

generators. In summary, Mallinckrodt requested reconsideration on the bases that its Ge-68 is qualified for use in Ge-68 generators, and that there is effective competition in the market for the supply of Ge-68 for generators.

Mallinckrodt provided information indicating that its Ge-68 is now qualified for use in Ge-68/Ga-68 generators, in response to the Department's concern expressed in the NOI regarding the lack of domestic producers of Ge-68 qualified for use in Ge-68/Ga-68 generators. The Department acknowledges that Mallinckrodt is now a domestic producer of Ge-68 qualified for use in Ge-68/Ga-68 generators.

In regard to effective competition, Mallinckrodt provided information identifying as major Ge-68 suppliers Brookhaven National Laboratory (BNL), Los Alamos National Laboratory (LANL) (United States), Cyclotron Co. Ltd. (Obninsk, Russia), and iThemba Laboratories/NAC (Faure, South Africa), and requested these suppliers be considered as constituting effective competition in the supply of Ge-68. In the NOI, the Department had stated that, in the absence of a Department supply of Ge-68 for the manufacture of generators, Mallinckrodt would be the sole domestic source of Ge-68 for generators, that a single domestic supplier could be problematic for the U.S. market for generators, and that the Department's continued participation in that segment of the market as a second domestic supplier would serve to reduce the potential for impediments to research and development leading to FDA approval of Ga-68 radiopharmaceuticals. The United States suppliers identified by Mallinckrodt—BNL and LANL—are both Department of Energy production sites, so if the Department exited the Ge-68 market, Mallinckrodt would be the sole domestic supplier of Ge-68. Mallinckrodt correctly noted that the Department's policy on withdrawal from radioisotope production and distribution may include consideration of foreign producers to evaluate effective competition in the market. Even with two potential foreign sources of supply, however, the Department concluded that insufficient data, and thereby inadequate evidence, exists on the capability of these suppliers to provide an adequate supply and effective competition in the market to justify the Department's withdrawal. Use of Ge-68 in Ge-68/Ga-68 generators, which provide Ga-68 as a positron source in radiopharmaceuticals used in PET imaging, is a relatively new, unique and evolving application of this isotope

in a critical state of development for cancer research. In consideration of the additional information provided on potential suppliers balanced against public comments and the critical need and use of Ge-68 in the context of Ge-68/Ga-68 generators, the Department affirms its initial conclusion that a sole domestic supplier and the uncertain contribution of foreign suppliers would not represent effective competition in the supply of Ge-68 in support of the Nation's significant interest in the research and development of Ga-68 radiopharmaceuticals.

The Department also affirms its intent that, to help provide assurance of supply of Ge-68 for calibration source purposes, DOE will maintain production capability, but not engage in sales to the marketplace, such that production would resume in a timely manner if Mallinckrodt and other suppliers are not able to adequately serve the market or if private supplier pricing substantially increases and has a negative impact on the development and utilization of Ge-68 products.

To serve the Nation's interests in the advancement of health care, the Department will continue to produce and distribute Ge-68 for use in the manufacture of Ge-68/Ga-68 generators until such time as firm data exists establishing that there are multiple domestic suppliers capable of fully satisfying the needs of the United States market without the participation of Department in that market.

Issued in Washington, DC, on August 21, 2014.

**Jehanne Gillo,**  
*Director, Facilities and Project Management Division, Office of Nuclear Physics, Office of Science.*

[FR Doc. 2014-20749 Filed 8-29-14; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. IC14-14-000]

#### Commission Information Collection Activities (FERC-519); Comment Request

**AGENCY:** Federal Energy Regulatory Commission, FERC.

**ACTION:** Comment request.

**SUMMARY:** In compliance with the requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507(a)(1)(D), the Federal Energy Regulatory Commission (Commission or FERC) is submitting its information

collection FERC-519 (Application under Federal Power Act Section 203) to the Office of Management and Budget (OMB) for review of the information collection requirements. Any interested person may file comments directly with OMB and should address a copy of those comments to the Commission as explained below. The Commission previously issued a Notice in the **Federal Register** (79 FR 30598, 5/28/2014) requesting public comments. The Commission received no comments on the FERC-519 and is making this notation in its submittal to OMB.

**DATES:** Comments on the collection of information are due by October 2, 2014.

**ADDRESSES:** Comments filed with OMB, identified by the OMB Control No. 1902-0082, should be sent via email to the Office of Information and Regulatory Affairs: [oir\\_submission@omb.gov](mailto:oir_submission@omb.gov). Attention: Federal Energy Regulatory Commission Desk Officer. The Desk Officer may also be reached via telephone at 202-395-4718.

A copy of the comments should also be sent to the Commission, in Docket No. IC14-14-000, by either of the following methods:

- *eFiling at Commission's Web site:* <http://www.ferc.gov/docs-filing/efiling.asp>.

- *Mail/Hand Delivery/Courier:* Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE., Washington, DC 20426.

**Instructions:** All submissions must be formatted and filed in accordance with submission guidelines at: <http://www.ferc.gov/help/submission-guide.asp>. For user assistance contact FERC Online Support by email at [ferconlinesupport@ferc.gov](mailto:ferconlinesupport@ferc.gov), or by phone at: (866) 208-3676 (toll-free), or (202) 502-8659 for TTY.

