Expansion Project, Construction and Operation, U.S. Army COE Section 10 and 404 Permits, Northern and Central Florida.

*Summary:* EPA's expressed environmental concerns about impacts to forested wetlands, including approximately 180 acres along the centerline which would be permanently converted to herbaceous wetlands. Rating EC2.