

who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. E9-29910 Filed 12-15-09; 8:45 am]  
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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. AD10-3-000; Docket Nos. CP07-441-000; Docket No. CP09-433-000; Docket No. CP09-17-000; Docket No. AC08-161-000; Docket No. CP08-6-005; Docket No. CP09-56-000; Docket No. CP09-36-002; Docket No. CP09-40-001; Docket No. CP09-54-001; Docket No. CP09-68-000]

**Accrual of Allowance for Funds Used During Construction: Pacific Connector Gas Pipeline, LP; Fayetteville Express Pipeline LLC; Florida Gas Transmission Company, LLC; Midcontinent Express Pipeline LLC; Southern Natural Gas Company; Southeast Supply Header, LLC/ Southern Natural Gas Company; Ruby Pipeline, LLC; Texas Eastern Transmission, LP; Supplemental Notice on Technical Conference on Commission Policy on Commencement of Accrual of Allowance for Funds Used During Construction**

December 9, 2009.

The December 2, 2009 notice of a technical conference to address the accrual of allowance for funds used

during construction (AFUDC) specified several recent and pending proceedings in which the issue of the accrual of AFUDC is raised. This issue is raised in two additional pending proceedings: Fayetteville Express Pipeline LLC in Docket No. CP09-433-000 and Midcontinent Express Pipeline LLC in Docket Nos. CP08-6-005 and Docket No. CP09-56-000. Accordingly, these two cases will be included with those previously specified as a subject of the technical conference to be held on Tuesday, December 15, 2009, from 9 a.m. until 1 p.m., in the Commission Meeting Room, at the Commission's offices at 888 First Street, NE., Washington, DC.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. E9-29915 Filed 12-15-09; 8:45 am]  
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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. PR10-3-000]

**Enogex L.L.C.; Notice of Petition for Rate Approval**

December 9, 2009.

Take notice that on November 23, 2009, Enogex L.L.C. (Enogex) filed pursuant to section 284.123(b)(2) of the Commission's regulations, filed a petition requesting that the Commission approve its rates pursuant to section 311(a)(2) of the Natural Gas Policy Act of 1978. Enogex proposes a fuel factor of 0.92% for the East Zone and a fuel factor of 1.12% for the West Zone of its system for Fuel Year 2010.

Any person desiring to participate in this rate proceeding must file a motion to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the date as indicated below. Anyone filing an intervention or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene

or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* 5 p.m. Eastern time on Friday, December 18, 2009.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. E9-29914 Filed 12-15-09; 8:45 am]  
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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM04-7-007]

**Market-Based Rates For Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities; Notice of Request for Clarification**

October 30, 2009.

Take notice that on March 9, 2009, as amended on October 28, 2009, the Compliance Working Group<sup>1</sup> filed a request for clarification regarding which employees can be "shared" for purposes of compliance with the Commission's Affiliate Restrictions adopted under Order No. 697.<sup>2</sup>

<sup>1</sup> The members of the Compliance Working Group taking part in the filing are: Allegheny Energy, Inc., American Electric Power Company, Inc., Cleco Corporation, Consumers Energy Company, Dominion Resources, Inc., Duke Energy Corporation, Edison International, El Paso Electric Company, Energy East Corp., Entergy Corporation, Exelon Corporation, FirstEnergy Corp., FPL Group, Inc., Pacific Gas and Electric Co., Progress Energy, Inc., Public Service Enterprise Group Inc., and Westar Energy, Inc.

<sup>2</sup> *Market-Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities*, Order No. 697, FERC Stats. & Regs. ¶ 31,252 (Order No. 697), clarified, 121 FERC

Continued

The Compliance Working Group states that the question presented arises because of an unintended inconsistency in the treatment of shared employees under the two major rulemakings—Order Nos. 697 and 717—that impose restrictions on employee interactions and communications. The Compliance Working Group states that Order No. 697 sought to ensure consistency between the two rules by holding that shared employees, for purposes of its Affiliate Restrictions, would be the same as later defined by the Standards of Conduct. It states that an inconsistency later arose because Order No. 717 ultimately revised the Standards of Conduct by eliminating the concept of shared employees altogether.<sup>3</sup> The Compliance Working Group states that this disconnect has created a compliance conundrum that should be remedied.