**Docket:** Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at <http://www.ferc.gov/docs-filing/docs-filing.asp>.

#### FOR FURTHER INFORMATION CONTACT:

Ellen Brown may be reached by email at [DataClearance@FERC.gov](mailto:DataClearance@FERC.gov), by telephone at (202) 502-8663, and by fax at (202) 273-0873.

#### SUPPLEMENTARY INFORMATION:

**Title:** FERC-519, Application under Federal Power Act Section 203.

**OMB Control No.:** 1902-0082.

**Type of Request:** Three-year extension of the FERC-519 information collection requirements with no changes to the reporting requirements.

**Abstract:** The FERC-519 (Application under Federal Power Act Section 203) is necessary to enable the Commission to

carry out its responsibilities in implementing the statutory provisions of Section 203 of the Federal Power Act (FPA), 16 U.S.C. 824b. Section 203 authorizes the Commission to grant approval of transactions in which a public utility disposes of jurisdictional facilities, merges such facilities with the facilities owned by another person or acquires the securities of another public utility. Under this statute, the Commission must find that the proposed transaction will be consistent with the public interest.

Under Section 203 of the FPA, FERC must review proposed mergers, acquisitions and dispositions of jurisdictional facilities by public utilities, if the value of the facilities exceeds \$10 million, and must approve these transactions if they are consistent with the public interest. One of FERC's overarching goals is to promote competition in wholesale power markets, having determined that effective competition, as opposed to traditional forms of price regulation, can best protect the interests of ratepayers. Market power, however, can be

exercised to the detriment of effective competition and customers, making it necessary for FERC to review and approve or disapprove all jurisdictional mergers, dispositions and acquisitions. The Commission implements these filing requirements in the Code of Federal Regulations (CFR) under 18 CFR Part 33.

*Type of Respondents:* Public utilities subject to the FPA.

*Estimate of Annual Burden:*<sup>1</sup> The Commission estimates the annual public reporting burden for the information collection as:

### FERC-519

[Application under Federal Power Act Section 203]

	Number of respondents	Annual number of responses per respondent	Total number of responses	Average burden & cost per response <sup>2</sup>	Total annual burden hours & total annual cost	Cost per respondent (\$)
	(1)	(2)	(1)*(2)=(3)	(4)	(3)*(4)=(5)	(5)+(1)
FERC-519 .....	141	1	141	395 \$27,847.5	55,695 \$3,926,498	\$27,847.5

*Comments:* Comments are invited on:

(1) Whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: August 21, 2014.

**Kimberly D. Bose,**

Secretary.

[FR Doc. 2014-20764 Filed 8-29-14; 8:45 am]

**BILLING CODE 6717-01-P**

### DEPARTMENT OF ENERGY

#### Federal Energy Regulatory Commission

[Docket No. CP14-533-000; Docket No. CP14-534-000]

#### Duke Energy Kentucky, Inc.; Duke Energy Ohio, Inc.; Notice of Applications for Certificate of Public Convenience and Necessity

Take notice that on August 13, 2014 Duke Energy Kentucky, Inc. (DEK) and Duke Energy Ohio, Inc. (DEO), 139 E. Fourth Street, Cincinnati, Ohio 45202, filed in the above referenced dockets two complimentary applications pursuant to sections 7(b) and 7(f) of the Natural Gas Act (NGA). DEK requests authorization to abandon by sale to DEO, a segment of existing natural gas pipeline that extends from Kenton County, Kentucky to Hamilton County, Ohio. DEO is concurrently seeking a determination of a service area within which DEO may enlarge and extend its distribution facilities, without further Commission authorization, all as more fully set forth in the application which is on file with the Commission and open to public inspection. The filing may also be viewed on the web 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 TTY, contact (202) 502-8659.

Any questions concerning this application may be directed to Chuck Whitlock, President, Midwest Commercial Generation and Vice President, Gas Operations, at (513) 287-2534 or [chuck.whitlock@duke-energy.com](mailto:chuck.whitlock@duke-energy.com), Duke Energy Corporation, 139 East Fourth Street, Cincinnati, OH 45202.

Specifically, the pipeline segment to be conveyed to DEO (AM-1 River Crossing) originates at a pipeline valve in Kenton County, Kentucky, about 400 feet south of the Ohio River, and extends northward about 0.4 miles, under the river, to an interconnection with distribution facilities of DEO at a pipeline valve in Hamilton County, Ohio. It is part of DEK's Line AM-1 natural gas pipeline. DEK states that the AM-1 River Crossing is used for the sole purpose of delivering gas to DEO to serve its own retail customers and retail customer choice load in Ohio. DEK also states that its entire retail load that is served from Line AM-1 is located upstream of the proposed point of transfer, so no DEK customer will be

<sup>1</sup> The Commission defines burden as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the

information collection burden, reference 5 Code of Federal Regulations 1320.3.

<sup>2</sup> The estimates for cost per response are derived using the following formula: Average Burden Hours

per Response \* \$70.50 per Hour = Average Cost per Response. The hourly cost figure of \$70.50 is the average FERC employee wage plus benefits. We assume that respondents earn at a similar rate.