

DEPARTMENT OF ENERGY

Federal Energy Regulatory
Commission

18 CFR Part 11

[Docket No. RM04-1-000]

Update of the Federal Energy
Regulatory Commission's Fees
Schedule for Annual Charges for the
Use of Government Lands

November 20, 2003.

AGENCY: Federal Energy Regulatory
Commission.**ACTION:** Final rule; update of Federal
land use fees.

SUMMARY: In accordance with the Commission's regulations, the Commission by its designee, the Executive Director, is updating its schedule of fees for the use of government lands. The yearly update is based on the most recent schedule of fees for the use of linear rights-of-way prepared by the United States Forest Service. Since the next fiscal year will cover the period from October 1, 2003 through September 30, 2004 the fees in this notice will become effective October 1, 2003. The fees will apply to fiscal year 2004 annual charges for the use of government lands.

The Commission has concluded, with the concurrence of the Administrator of the Office of Information and Regulatory Affairs of OMB that this rule is not a "major rule" as defined in section 251 of the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C 804(2).

EFFECTIVE DATE: October 1, 2003.

FOR FURTHER INFORMATION CONTACT: Fannie Kingsberry, Financial Services Division, Office of the Executive Director, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-6108.

SUPPLEMENTARY INFORMATION: *Document Availability:* In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the Internet through FERC's Home Page (<http://www.ferc.gov>) and in FERC's Public Reference Room during normal business hours (8:30 a.m. to 5 p.m. Eastern time) at 888 First Street, NE., Room 2A, Washington, DC 20426.

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List of Subjects in 18 CFR Part 11

Electric power, Reporting and recordkeeping requirements.

Thomas R. Herlihy,

Executive Director, Office of the Executive Director.

■ Accordingly, the Commission, effective October 1, 2003, amends part 11 of Chapter I, Title 18 of the Code of Federal Regulations, as follows:

PART 11—[AMENDED]

■ 1. The authority citation for part 11 continues to read as follows:

Authority: 16 U.S.C. 791a-825r; 42 U.S.C. 7101-7352.

■ 2. In part 11, Appendix A is revised to read as follows.

APPENDIX A TO PART 11—FEE
SCHEDULE FOR FY 2004

| State/County | Rate per acre |
|--|------------------|
| Alabama: All Counties | \$26.64 |
| Arkansas: All Counties | 19.99 |
| Arizona: | |
| Apache | 6.64 |
| Cochise | |
| Gila | |
| Graham | |
| La Paz | |
| Mohave | |
| Navajo | |
| Pima | |
| Yavapai | |
| Yuma | |
| Coconino (North of Colorado R.) | |
| Coconino (South of Colorado R.) | 26.64 |
| Greenlee | |
| Maricopa | |
| Pinal | |
| Santa Cruz | |
| California: | |
| Imperial | 13.32 |
| Inyo | |
| Lassen | |
| Modoc | |
| Riverside | |
| San Bernardino | |
| Siskiyou | 19.99 |
| Alameda | 33.30 |
| Alpine | |
| Amador | |
| Butte | |

APPENDIX A TO PART 11—FEE
SCHEDULE FOR FY 2004—Continued

| State/County | Rate per acre |
|-------------------------------|------------------|
| Calaveras | |
| Colusa | |
| Contra Costa | |
| Del Norte | |
| El Dorado | |
| Fresno | |
| Glenn | |
| Humboldt | |
| Kern | 33.30 |
| Kings | |
| Lake | |
| Madera | |
| Mariposa | |
| Mendocino | |
| Merced | |
| Mono | |
| Napa | |
| Nevada | |
| Placer | |
| Plumas | |
| Sacramento | |
| San Benito | |
| San Joaquin | |
| Santa Clara | |
| Shasta | |
| Sierra | |
| Solano | |
| Sonoma | |
| Stanislaus | |
| Sutter | |
| Tehama | |
| Trinity | |
| Tulare | |
| Tuolumne | |
| Yolo | |
| Yuba | |
| Los Angeles | 39.98 |
| Marin | |
| Monterey | |
| Orange | |
| San Diego | |
| San Francisco | |
| San Luis Obispo | |
| San Mateo | |
| Santa Barbara | |
| Santa Cruz | |
| Ventura | |
| Colorado: | |
| Adams | 6.64 |
| Arapahoe | |
| Bent | |
| Cheyenne | |
| Crowley | |
| Elbert | |
| El Paso | |
| Huerfano | |
| Kiowa | |
| Kit Carson | |
| Lincoln | 6.64 |
| Logan | |
| Moffat | |
| Montezuma | |
| Morgan | |
| Pueblo | |
| Sedgewick | |
| Washington | |
| Weld | |
| Yuma | |
| Baca | 13.32 |
| Broomfield ¹ | |