The Compliance Working Group asks the Commission to interpret the Affiliate Restrictions to permit sharing of employees who are not “transmission function employees” or “marketing function employees”—the same sharing that is now permitted under the Standards of Conduct. The Compliance Working Group states that this interpretation is consistent with the purpose of Order Nos. 697 and 717, will facilitate compliance by regulated companies, and enhance enforcement by the Commission. It also states that, as was the case with Order No. 717, this interpretation would not eliminate the residual protection afforded by the rule against undue discrimination.

Any person desiring to comment in the above-referenced proceeding may file comments with the Commission on or before 5 p.m. Eastern time on November 30, 2009.

The Commission encourages electronic submission of comments in lieu of paper using the “eFiling” link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of comments to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the “eLibrary” link and is available for review in the Commission’s Public

Reference Room in Washington, DC. There is an “eSubscription” link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E9-29907 Filed 12-15-09; 8:45 am]

**BILLING CODE 6717-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OECA-2009-0528; FRL-9092-9]

### Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; NSPS for Industrial-Commercial-Institutional Steam Generating Units, EPA ICR Number 1088.12, OMB Control Number 2060-0072

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that an Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval. This is a request to renew an existing approved collection. The ICR which is abstracted below describes the nature of the collection and the estimated burden and cost.

**DATES:** Additional comments may be submitted on or before January 15, 2010.

**ADDRESSES:** Submit your comments, referencing docket ID number EPA-HQ-OECA-2009-0528, to (1) EPA online using <http://www.regulations.gov> (our preferred method), or by e-mail to [docket.oeca@epa.gov](mailto:docket.oeca@epa.gov), or by mail to: EPA Docket Center (EPA/DC), Environmental Protection Agency, Enforcement and Compliance Docket and Information Center, mail code 28221T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, and (2) OMB at: Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: Desk Officer for EPA, 725 17th Street, NW., Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Robert C. Marshall, Jr., Office of Compliance, Mail code: 2223A,

Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; telephone number: (202) 564-7021; fax number: (202) 564-0050; e-mail address: [marshall.robert@epa.gov](mailto:marshall.robert@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA has submitted the following ICR to OMB for review and approval according to the procedures prescribed in 5 CFR 1320.12. On July 30, 2009 (74 FR 38004), EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA received no comments. Any additional comments on this ICR should be submitted to EPA and OMB within 30 days of this notice.

EPA has established a public docket for this ICR under docket ID number EPA-HQ-OECA-2009-0528, which is available for public viewing online at <http://www.regulations.gov>, in person viewing at the Enforcement and Compliance Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, 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 Enforcement and Compliance Docket is (202) 566-1752.

Use EPA’s electronic docket and comment system at <http://www.regulations.gov>, to submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the docket that are available electronically. Once in the system, select “docket search,” then key in the docket ID number identified above. Please note that EPA’s policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing at <http://www.regulations.gov>, as EPA receives them and without change, unless the comment contains copyrighted material, Confidential Business Information (CBI), or other information whose public disclosure is restricted by statute. For further information about the electronic docket, go to <http://www.regulations.gov>.

**Title:** NSPS for Industrial-Commercial-Institutional Steam Generating Units (40 CFR Part 60, Subpart Db).

**ICR Numbers:** EPA ICR Number 1088.12, OMB Control Number 2060-0072.

**ICR Status:** This ICR is scheduled to expire on February 28, 2010. Under OMB regulations, the Agency may continue to conduct or sponsor the collection of information while this

<sup>3</sup> 61,260 (2007), *order on reh’g*, Order No. 697-A, FERC Stats. & Regs. ¶ 31,268 (2008); *clarified*, 124 FERC ¶ 61,055 (2008), *order on reh’g*, Order No. 697-B, FERC Stats. & Regs. ¶ 31,285 (2008), *order on reh’g*, Order No. 697-C, FERC Stats. & Regs. ¶ 31,291 (2009).

<sup>3</sup> *Standards of Conduct for Transmission Providers*, Order No. 717, FERC Stats. Regs. ¶ 31,280 (2008), *order on reh’g*, Order No. 717-A, 129 FERC ¶ 61,043 (2009).