The following is a list of prohibited and exempt communications recently received in the Office of the Secretary. The communications listed are grouped by docket numbers. 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 (FERRIS) 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* or toll free at (866)208–3676, or for TTY, contact (202)502–8659.

PROHIBITED

Docket No.	Date filed	Presenter or requester
1. CP04–12–000	12–19–03	Gary H. Harding, Alice L. Epstein.
2. CP04–12–000	12–19–03	Cheryl Moore.
3. CP04–12–000	12–19–03	L. Karl Roller.
4. Project No. 2342–000	12–29–03	Karen Janda.

EXEMPT

Docket No.	Date filed	Presenter or requester
1. Project No. 2630–000	12–17–03	Nicholas Jayjack.
2. Project Nos. 1930–000, 2290–000	12–19–03	Philip Scordelis.
3. Project No. 1971–000	12–19–03	Bev Stultz.
4. Project No. 11659–000	12–29–03	Robert Easton (to: Eric Cutler).
5. Project No. 11659–000	12–29–03	Robert Easton (to: Richard Levitt).

Linda Mitry,

Acting Secretary.

[FR Doc. E4–19 Filed 1–9–04; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Western Area Power Administration

Sacramento Area Voltage Support Project (DOE/EIS–0323)

AGENCY: Western Area Power Administration, DOE.

ACTION: Record of Decision.

SUMMARY: Based upon the analysis and information contained in the Sacramento Area Voltage Support (SVS) Environmental Impact Statement (EIS), the Western Area Power Administration (Western) has decided that, should the SVS project proceed, it should follow the configuration of the preferred alternative described in the SVS Final EIS. This alternative is identified as Proposed Action Option B and would consist of (1) reconductoring a double-circuit, 230-kilovolt (kV) transmission line from Elverta Substation to Tracy Substation, (2) constructing a new double-circuit, 230-kV transmission line from O'Banion Substation to Elverta Substation, and (3) realigning the transmission line near Pleasant Grove Cemetery between O'Banion and Elverta substations and Option B of the Cottonwood-Roseville single-circuit, 230-kV transmission line. In making this decision, Western evaluated (1) alternatives to the proposed project, and (2) alternatives that cover the reasonable range of options to complete enhancements to the 230-kV power transmission system between O'Banion and Tracy substations. These transmission enhancements and additions are necessary to maintain transmission security and reliability. Of the alternatives evaluated, Proposed Action Option B provides the highest degree of security and reliability for voltage support while having relatively few environmental impacts.

FOR FURTHER INFORMATION CONTACT: Ms. Loreen McMahon, Environmental Project Manager, Sierra Nevada Customer Service Region, Western Area Power Administration, 114 Parkshore Drive, Folsom, CA 95630–4710, telephone (916) 353–4460, e-mail *mcmahon@wapa.gov.* For information about the Department of Energy (DOE) National Environmental Policy Act (NEPA) process, contact Ms. Carol M. Borgstrom, Director, NEPA Policy and Compliance, EH–42, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585, telephone (202) 586–4600 or (800) 472–2756.

SUPPLEMENTARY INFORMATION: Population growth and development in the Sacramento, California, area has steadily increased electricity demand. The need for generation interconnections and operational flexibility in using existing electrical transmission facilities has increased. These factors combine to reduce security and reliability of the interconnected transmission system, which includes Western's Federal transmission system. While Western is not responsible for the load growth, transmission lines in the Sacramento area have reached their maximum transfer limits in serving existing needs. New transmission and transmission upgrades are needed to mitigate transmission line overload, reduce the frequency of automatic generation and load curtailment during the summer peak load periods, and help maintain reliability of the interconnected system operation.

Power system studies conducted by the Sacramento Area Transmission Planning Group and the River City Transmission Group concluded that transmission additions in the Sacramento area are needed to alleviate voltage sag and ensure power system reliability. The EIS analyzed environmental impacts of alternatives identified to improve electric system reliability and provide voltage support for the Sacramento area.