APPENDIX A TO PART 11—FEE
SCHEDULE FOR FY 2004—Continued

| State/County | Rate per acre |
|---------------------------------|------------------|
| Dolores | |
| Garfield | |
| Las Animas | |
| Mesa | |
| Montrose | |
| Otero | |
| Prowers | |
| Rio Blanco | |
| Routt | |
| San Miguel | |
| Alamosa | 26.64 |
| Archuleta | |
| Boulder | |
| Chaffee | |
| Clear Creek | |
| Conejos | |
| Costilla | |
| Custer | |
| Denver | |
| Delta | |
| Douglas | |
| Eagle | |
| Fremont | |
| Gilpin | |
| Grand | |
| Gunnison | |
| Hinsdale | |
| Jackson | |
| Jefferson | |
| Lake | |
| La Plata | |
| Larimer | |
| Mineral | |
| Ouray | |
| Park | |
| Pitkin | |
| Rio Grande | |
| Saguache | |
| San Juan | 26.64 |
| Summit | |
| Teller | |
| Connecticut: All Counties | 6.64 |
| Florida: | |
| Baker | 39.98 |
| Bay | |
| Bradford | |
| Calhoun | |
| Clay | |
| Columbia | |
| Dixie | |
| Duval | |
| Escambia | |
| Franklin | |
| Gadsden | |
| Gilchrist | |
| Gulf | |
| Hamilton | |
| Holmes | |
| Jackson | |
| Jefferson | |
| Lafayette | |
| Leon | |
| Liberty | |
| Madison | |
| Nassau | |
| Okaloosa | |
| Santa Rosa | |
| Suwannee | |
| Taylor | |
| Union | |

APPENDIX A TO PART 11—FEE
SCHEDULE FOR FY 2004—Continued

| State/County | Rate per acre |
|-------------------------------|------------------|
| Wakulla | |
| Walton | |
| Washington | |
| All Other Counties | 66.59 |
| Georgia: | |
| All Counties | 39.98 |
| Idaho: | |
| Cassia | 6.64 |
| Gooding | |
| Jerome | |
| Lincoln | |
| Minidoka | |
| Oneida | |
| Owyhee | |
| Power | |
| Twin Falls | |
| Ada | 19.99 |
| Adams | |
| Bannock | |
| Bear Lake | |
| Benewah | |
| Bingham | |
| Blaine | |
| Boise | |
| Bonner | |
| Bonneville | |
| Boundary | |
| Butte | |
| Camas | |
| Canyon | |
| Caribou | |
| Clark | |
| Clearwater | |
| Custer | |
| Elmore | |
| Franklin | |
| Fremont | |
| Gem | |
| Idaho | |
| Jefferson | |
| Kootenai | |
| Latah | |
| Lemhi | |
| Lewis | |
| Madison | |
| Nez Perce | |
| Payette | |
| Shoshone | |
| Teton | |
| Valley | |
| Washington | |
| Illinois: All Counties | 19.99 |
| Indiana: All Counties | 33.30 |
| Kansas: | |
| Morton | 13.32 |
| All Other Counties | 6.64 |
| Kentucky: All Counties | 19.99 |
| Louisiana: All Counties | 39.98 |
| Maine: All Counties | 19.99 |
| Michigan: | |
| Alger | 19.99 |
| Baraga | |
| Chippewa | |
| Delta | |
| Dickinson | |
| Gogebic | |
| Houghton | |
| Iron | |
| Keweenaw | |
| Luce | |

APPENDIX A TO PART 11—FEE
SCHEDULE FOR FY 2004—Continued

| State/County | Rate per acre |
|---------------------------------|------------------|
| Mackinac | |
| Marquette | |
| Menominee | |
| Ontonagon | |
| Schoolcraft | |
| All Other Counties | 26.64 |
| Minnesota: All Counties | 19.99 |
| Mississippi: All Counties | 26.64 |
| Missouri: All Counties | 19.99 |
| Montana | |
| Big Horn | 6.64 |
| Blaine | |
| Carter | |
| Cascade | |
| Chouteau | |
| Custer | |
| Daniels | |
| McCone | |
| Meagher | |
| Dawson | |
| Fallon | |
| Fergus | |
| Garfield | |
| Glacier | |
| Golden Valley | |
| Hill | |
| Judith Basin | |
| Liberty | |
| Musselshell | |
| Petroleum | |
| Phillips | |
| Pondera | |
| Powder River | |
| Prairie | |
| Richland | |
| Roosevelt | |
| Rosebud | |
| Sheridan | 6.64 |
| Teton | |
| Toole | |
| Treasure | |
| Valley | |
| Wheatland | |
| Wibaux | |
| Yellowstone | |
| Beaverhead | 19.99 |
| Broadwater | |
| Carbon | |
| Deer Lodge | |
| Flathead | |
| Gallatin | |
| Granite | |
| Jefferson | |
| Lake | |
| Lewis & Clark | |
| Lincoln | |
| Madison | |
| Mineral | |
| Missoula | |
| Park | |
| Powell | |
| Ravalli | |
| Sanders | |
| Silver Bow | |
| Stillwater | |
| Sweet Grass | |
| Nebraska: All counties | 6.64 |
| Nevada: | |
| Churchill | 3.33 |
| Clark | |

APPENDIX A TO PART 11—FEE
SCHEDULE FOR FY 2004—Continued

| State/County | Rate per acre |
|------------------------------------|------------------|
| Elko | |
| Esmeralda | |
| Eureka | |
| Humboldt | |
| Lander | |
| Lincoln | |
| Lyon | |
| Mineral | |
| Nye | |
| Pershing | |
| Washoe | |
| White Pine | |
| Carson City | 33.30 |
| Douglas | |
| Story | |
| New Hampshire: All counties | 19.99 |
| New Mexico: | |
| Chaves | 6.64 |
| Curry | |
| De Baca | |
| Dona Ana | |
| Eddy | |
| Grant | |
| Guadalupe | |
| Harding | |
| Hidalgo | |
| Lea | |
| Luna | |
| McKinley | |
| Otero | |
| Quay | |
| Roosevelt | |
| San Juan | |
| Socorro | |
| Torrence | |
| Rio Arriba | 13.32 |
| Sandoval | |
| Union | |
| Bernalillo | 26.64 |
| Catron | |
| Cibola | |
| Colfax | |
| Lincoln | |
| Los Alamos | |
| Mora | |
| San Miguel | |
| Santa Fe | |
| Sierra | |
| Taos | |
| Valencia | |
| New York: All counties | 26.64 |
| North Carolina: All counties | 39.98 |
| North Dakota: All counties | 6.64 |
| Ohio: All counties | 26.64 |
| Oklahoma: | |
| Beaver | 13.32 |
| Cimarron | |
| Roger Mills | |
| Texas | |
| Le Flore | 19.99 |
| McCurtain | |
| All other counties | 6.64 |
| Oregon: | |
| Harney | 6.64 |
| Lake | |
| Malheur | |
| Baker | 13.32 |
| Crook | |
| Deschutes | |
| Gilliam | |

APPENDIX A TO PART 11—FEE
SCHEDULE FOR FY 2004—Continued

| State/County | Rate per acre |
|------------------------------------|------------------|
| Grant | |
| Jefferson | |
| Klamath | |
| Morrow | |
| Sherman | |
| Umatilla | |
| Union | |
| Wallowa | |
| Wasco | |
| Wheeler | |
| Coos | 19.99 |
| Curry | |
| Douglas | |
| Jackson | |
| Josephine | |
| Benton | 26.64 |
| Clackamas | |
| Clatsop | |
| Columbia | |
| Hood River | |
| Lane | |
| Lincoln | |
| Linn | |
| Marion | |
| Multnomah | |
| Polk | |
| Tillamook | |
| Washington | |
| Yamhill | |
| Pennsylvania: All counties | 26.64 |
| Puerto Rico: All | 39.98 |
| South Carolina: All counties | 39.98 |
| South Dakota: | |
| Butte | 19.99 |
| Custer | |
| Fall River | |
| Mead | 19.99 |
| Pennington | |
| All other counties | 6.64 |
| Tennessee: All counties | 26.64 |
| Texas: | |
| Culberson | 6.64 |
| El Paso | |
| Hudspeth | |
| All other counties | 39.98 |
| Utah: | |
| Beaver | 6.64 |
| Box Elder | |
| Carbon | |
| Duchesne | |
| Emery | |
| Garfield | |
| Grand | |
| Iron | |
| Juab | |
| Kane | |
| Millard | |
| San Juan | |
| Tooele | |
| Uintah | |
| Wayne | |
| Washington | 13.32 |
| Cache | 19.99 |
| Daggett | |
| Davis | |
| Morgan | |
| Piute | |
| Rich | |
| Salt Lake | |
| Sanpete | |

APPENDIX A TO PART 11—FEE
SCHEDULE FOR FY 2004—Continued

| State/County | Rate per acre |
|-----------------------------------|------------------|
| Sevier | |
| Summit | |
| Utah | |
| Wasatch | |
| Weber | |
| Vermont: All counties | 26.64 |
| Virginia: All counties | 26.64 |
| Washington: | |
| Adams | 13.32 |
| Asotin | |
| Benton | |
| Chelan | |
| Columbia | |
| Douglas | |
| Franklin | |
| Garfield | |
| Grant | |
| Kittitas | |
| Klickitat | |
| Lincoln | |
| Okanogan | |
| Spokane | |
| Walla Walla | |
| Whitman | |
| Yakima | |
| Ferry | 19.99 |
| Pend Oreille | |
| Stevens | |
| Clallam | 26.64 |
| Clark | |
| Cowlitz | |
| Grays Harbor | |
| Island | |
| Jefferson | |
| King | |
| Kitsap | |
| Lewis | |
| Mason | |
| Pacific | |
| Pierce | |
| San Juan | |
| Skagit | |
| Skamania | |
| Snohomish | |
| Thurston | |
| Wahkiakum | |
| Whatcom | |
| West Virginia: All counties | 26.64 |
| Wisconsin: All counties | 19.99 |
| Wyoming: | |
| Albany | 6.64 |
| Campbell | |
| Carbon | |
| Converse | |
| Goshen | |
| Hot Springs | |
| Johnson | |
| Laramie | |
| Lincoln | |
| Natrona | |
| Niobrara | |
| Platte | |
| Sheridan | |
| Sweetwater | |
| Fremont | |
| Sublette | |
| Unita | |
| Washakie | |
| Big Horn | 19.99 |
| Crook | |

APPENDIX A TO PART 11—FEE
SCHEDULE FOR FY 2004—Continued

| State/County | Rate per acre |
|-------------------------|---------------|
| Park Teton Weston | |
| All other zones | 6.16 |

¹**Note:** Broomfield County created November 2001 from parts of Adams, Boulder, Jefferson and Weld Counties.

[FR Doc. 03-29515 Filed 12-2-03; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Parts 1, 301, and 602

[TD 9096]

RIN 1545-BC53

Installment Payments

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Removal of final regulations.

SUMMARY: This document removes regulation §§ 1.6152-1 and 301.6152-1 relating to installment payments made pursuant to section 6152 of the Internal Revenue Code. These regulations are obsolete because section 6152 was repealed for tax years beginning after December 31, 1986. The removal of these regulations will not affect taxpayers.

DATES: The removal of these regulations is effective December 3, 2003.

FOR FURTHER INFORMATION CONTACT: Janice R. Feldman, (202) 622-4940 (not a toll-free number).

SUPPLEMENTARY INFORMATION

Background and Explanation of Provisions

This document removes one section from the Income Tax Regulations (26 CFR part 1) and one section from the Procedure and Administration Regulations (26 CFR part 301) relating to installment payments made pursuant to section 6152 of the Internal Revenue Code. Section 6152, prior to its repeal in 1986, generally permitted a decedent's estate to pay income taxes in four equal installments, with the fourth installment due on or before 9 months after the date prescribed for the payment of the tax. Section 6152 was repealed by section 1404(c)(1) of the Tax Reform Act of 1986, (Pub. L. 99-514, 100 Stat. 2714), applicable to taxable years beginning after December 31, 1986. The repeal of

section 6152 has rendered §§ 1.6152-1 and 301.6152-1 obsolete.

Section 1.6152-1 was added by TD 6364, published in the **Federal Register** for November 26, 1960 (25 FR 12138). Section 1.6152-1 was amended by TD 6914 (32 FR 3819) and by TD 7953 (49 FR 19643). Section 1.6152-1, as amended, provides that corporations (relevant only with respect to provisions in section 6152 repealed in 1982) and estates of decedents may elect to pay income taxes in installments.

Section 301.6152-1 was added by TD 6498 (25 FR 10154) published in the **Federal Register** for October 25, 1960. Section 301.6152-1 provides that the regulations relating to the installment payments of income taxes are found at § 1.6152-1.

Effect on Other Documents

The final regulation § 1.6152-1 published in the **Federal Register** for May 9, 1984 (49 FR 19643) and the final regulation § 301.6152-1 published in the **Federal Register** for October 25, 1960 (25 FR 10154) are removed as of December 3, 2003.

Special Analyses

It has been determined that the removal of these regulations is not a significant regulatory action as defined in Executive Order 12866. Therefore, a regulatory assessment is not required. Because this rule merely removes regulatory provisions made obsolete by statute, prior notice and comment and a delayed effective date are unnecessary and contrary to the public interest. 5 U.S.C. 553(b)(B) and (d). Because no notice of proposed rulemaking is required, the Regulatory Flexibility Act (5 U.S.C. chapter 6) does not apply.

Drafting Information

The principal author of the removals of these regulations is Janice R. Feldman of the Office of Associate Chief Counsel, Procedure and Administration (Administrative Provisions and Judicial Practice Division).

List of Subjects

26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

26 CFR Part 301

Employment taxes, Estate taxes, Gift taxes, Income taxes, Penalties, Reporting and recordkeeping requirements.

26 CFR Part 602

Reporting and recordkeeping requirements.

Adoption of Amendments to the Regulations

■ Accordingly, 26 CFR parts 1, 301, and 602 are amended as follows:

PART 1—INCOME TAXES

■ **Paragraph 1.** The authority citation for part 1 continues to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

§ 1.6152-1 [Removed]

■ **Par. 2.** Section 1.6152-1 is removed.

PART 301—PROCEDURE AND ADMINISTRATION

■ **Par. 3.** The authority citation for part 301 continues to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

§ 301.6152-1 [Removed]

■ **Par. 4.** Section 301.6152-1 is removed.

PART 602—OMB CONTROL NUMBERS UNDER THE PAPERWORK REDUCTION ACT

■ **Par. 5.** The authority citation for part 602 continues to read as follows:

Authority: 26 U.S.C. 7805 * * *

§ 602.101 [Amended]

■ **Par. 6.** In § 602.101, paragraph (b) is amended by removing the entry for 1.6152-1 from the table.

Approved: November 19, 2003.

Robert E. Wenzel,

Deputy Commissioner for Services and Enforcement.

Pamela F. Olson,

Assistant Secretary of the Treasury (Tax Policy).

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DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 242

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 100

Subsistence Management Regulations for Public Lands in Alaska, Subpart D; Seasonal Adjustments—Units 9(D), 10 and 24

AGENCIES: Forest Service, USDA; Fish and Wildlife Service, Interior.

ACTION: Seasonal adjustments.