

Amendment No. 1 which provides for the addition of one point of interconnection.

Midwest states that a copy of this filing was served upon the Kansas Corporation Commission and Aquila.

*Comment Date:* July 21, 2003.

#### 8. Midwest Energy, Inc.

[Docket No. ER03-1008-000]

Take notice that on June 30, 2003, Midwest Energy, Inc. (Midwest) submitted for filing an Electric Interconnection Contract (Contract) between Central Kansas Power Company, Inc., now known as Midwest Energy, Inc. and Westar Energy (Westar). This Interconnection Contract was previously filed by Westar Energy and designated as FPC No. 123 as revised and amended.

Midwest states that a copy of this filing was served upon the Kansas Corporation Commission and Westar.

*Comment Date:* July 21, 2003.

#### 9. American Transmission Systems, Inc.

[Docket No. ER03-1009-000]

Take notice that on June 30, 2003, American Transmission Systems, Inc. (ATSI) tendered for filing its Service Agreement No. 337, an executed Network Integration Transmission Service Agreement with Buckeye Power, Inc. (Buckeye) under ATSI's Open Access Transmission Tariff, FERC Electric Tariff, Second Revised Volume No. 1. ATSI requests that the agreement be placed in effect on July 1, 2003.

ATSI states that copies of the filing were served upon Buckeye and the Public Utilities Commission of Ohio.

*Comment Date:* July 21, 2003.

#### 10. NEO California Power LLC

[Docket No. ER03-1010-000]

Take notice that on July 1, 2003, NEO California Power LLC (NEO California) filed with the Federal Energy Regulatory Commission a Must-Run Service Agreement dated June 30, 2003 with the California Independent System Operator Corporation.

*Comment Date:* July 22, 2003.

#### 11. Southern California Edison Company

[Docket No. ER03-1011-000]

Take notice that on July 1, 2003, Southern California Edison Company (SCE) tendered for filing revised rate sheets (Revised Sheets) to the Agreement For Interconnection Service and the Interconnection Facilities Agreement between SCE and Harbor Cogeneration Company (Harbor), Service Agreement Nos. 2 and 9 under

SCE's FERC Electric Tariff, First Revised Volume No. 6. SCE respectfully requests an effective date of June 30, 2003.

SCE states that the Revised Sheets to these agreements reflect an extension of their terms and conditions to provide interconnection service to Harbor's 110 MW generating facility through August 31, 2003. SCE also states that copies of this filing were served upon the Public Utilities Commission of the State of California and Harbor.

*Comment Date:* July 22, 2003.

#### 12. RAM Energy Products, L.L.C.

[Docket No. ER03-1012-000]

Take notice that on July 1, 2003, RAM Energy Products, L.L.C. submitted for filing, pursuant to Section 205 of the Federal Power Act, and part 35 of the Commission's regulations, an application for authorization to make sales, as a power marketer, of capacity, energy, and certain Ancillary Services at market-based rates; to reassign transmission capacity; and to resell firm transmission rights.

*Comment Date:* July 22, 2003.

#### 13. New England Power Pool

[Docket No. ER03-1014-000]

Take notice that on July 1, 2003, the New England Power Pool (NEPOOL) Participants Committee filed for acceptance materials to permit NEPOOL to expand its membership to include El Cap II, LLC (El Cap), Split Rock Energy, LLC (Split Rock), and New Hampshire Industries, Inc., (NHI). The Participants Committee requests an effective date of July 1, 2003, for the commencement of participation in NEPOOL by El Cap and Split Rock, and September 1, 2003 for the commencement of participation in NEPOOL as a Governance Only Member by NHI.

The Participants Committee states that copies of these materials were sent to the New England state governors and regulatory commissions and the Participants in NEPOOL.

*Comment Date:* July 22, 2003.

#### Standard Paragraph

Any person desiring to intervene or to protest this filing should file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, 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 motion to intervene. All such motions or protests should be filed on

or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. This filing is available for review at the Commission or may be viewed on the Commission's Web site at <http://www.ferc.gov>, using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659. Protests and interventions may be filed electronically via the Internet in lieu of paper; see 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. The Commission strongly encourages electronic filings.

Magalie R. Salas,

Secretary.

[FR Doc. 03-17848 Filed 7-14-03; 8:45 am]

BILLING CODE 6717-01-P

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## ENVIRONMENTAL PROTECTION AGENCY

[OPP-2002-0296; FRL-7318-4]

### Pesticides; Data Submitter Rights for Data Submitted in Support of Tolerance Actions; Notice of Availability; Extension of Comment Period

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

**ACTION:** Notice; extension of comment period.

**SUMMARY:** On April 17, 2003, EPA announced the availability for comment on a proposal discussing a program to enable the Agency to appropriately implement the new provisions contained in section 408(i) of the Federal Food, Drug, and Cosmetic Act (FFDCA) to address exclusive use and compensation rights for data submitted to EPA in support of tolerance and tolerance exemption actions. The Agency received a request to extend the comment period and this notice announces the extension of the comment period for 60 days.

**DATES:** Comments, identified by the docket ID number OPP-2002-0296, must be received on or before September 16, 2003.

**ADDRESSES:** Comments may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in

**Unit I. of the SUPPLEMENTARY INFORMATION.****FOR FURTHER INFORMATION CONTACT:**

Cameo G. Smoot, Field and External Affairs Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-5454; fax number: (703) 308-5884; e-mail address: [smoot.cameo@epa.gov](mailto:smoot.cameo@epa.gov).

**SUPPLEMENTARY INFORMATION:****I. General Information****A. Does This Action Apply to Me?**

You may be potentially affected by this action if you submit data to EPA in support of establishing, maintaining or exempting tolerances for pesticides under the FFDCA, or are a pesticide registrant or a person applying for pesticide registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Potentially affected entities may include, but are not limited to:

- Pesticide manufacturing (NAICS code 32532) e.g., individuals or entities engaged in activities related to the registration of a pesticide product.

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. To determine whether you or your business may be affected by this action, you should carefully examine the applicability provisions in 40 CFR part 152 Pesticide Registration and Classification Procedures and section 408(i) of the FFDCA. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

**B. How Can I Get Copies of This Document and Other Related Information?**

1. *Docket.* EPA has established an official public docket for this action under docket ID number OPP-2002-0296. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although, a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the

collection of materials that is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr/>.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA dockets. You may use EPA dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Although, not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. Once in the system, select "search," then key in the appropriate docket ID number.

**C. How and To Whom Do I Submit Comments?**

You may submit comments electronically, by mail, or through hand delivery/courier. To ensure proper receipt by EPA, identify the appropriate docket ID number in the subject line on the first page of your comment. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments. If you wish to submit CBI or information that is otherwise protected by statute, please follow the instructions in Unit I.D. Do not use EPA dockets or e-mail to submit CBI or information protected by statute.

1. *Electronically.* If you submit an electronic comment as prescribed in this unit, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment. Also, include this contact information on the outside of any disk or CD ROM you submit, and in any cover letter accompanying the disk or CD ROM. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties, or needs further information on the substance of your comment. EPA's policy is that EPA

will not edit your comment, and any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

i. *EPA Dockets.* Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. Go directly to EPA Dockets at <http://www.epa.gov/edocket/>, and follow the online instructions for submitting comments. Once in the system, select "search," and then key in docket ID number OPP-2002-0296. The system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment.

ii. *E-mail.* Comments may be sent by e-mail to [opp-docket@epa.gov](mailto:opp-docket@epa.gov), Attention: Docket ID number OPP-2002-0296. In contrast to EPA's electronic public docket, EPA's e-mail system is not an "anonymous access" system. If you send an e-mail comment directly to the docket without going through EPA's electronic public docket, EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

iii. *Disk or CD ROM.* You may submit comments on a disk or CD ROM that you mail to the mailing address identified in Unit I.C.2. These electronic submissions will be accepted in WordPerfect or ASCII file format. Avoid the use of special characters and any form of encryption.

2. *By mail.* