

to pay, it would lead to ability-to-pay studies for project use power contractors.

*Comment:* Since Reclamation intends to maintain the effective project use power rate at 2.5 mils/kWh, through application of the ability-to-pay test, what is the purpose of Reclamation's proposed rate adjustment?

*Response:* While present economic conditions create depressed agriculture and the majority of the irrigators will pay 2.5 mils/kWh, the adjusted rate will allow Reclamation to capture additional revenues if and when the economics of agriculture improve. It will also provide current rate structure for use in decisions and legislation related to proposed new projects. Reclamation is required to have accurate numbers for operations, maintenance, and replacement costs.

#### NEPA

In compliance with the National Environmental Policy Act of 1969 (NEPA), 43 U.S.C. 4321 *et seq.* Council on Environmental Quality Regulations (40 CFR parts 1500–1508); and the Department of Energy's NEPA Implementing Procedures (10 CFR part 1021), Reclamation has determined that this action is categorically excluded from the preparation of an Environmental Assessment or Environmental Impact Statement.

#### Power Rate Schedules

The existing rate schedule MRB-P10 placed into effect on November 1, 1986, will be replaced by rate schedule MRB-P11. Rate Schedule MRB-P11 is as follows: *Effective:* 30 days after being published in the **Federal Register**. *Location:* In the areas generally described as central and eastern Montana, North and South Dakota, Nebraska, eastern Colorado, Wyoming, Kansas, western Iowa, and western Minnesota.

#### Applicable

For use in the operation of congressionally authorized irrigation and drainage pumping plants on irrigation projects for power service supplied through metering at specified points of delivery.

#### Character and Conditions of Service

Alternating current, 60 hertz, three phase, delivered and metered at the point identified in the contract upon demand during the summer irrigation season.

#### Availability

Available at 60 hertz at the pumping plant upon demand during the summer irrigation season.

#### Monthly Rate

*Demand Charge:* None.

*Energy Charge:* 10.76 mils/kWh for all energy use; subject to ability-to-pay but not less than 2.5 mils/kWh.

*Seasonal Minimum Bill:* \$2.75 per kilowatt of the maximum 30-minute integrated demand established during service months of each year specified in the contract.

#### Adjustments

*For Power Factor:* The customer will normally be required to maintain a power factor at a point of delivery of not less than 95 percent lagging or leading.

#### Approval of Project Use Power Rate by the Commissioner, Bureau of Reclamation

The Commissioner approved the rate of 10.76 mils/kWh by memorandum dated January 15, 2002.

Dated: January 23, 2002.

**Gerald W. Kelso,**

*Assistant Regional Director.*

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## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

#### Importation of Controlled Substances; Notice of Application

Pursuant to section 1008 of the Controlled Substances Import and Export Act (21 U.S.C. 958(i)), the Attorney General shall, prior to issuing a registration under this Section to a bulk manufacturer of a controlled substance in Schedule I or II and prior to issuing a regulation under Section 1002(a) authorizing the importation of such a substance, provide manufacturers holding registrations for the bulk manufacture of the substance an opportunity for a hearing.

Therefore, in accordance with Section 1301.34 of Title 21, Code of Federal Regulations (CFR), notice is hereby given that on March 7, 2001, Cedarburg Pharmaceutical LLC, 870 Badger Circle, Grafton, Wisconsin 53024, made application to the Drug Enforcement Administration to be registered as an importer of the basic classes of controlled substances listed below:

Drug	Schedule
Codeine (9050) .....	II

Drug	Schedule
Morphine (9300) .....	II
Thebaine (9333) .....	II

The firm plans to import the listed controlled substances to repackage and sell as bulk controlled substances, and also use as starting materials to manufacture bulk active pharmaceutical ingredients.

Any manufacturer holding, or applying for, registration as a bulk manufacturer of these basic classes of controlled substances may file written comments on or objections to the application described above and may, at the same time, file a written request for a hearing on such application in accordance with 21 CFR 1301.43 in such form as prescribed by 21 CFR 1316.47.

Any such comments, objections, or requests for a hearing may be addressed, in quintuplicate, to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, United States Department of Justice, Washington, DC 20537, Attention: DEA Federal Register Representative (CCR), and must be filed no later than (30 Days from publication).

This procedure is to be conducted simultaneously with and independent of the procedures described in 21 CFR 1301.34(b), (c), (d), (e), and (f). As noted in a previous notice at 40 FR 43745–46 (September 23, 1975), all applicants for registration to import basic classes of any controlled substances in Schedule I or II are and will continue to be required to demonstrate to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration that the requirements for such registration pursuant to 21 U.S.C. 958(a), 21 U.S.C. 823(a), and 21 CFR 1301.34(a), (b), (c), (d), (e), and (f) are satisfied.

Dated: February 6, 2002.

**Laura M. Nagel,**

*Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.*

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## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

#### Manufacturer of Controlled Substances; Notice of Registration

By Notice dated August 9, 2001, and published in the **Federal Register** on August 10, 2001, (66 FR 42240), Roche Diagnostics Corporation, Attn: