

proposed tariff (FERC Electric Tariff, Original Volume No. 2) and supporting cost data for its annual revenue requirement under Midwest Independent System Operator, Inc.'s (Midwest ISO) proposed Schedule 21—Reactive Supply and Voltage Control from Independent Generation Sources Service. Zeeland requests an effective date of October 1, 2004.

Zeeland states that it has served copies of this filing on the Michigan Public Service Commission, the Midwest ISO, and Michigan Electric Transmission Company.

Comment Date: 5 p.m. Eastern Time on August 31, 2004.

Standard Paragraph

Any person desiring 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 comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. On or before the comment date, it is not necessary to 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, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Linda Mitry,

Acting Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. AD04-9-001]

Billing Procedures for Annual Charges for the Costs of Other Federal Agencies for Administering Part I of the Federal Power Act; Notice Issuing "Other Federal Agency Cost" Submission Form and Extending Related Submission Deadlines

August 13, 2004.

1. By order issued June 18, 2004, the Commission acted on matters remanded to it by the court in *City of Tacoma, WA, et al. v. FERC*, 331 F.3d 106 (D.C. Cir. 2003). The court concluded that the Commission is required to determine the reasonableness of costs incurred by other Federal agencies (OFAs) in connection with their participation in Commission proceedings under Part I of the Federal Power Act (FPA)¹ when those agencies seek to include such costs in the administrative annual charges licensees must pay to reimburse the United States for the cost of administering Part I.² The court also remanded issues regarding the eligibility of specific types of OFA costs for reimbursement, and the availability of refunds for certain charges.

2. The June 18 Order (1) determined which OFA costs are eligible to be included in administrative annual charges; (2) established procedures for Commission review of future OFA cost submittals, as well as those currently on appeal and (3) introduced a proposed new form to be used in submitting OFA costs, the form to be finalized in a technical conference.³

3. The technical conference, held on July 1, 2004, was attended by Commission staff and counsel representing affected licensees. The licensees made recommendations with respect to the guidance the Commission should give the OFAs in filling out the form, but did not propose any alterations to the form itself. The licensees did not make any specific recommendations regarding the form's content or design. Attached to this

¹ 16 U.S.C. 794-823b.

² The OFAs are the Bureau of Indian Affairs, the Bureau of Land Management, Bureau of Reclamation, National Park Service, and U.S. Fish and Wildlife Service (all in the Department of the Interior); Corps of Engineers (in the Department of the Army); U.S. Forest Service (in the Department of Agriculture); and National Oceanic and Atmospheric Administration (in the Department of Commerce).

³ The form was attached to the order and is posted on the Commission's Web site, <http://www.ferc.gov/>.

notice is the final form, which is the same as that proposed in the June 18 Order.

4. Numerous licensees have requested rehearing of the June 18 order. To provide more certainty to the annual charges billing process, the Commission has decided to delay the billing of the OFA costs that would have been included in the 2004 annual charges statement until after the rehearing requests are addressed. The Commission informed licensees of this decision in an August 4, 2004 letter included with the Statement of Annual Charges for Administration, Government Dams and Indian Lands for Bill Year 2004. Similarly, the Commission is extending the deadlines stated in the June 18 Order for OFAs to submit their cost data for Fiscal Years 1998-2003. The Commission will establish a new deadline for these submittals after the rehearing requests have been addressed. Anyone having questions regarding this notice should contact Anton Porter at (202) 502-8728, e-mail at anton.porter@ferc.gov.

Magalie R. Salas,

Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2210-095-VA]

Appalachian Power Company; Notice of Availability of Environmental Assessment

August 16, 2004.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission) regulations, 18 CFR Part 380 (Order No. 486, 52 FR 47897), the Office of Energy Projects has reviewed an application for non-project use of project lands and waters at the Smith Mountain Pumped Storage Project (FERC No. 2210) and has prepared an Environmental Assessment (EA) for the proposed non-project use. The project is located on the Roanoke and Blackwater Rivers in Bedford, Campbell, Pittsylvania, Franklin, and Roanoke Counties, Virginia.

In the application, Appalachian Power Company (licensee) requests Commission authorization to permit Resource Partners, L.L.C. to install and operate boat dock facilities at a residential development known as The Cottages at Contentment Island located