Alternatives

Western identified five broad alternative categories (new power generation, demand-side management (DSM), distributed generation, new transmission, and transmission upgrades) in its Notice of Intent (65 FR 48496) to prepare this EIS. Between September 12 through September 21, 2000, Western conducted a series of four scoping meetings in Lodi, Marysville, and Folsom, California. Public scoping comments were collected from August 8 through October 2, 2000. Western held two public workshops (March and September 2001) to address public comments on the broad selection of alternatives under consideration.

The results of public scoping meetings, workshops, meetings with agencies, and transmission system studies contributed to identifying the alternatives carried forward for detailed review. Alternatives eliminated from detailed review included new power generation, DSM, and distributed generation. New power generation and distributed generation alternatives will not solve short-term voltage support and reliability issues. DSM would be more applicable to the distribution of electricity, and the local utilities have implemented programs to decrease electrical loads during peak-use hours. Western believes that in the short term, imposing regulations of this type would not solve the reliability issues.

The alternatives carried forward for detailed analysis included new transmission and transmission upgrades. To minimize environmental impacts, Western incorporated standard Environmental Protection Measures (EPM) into the project description for the Proposed Action and all alternatives. Detailed evaluation of the Proposed Action and alternatives in the Draft EIS considered the three types of project activities below.

1. Reconductoring would consist of replacing the existing transmission line conductors (wires) with higher capacity conductors. In general, the existing rights-of-way (ROW) would be used, although some new structures may be needed.

2. New construction of transmission lines would include designing and building new structures and installing new conductors. New construction would occur on existing ROW where possible or require new ROW in parallel with existing ROW.

3. Realignment would include route deviations from Western's existing transmission lines.

The Notice of Availability (NOA) for the Draft EIS was published in the **Federal Register** on November 15, 2002, followed by a 45-day public comment period. During the public comment period, three public hearings were held: December 9, 2002, in Lodi, California; December 11, 2002, in Folsom, California; and December 12, 2002, in Marysville, California. Comments on the Draft EIS were made at the public hearings and were sent to Western via mail, telephone, and e-mail. A total of 117 comments were received from 28 individuals, companies, and government agencies.

Comments to the Draft EIS prompted a minor modification to avoid residential property. This modification affects two of the alternatives, resulting in adding two alternatives as described in the Final EIS. The description and impacts of the modification are identical for both the Proposed Action and Alternative 2. The title description ''Option A'' was added to the original project description of the Proposed Action and Alternative 2. The title description ''Option B'' was added to the modified alignments.

The Final EIS is an abbreviated version, which references the Draft EIS in its entirety. The Final EIS identifies the Preferred Alternative and provides corrections to the Draft EIS, additional information not included in the Draft EIS, public comments, Western's responses to those comments, and analyses of the modification applicable to the Proposed Action and Alternative 2. Option A and Option B of the Proposed Action, as well as the other alternatives, are described below.

Proposed Action

Option A: This is the original alignment of the Proposed Action. It would consist of (1) Reconductoring 73.2 miles of double-circuit, 230-kV transmission line from Elverta Substation to Tracy Substation, (2) constructing 26.6 miles of new double-circuit, 230-kV transmission line from O'Banion Substation to Elverta Substation, and (3) realigning the transmission line near Pleasant Grove Cemetery, between O'Banion and Elverta substations and 5 miles of the Cottonwood-Roseville single-circuit, 230-kV transmission line north of Elverta Substation.

Option B: This is the modified alignment of the Proposed Action. It would consist of (1) Reconductoring 73.2 miles of double-circuit, 230-kV transmission line from Elverta Substation to Tracy Substation, (2) constructing 26.6 miles of new double-circuit, 230-kV transmission line from O'Banion Substation to Elverta Substation, and (3) realigning the transmission line near Pleasant Grove Cemetery, between O'Banion and Elverta substations, and 6.1 miles of the Cottonwood-Roseville single-circuit, 230-kV transmission line. This modified realignment of the Cottonwood-Roseville line would extend about 2 miles east of the original alignment and then traverse south.

Alternative 1

Reconductoring Transmission Lines between O'Banion and Tracy substations would consist of reconductoring 99.8 miles of the existing double-circuit and single-circuit, 230-kV transmission lines from O'Banion Substation to Tracy Substation.

Alternative 2

Option A: New Transmission from O'Banion Substation to Elverta Substation is the original alignment of Alternative 2. It would consist of (1) constructing 26.6 miles of new double-circuit, 230-kV transmission line from O'Banion Substation to Elverta Substation, and (2) realigning the transmission line near Pleasant Grove Cemetery and 5 miles of the Cottonwood-Roseville single-circuit, 230-kV transmission line north of Elverta Substation.

Option B: New Transmission from O'Banion Substation to Elverta Substation is the modified alignment of Alternative 2. It would consist of (1) constructing 26.6 miles of new double-circuit, 230-kV transmission line from O'Banion Substation to Elverta Substation, and (2) realigning the transmission line near Pleasant Grove Cemetery and 6.1 miles of the Cottonwood-Roseville single-circuit, 230-kV transmission line. This modified realignment of the Cottonwood-Roseville line would extend about 2 miles east of the original alignment then traverse south.

Alternative 3

New Transmission from Elk Grove Substation to Tracy Substation would consist of constructing 46.2 miles of new double-circuit, 230-kV transmission line from Elk Grove Substation to Tracy Substation.

No Action Alternative

The No Action Alternative would involve unchanged operation of the existing transmission line system. Western would not develop or build additional transmission lines or substation facilities in the study area relative to voltage support.

The NOA of the Final EIS was published in the **Federal Register** on September 19, 2003. Western publicized the Notice of Intent, public scoping meetings, public hearings, and availability of the Draft EIS in local newspapers. Western will also publish the availability of this Record of Decision (ROD) in local newspapers.

Decision

Western selected Proposed Action Option B as its action, since it provides the maximum load-serving capability and reduces the need for automatic generation and load curtailment during the summer peak load periods to the greatest degree. This action best fulfills the agency's statutory mission and responsibilities under the Central Valley Project Act authority and it has relatively low environmental impacts.

Through analysis in the EIS, Western determined two of the alternatives were environmentally preferable. The No Action Alternative was determined to be the environmentally preferred alternative with the least environmental impact. It would not, however, meet the purpose and need. Western determined that Alternative 1 is the environmentally preferred action alternative due to fewer environmental impacts on land use, visual resources, and water resources compared to the Proposed Action Option B and the other action alternatives. However, none of the action alternatives, including Alternative 1, would avoid significant air impacts. The environmentally preferred action alternative was not selected because its fewer environmental impacts do not outweigh Western's need to provide maximum load-serving capability that is provided with the selected alternative.

Proposed Action Option B

Project financing for construction is uncertain. With this decision, Western is adopting the EPMs outlined in the EIS. Once funding is secured, Western would complete an air quality analysis to predict potential emissions, conduct biological and cultural resource surveys as necessary, complete a biological assessment and Section 7 consultation with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service, and consult with the State Historic Preservation Office on cultural resources. Stipulations identified through these analyses and consultations would be developed based on agreements reached between Western and the regulatory agencies. Western would develop a mitigation action plan (MAP) for such stipulations to ensure all practical means of avoiding environmental harm. Western would make the MAP available to the public.

This ROD meets the requirements of NEPA as well as the Council on Environmental Quality and DOE's NEPA implementing regulations. Additional analyses results may affect this decision and result in subsequent analysis or decisions. The public will be notified of any additional activities necessary to meet Western's NEPA and other public involvement requirements.

Dated: December 29, 2003.

Michael S. Hacskaylo,

Administrator.

[FR Doc. 04–571 Filed 1–9–04; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Western Area Power Administration

Loveland Area Projects Transmission and Ancillary Services—Rate Order No. WAPA–106

AGENCY: Western Area Power Administration, DOE.

ACTION: Notice of Rate Order.

SUMMARY: Notice is given of the confirmation and approval by the Deputy Secretary of the Department of Energy (DOE) of Rate Order No. WAPA–106 and Rate Schedules L–NT1, L–FPT1, L–NFPT1, L–AS1, L–AS2, L–AS3, L–AS4, L–AS5, L–AS6, and L–AS7 placing provisional rates for the Loveland Area Projects (LAP) transmission and ancillary services of the Western Area Power Administration (Western) into effect on an interim basis. The provisional rates will provide sufficient revenue to pay all annual costs, including interest expense, and repayment of required investment within the allowable period.

DATES: The provisional rates will be placed into effect on an interim basis on March 1, 2004, and will be in effect until the Federal Energy Regulatory Commission (Commission) confirms, approves, and places the provisional rates into effect on a final basis for a 5-year period ending February 28, 2009, or until superseded.

FOR FURTHER INFORMATION CONTACT: Mr. Daniel T. Payton, Rates Manager, Rocky Mountain Customer Service Region, Western Area Power Administration, 5555 E. Crossroads Boulevard, Loveland, CO 80538, telephone (970) 461–7442, e-mail *dpayton@wapa.gov.*

SUPPLEMENTARY INFORMATION: The Deputy Secretary of Energy approved Rate Schedules L–NT1, L–FPT1, L–NFPT1, L–AS1, L–AS2, L–AS3, L–AS4, L–AS5, and L–AS6 on March 23, 1998 (Rate Order No. WAPA–80, 63 FR 16778, April 6, 1998); and the Commission confirmed and approved the rate schedules on July 21, 1998, under FERC Docket No. EF98–5181–000 (84 FERC 61,066). The rate schedule for Energy Imbalance Service was revised and approved by the Secretary on May 30, 2002 (Rate Order No. WAPA–97, 67 FR 39970, June 11, 2002), through March 31, 2003.

Additionally, Western has two existing rate schedules for Rocky Mountain Customer Service Region (RMR) services outside Western's Open Access Transmission Tariff (Tariff) that were approved for short-term service by Western's Administrator. These are Rate Schedule L–LO1, Transmission Losses Service, effective October 8, 2000, and Rate Schedule L–US1, Unauthorized Use of Transmission and Control Area Services, effective June 15, 2001. These rates, as well as those under the Tariff and listed above, were extended through March 31, 2004.

Western will replace Rate Schedule L–LO1 with Rate Schedule L–AS7 in this rate action. Rate Schedule L–US1 has been incorporated into revised Rate Schedules L–FPT1, L–NFPT1, and L–AS2 that are part of this rate action. Rate Schedule L–US1 will terminate upon the effective date of this rate order.

There are no significant changes to the formula-based rate methodology for the transmission rates. Western is proposing changes for the formula-based rates for ancillary services. Rates for these services will be recalculated each year to incorporate the most recent financial and load information and will be applicable to all transmission and ancillary services customers.

Provisional Rates for LAP Transmission Service

The provisional rates in Rate Schedules L–NT1, L–FPT1, and L–NFPT1 for LAP transmission services are based on a revenue requirement that recovers (1) the LAP Transmission System costs for facilities associated with providing all transmission services; and (2) the non-facility costs allocated to transmission services. These provisional firm and nonfirm LAP transmission service rates include the costs for scheduling, system control, and dispatch service needed to provide the transmission service. The provisional rates are applicable to existing network, firm and nonfirm LAP transmission services, and future transmission services.

Provisional Rates for Ancillary Services

Western will provide seven ancillary services consistent with FERC Order No. 888. Of the seven ancillary services offered by Western, two are services which must be offered by the transmission provider or control area operator, and must be taken by the transmission customer. These are: (1) Scheduling, System Control, and Dispatch Service, and (2) Reactive Supply and Voltage Control Service from Generation Sources (VAR Support). The remaining five ancillary services, Regulation and Frequency Response Service (Regulation), Energy Imbalance Service, Spinning Reserves Service, Supplemental Reserves Service, and Transmission Losses Service, will be offered by Western, but the customer may also self-provide or purchase these services from another entity. The cost