

reply comments on the proposed rule is extended at the request of the Edison Electric Institute.

**DATES:** Reply comments should be filed on or before September 20, 2006.

**ADDRESSES:** You may submit reply comments, identified by Docket No. RM04-7-000, by one of the following methods:

- *Agency Web Site:* <http://www.ferc.gov>. Follow the instructions for submitting comments via the eFiling link found in the Comment Procedures Section of the preamble of the NOPR.

- *Mail:* Commenters unable to file comments electronically must mail or hand deliver an original and 14 copies of their comments to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street, NE., Washington, DC, 20426. Please refer to the Comment Procedures Section of the preamble of the NOPR for additional information on how to file paper comments.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Arnold (Legal Information), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-8818.

#### **Market-Based Rates for Public Utilities; Notice of Extension of Time**

On August 10, 2006, Edison Electric Institute (EEI) filed a motion for an extension of time to file reply comments in response to the Commission's Notice of Proposed Rulemaking issued May 19, 2006, in the above-docketed proceeding. *Market-Based Rates for Public Utilities*, 119 FERC ¶ 61,210 (2006). EEI states that because of the large number of substantive issues that are addressed in the NOPR and the voluminous nature of the initial comments that were filed in this docket, additional time is needed to prepare and file responsive comments.

Upon consideration, notice is hereby given that an extension of time for filing reply comments is granted to and including September 20, 2006, as requested by EEI.

**Magalie R. Salas,**  
*Secretary.*

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**BILLING CODE 6717-01-P**

#### **DELAWARE RIVER BASIN COMMISSION**

##### **18 CFR Part 410**

#### **Proposed Temporary Amendments to the Water Quality Regulations, Water Code and Comprehensive Plan To Extend the Designation of the Lower Delaware River as a Special Protection Water**

**AGENCY:** Delaware River Basin Commission.

**ACTION:** Notice of proposed rulemaking and public hearing.

**SUMMARY:** The Delaware River Basin Commission ("Commission" or DRBC) will hold a public hearing to receive comments on a proposed amendment to the Commission's *Water Quality Regulations, Water Code*, and *Comprehensive Plan* to extend through September 30, 2007 the temporary classification of the Lower Delaware River as Significant Resource Waters (SRW). The SRW classification was enacted by Commission Resolution No. 2005-2 on January 19, 2005 and initially was due to expire on September 30, 2005. Based upon analysis of additional water quality data, the Commission proposed to decide by the latter date whether to classify certain sections of the Lower Delaware River as Outstanding Basin Waters (OBW) and whether to make the SRW classification permanent for some or all of the Lower Delaware. By Resolution No. 2005-15 approved on September 26, 2005, the temporary classification was extended through September 30, 2006 in order to allow additional time for the Commission to evaluate implementation options and establish numeric values for existing water quality. In order to complete its evaluation of implementation approaches, the Commission is today proposing to extend the temporary classification for up to twelve months more. If approved, the classification would thus expire on September 30, 2007 unless the Commission should either permanently classify the Lower Delaware River or once again extend the temporary classification by rule amendment prior to that date.

Permanent classification is anticipated, following an additional notice and comment rulemaking when the Commission has resolved remaining implementation issues. Extending the temporary classification will help to protect the exceptional scenic, recreational and water quality values of the Lower Delaware from degradation in the interim.

**DATES:** The public hearing will take place on Wednesday, September 27, 2006 during the Commission's regular business meeting, beginning at 1:30 p.m. Driving directions are available on the Commission's Web site, <http://www.drbc.net>. Persons wishing to testify are asked to register in advance with the Commission Secretary, at (609) 883-9500 ext. 203. Written comments will be accepted through the close of the public hearing; however, earlier submittals would be appreciated.

**ADDRESSES:** The public hearing will take place at the Commission's office building, located at 25 State Police Drive, West Trenton, New Jersey. Directions are posted on the Commission's Web site, <http://www.drbc.net>. The complete text of Resolutions Nos. 2005-2, temporarily amending the *Water Quality Regulations, Water Code*, and *Comprehensive Plan* of the Commission by designating the Lower Delaware River a Special Protection Water, and 2005-15, extending the temporary amendment approved by Resolution No. 2005-2, are available on the Commission's Web site, <http://www.drbc.net>, or upon request from the Delaware River Basin Commission, P.O. Box 7360, West Trenton, NJ 08628-0360. Maps depicting the designated area are also available on the Web site or upon request.

**FOR FURTHER INFORMATION CONTACT:** For further information, please contact Pamela M. Bush, Commission Secretary and Assistant General Counsel, Delaware River Basin Commission, at 609-883-9500 ext. 203.

**SUPPLEMENTARY INFORMATION:** The Lower Delaware River extends from the southern boundary of the Delaware Water Gap National Recreation Area at River Mile (RM) 209.4 to the head of tide at Trenton, New Jersey, RM 144.4. The effect of temporary classification of the Lower Delaware as Significant Resource Waters (SRW) has been to make this portion of the main stem Delaware River and its drainage area subject to all applicable provisions of the Commission's Special Protection Waters regulations, Section 3.10.3A.2 of the Commission's *Water Quality Regulations*, except those that depend for implementation upon the use of numeric values for existing water quality.

Key provisions of the Special Protection Waters Regulations that will continue to apply within the drainage area to the Lower Delaware River if the proposed extension of the SRW classification is approved include but are not limited to the following:

Subsections 3.10.3A.2.c.1 through 3, in part requiring that no new or expanded wastewater discharges may be permitted in waters classified as Special Protection Waters until all non-discharge-load reduction alternatives have been fully evaluated and rejected because of technical or financial infeasibility; subsections 3.10.3A.2.d.1. through 7., setting forth requirements for wastewater treatment facilities; and subsections 3.10.3A.2.e.1. and 2., conditioning project approval on the existence of an approved Non-Point Source Pollution Control Plan (NPSP) for the project area and requiring that approval of a new or expanded withdrawal and/or wastewater discharge project be subject to the condition that new connections to the project system be limited to service areas regulated by a NPSP approved by the Commission.

Previous notices concerning designation of the Lower Delaware River as Special Protection Waters were published in the **Federal Register** on September 23, 2004 (69 FR 57008) and August 22, 2005 (70 FR 48923). The proposed designation and extension, as well as the final rules establishing and extending temporary designation, approved by DRBC Resolutions Nos. 2005-2 and 2005-15 respectively, were also published on the Commission's Web site, <http://www.drbc.net>.

Dated: August 14, 2006.

**Pamela M. Bush,**

*Commission Secretary.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[CGD08-06-021]

RIN 1625-AA09

#### Drawbridge Operation Regulations; St. Croix River, Prescott, WI

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to change the regulation governing the Prescott Highway Bridge, across the St. Croix River, Mile 0.3, at Prescott, Wisconsin. Under our proposed rule, the drawbridge need not open for river traffic and may remain in the closed-to-navigation position from November 1, 2006 to April 1, 2007. This proposed

rule would allow the bridge owners to make necessary repairs to the bridge.

**DATES:** Comments and related material must reach the Coast Guard on or before September 20, 2006.

**ADDRESSES:** You may mail comments and related material to Commander (dwb), Eighth Coast Guard District, Bridge Branch, 1222 Spruce Street, St. Louis, MO 63103-2832. Commander (dwb) maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at room 2.107f in the Robert A. Young Federal Building at Eighth Coast Guard District, between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Mr. Roger K. Wiebusch, Bridge Administrator, (314) 269-2378.

#### SUPPLEMENTARY INFORMATION:

##### Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (CGD08-06-021), indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in a unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

##### Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to the Eighth Coast Guard District, Bridge Branch, at the address under **ADDRESSES** explaining why one would be beneficial. If we determine that a meeting would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

##### Background and Purpose

On March 26, 2005, the Wisconsin Department of Transportation requested a temporary change to the operation of the Prescott Highway Bridge across the St. Croix River, Mile 0.3 at Prescott, Wisconsin, to allow the drawbridge to remain in the closed-to-navigation

position for a 5-month period while the electrical and hydraulic systems are overhauled. Navigation on the waterway in vicinity of the bridge consists of excursion boats and recreational watercraft, neither of which will be impacted by the closure due to winter weather and frozen river conditions. Currently, the draw opens on signal for passage of river traffic from April 1 to October 31, 8 a.m. to midnight; from midnight to 8 a.m. the draw shall open on signal if notification is made prior to 11 p.m. From November 1 to March 31, the draw shall open on signal if at least 24 hours notice is given. The Wisconsin Department of Transportation requested the drawbridge be permitted to remain closed to navigation from November 1, 2006, to April 1, 2007.

##### Discussion of Proposed Rule

The proposed rule requires the draw span to be closed to navigation for five months, November 1, 2006 to April 1, 2007. This closure will enable workers to rehabilitate critical electrical and hydraulic systems which control draw span operation. This temporary change will not cause navigation problems because the closure is only in effect during the winter months when the river is frozen and vessels are absent.

##### Regulatory Evaluation

This proposed rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order.

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation is unnecessary.

This proposed rule would only be in effect during the coldest months of the year when ice prevents vessel movements. The impacts on routine navigation are expected to be minimal.

##### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule would not