

*Accession Number:* 20111227–5121.  
*Comments Due:* 5 p.m. ET 1/17/12.  
*Docket Numbers:* ER12–700–000.  
*Applicants:* Central Vermont Public Service Corporati, ISO New England Inc.

*Description:* CVPS, ISO–NE and Public Serv. Co of NH Local Service Agreement No. 69 to be effective 1/1/2012.

*Filed Date:* 12/28/11.

*Accession Number:* 20111228–5011.

*Comments Due:* 5 p.m. ET 1/18/12.

*Docket Numbers:* ER12–701–000.

*Applicants:* New York Independent System Operator, Inc.

*Description:* NYISO Tariff Revisions re: Coordinated Transaction Scheduling to be effective 12/31/9998.

*Filed Date:* 12/28/11.

*Accession Number:* 20111228–5026.

*Comments Due:* 5 p.m. ET 1/18/12.

*Docket Numbers:* ER12–702–000.

*Applicants:* PacifiCorp.

*Description:* PacifiCorp submits tariff filing per 35.15: Termination of CEP Funding Point to Point Transmission Agreements to be effective 1/12/2012.

*Filed Date:* 12/28/11.

*Accession Number:* 20111228–5035.

*Comments Due:* 5 p.m. ET 1/18/12.

*Docket Numbers:* ER12–703–000.

*Applicants:* PJM Interconnection, L.L.C.

*Description:* PJM Interconnection, L.L.C. submits tariff filing per 35.13(a)(2)(iii): Original Service Agreement No. 3168 ? PJM Queue # W2–049 to be effective 11/28/2011.

*Filed Date:* 12/28/11.

*Accession Number:* 20111228–5065.

*Comments Due:* 5 p.m. ET 1/18/12.

*Docket Numbers:* ER12–704–000.

*Applicants:* Pacific Gas and Electric Company.

*Description:* Pacific Gas and Electric Company submits tariff filing per 35.13(a)(2)(iii): Lathrop Irrigation District IA and WDT SA to be effective 1/1/2012.

*Filed Date:* 12/28/11.

*Accession Number:* 20111228–5077.

*Comments Due:* 5 p.m. ET 1/18/12.

*Docket Numbers:* ER12–705–000.

*Applicants:* ITC Midwest LLC.

*Description:* ITC Midwest LLC submits tariff filing per 35.13(a)(2)(iii): Filing of a Notice of Succession to be effective 2/28/2012.

*Filed Date:* 12/28/11.

*Accession Number:* 20111228–5079.

*Comments Due:* 5 p.m. ET 1/18/12.

Take notice that the Commission received the following public utility holding company filings:

*Docket Numbers:* PH12–5–000.

*Applicants:* The AES Corporation.

*Description:* FERC–65B Notice of Material Change in Facts for The AES Corporation.

*Filed Date:* 12/28/11.

*Accession Number:* 20111228–5029.

*Comments Due:* 5 p.m. ET 1/18/12.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: December 28, 2011.

**Nathaniel J. Davis, Sr.,**

*Deputy Secretary.*

[FR Doc. 2011–33828 Filed 1–4–12; 8:45 am]

**BILLING CODE 6717–01–P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. PA10–13–000]

#### ITC Holdings Corp.; Notice of Paper Hearing Procedure

Take notice that on October 31, 2011, ITC Holdings Corp. and ITC Midwest LLC (collectively, ITC) filed a request for Commission review of certain findings and recommendations in the September 30, 2011 Audit Report (Audit Report) in this docket issued by the Director of the Office of Enforcement under authority delegated to him by section 375.311 of the Commission's regulations, 18 CFR 375.311 (2011). ITC submitted its request for review under Part 41 of the Commission's regulations, 18 CFR Part 41.2. In accordance with section 41.3, ITC requested the use of shortened procedures. Pursuant to section 41.3, the Commission directs the commencement of a paper hearing. The Commission further provides clarification on the scope of the paper hearing.

ITC's filing states that it challenges the Audit Report's findings that ITC Midwest "improperly recovered from

customers through formula rate billings amounts associated with the tax effects of amortized goodwill reported in Account 211, Miscellaneous Paid-In Capital. It also over-accrued its allowance for funds used during construction (AFUDC)." ITC also challenges recommendations 2–4 in the Audit Report:

2. Remove the overstated equity amounts associated with the tax effects of amortized goodwill reported in Account 211. File all correcting entries and supporting documentation with the Division of Audits within 30 days of the issuance of a final audit report in this docket.

3. Record and file, with supporting documentation, all correcting entries and calculations to correct all account balances affected by the over-accrual of AFUDC.

4. Adjust formula rate billings, as appropriate, for amounts inappropriately recovered from customers associated with the tax effects of amortized goodwill and related over-accrual of AFUDC. Compute interest on the adjustments in accordance with 18 CFR 35.19a. File a refund analysis with the Commission within 30 days of the issuance of a final audit report in this docket.

The scope of the paper hearing is limited to these challenged findings and recommendations.

In accordance with section 41.3, ITC and any other interested entity, including the Commission staff, shall file, within 45 days of this notice, an initial memorandum that addresses the relevant facts and applicable law that support the position or positions taken regarding the matters at issue. Reply memoranda may be filed by participants who filed initial memoranda. Reply memoranda must be filed within 20 days of the due date for initial memoranda. Pursuant to section 41.3, subpart T of Part 385 of the Commission's regulations shall apply to all filings. Further, pursuant to section 41.4, each entity's memorandum should set out the facts and argument as prescribed for briefs in 18 CFR 385.706 (2011). Section 41.5 also requires that the facts stated in the memorandum must be sworn to by persons having knowledge thereof, which latter fact must affirmatively appear in the affidavit.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: December 29, 2011.

**Nathaniel J. Davis, Sr.,**

*Deputy Secretary.*

[FR Doc. 2011-33829 Filed 1-4-12; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9616-1]

### Control of Emissions From New Highway Vehicles and Engines; Approval of New Scheduled Maintenance for Selective Catalytic Reduction Technologies

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

**ACTION:** Notice of approval.

**SUMMARY:** This notice announces that EPA has granted certain diesel vehicle and engine manufacturers' requests for approval of emission-related maintenance and scheduled maintenance intervals for replenishment of reducing agent in connection with their use of selective catalytic reduction (SCR) technologies. EPA's approval pertains to the use of SCR with 2011 and later model year (MY) diesel-fueled light-duty vehicles and light-duty trucks along with medium-duty passenger vehicles and chassis-certified diesel vehicles up to 14,000 pounds gross vehicle weight (GVW) and 2012 and later MY heavy-duty diesel engines.

**FOR FURTHER INFORMATION CONTACT:** David Dickinson, Compliance Division, Office of Transportation and Air Quality, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue (6405J), NW., Washington, DC 20460. Telephone: (202) 343-9256. Fax: (202) 343-2800. Email: [dickinson.david@epa.gov](mailto:dickinson.david@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

EPA adopted new emission standards for light-duty vehicles on February 10, 2000.<sup>1</sup> At that time, EPA established an emission standard of 0.07 grams per mile for each manufacturer's average full life NO<sub>x</sub> emissions of its vehicles in each model year. For heavy-duty vehicles and engines, EPA published a rule setting stringent new requirements on January 18, 2001.<sup>2</sup> Among other requirements, the diesel engine NO<sub>x</sub> emission standard was set at 0.20 grams per brake horsepower-hour (g/bhp-hr),

to be phased-in between the 2007 and 2010 model years.

Diesel vehicle and engine manufacturers began planning to meet those requirements by optimizing engine designs for low emissions and adding high-efficiency aftertreatment systems. Manufacturers examined the use of several different types of NO<sub>x</sub> reduction technologies, including NO<sub>x</sub> absorbers, exhaust gas recirculation, and selective catalytic reduction (SCR). SCR systems use a nitrogen-containing reducing agent that usually contains urea and is known as diesel exhaust fluid (DEF). The DEF is injected into the exhaust gas upstream of a catalyst. For continued functioning of the systems, the reducing agent needs to be replenished periodically by refilling the DEF tank.

Maintenance performed on vehicles, engines, subsystems, or components used to determine exhaust, evaporative, or refueling emission deterioration factors is classified as either emission-related or non-emission-related and scheduled or un-scheduled. Any emission-related scheduled maintenance must be technologically necessary to ensure in-use compliance with the emission standards. Manufacturers must demonstrate to EPA that all of the emission-related maintenance to be performed is technologically necessary and must be approved prior to being performed or being included in maintenance instructions provided to purchasers. 40 CFR 86.094-25(b)(3), 86.094-25(b)(4), 86.1834-01(b)(3) and 86.1834-01(b)(4) establish minimum allowable maintenance intervals for various emission-related technologies. EPA determined that emission-related maintenance for the specified technologies at intervals shorter than those listed in paragraphs (b)(3) and (b)(4) are not technologically necessary, except as provided for in paragraphs (b)(7). Paragraphs (b)(7) of those regulatory sections allows manufacturers to request new scheduled maintenance and maintenance intervals or a change to existing scheduled maintenance interval, including an interval shorter than that prescribed in paragraphs (b)(3) and (b)(4). For light-duty, medium-duty, and heavy-duty diesel-cycle engines, emission-related maintenance for certain emission-related components cannot occur before 100,000 miles of use.<sup>3</sup> Thereafter, emission-related maintenance cannot again occur before 100,000 mile intervals for light heavy-duty engines, or

before 150,000 mile intervals for medium and heavy heavy-duty engines.<sup>4</sup>

Pursuant to 40 CFR 86.1834-01(b)(7), a manufacturer must submit a request to EPA for approval of any new scheduled maintenance that it wishes to perform during durability determination and recommend to purchasers. New scheduled maintenance is maintenance that did not exist prior to the 1980 model year (such as DEF refills), including that which is the direct result of the implementation of new technology not found in production prior to the 1980 model year (such as SCR technology). In their approval requests to EPA, manufacturers are required to submit a variety of information, including a recommendation as to the maintenance category (*i.e.*, emission-related or non-emission-related, and critical or non-critical). If the suggested maintenance is emission-related, manufacturers must indicate the maximum feasible maintenance interval. Manufacturers must also provide detailed evidence, data, or other substantiation supporting the need for the new scheduled maintenance, the categorization of such maintenance, and the suggested interval, if the maintenance is emission-related.

If EPA approves a request for new scheduled maintenance, the Agency then designates that maintenance as emission-related or non-emission-related. For emission-related maintenance, EPA will further designate that maintenance as critical or non-critical. A designation of critical maintenance will be made if the component receiving the maintenance meets the regulatory definition of critical emission-related component in 40 CFR 86.1834-01(b)(6). Critical emission-related components include catalytic converters. 40 CFR 86.1834-01(b)(6) requires that critical emission-related maintenance must have a reasonable likelihood of being performed in use, as shown by the manufacturer.<sup>5</sup> Examples of

<sup>4</sup> *Id.*

<sup>5</sup> 40 CFR 86.094(b)(6)(ii) and 86.1834-01(b)(6)(ii). Both sections present the following conditions as acceptable of having a reasonable likelihood that the maintenance item will be performed in-use:

(A) Data are presented which establish for the Administrator a connection between emissions and vehicle performance such that as emissions increase due to lack of maintenance, vehicle performance will simultaneously deteriorate to a point unacceptable for typical driving.

(B) Survey data are submitted which adequately demonstrate to the Administrator that, at an 80 percent confidence level, 80 percent of such engines already have this critical maintenance item performed in-use at the recommended interval(s)

<sup>1</sup> 65 FR 6734 (February 10, 2000).

<sup>2</sup> 66 FR 5002 (January 18, 2001).

<sup>3</sup> 40 CFR 86.1834-01(b)(4)(ii) and 40 CFR 86.004-25(b)(4)(iii).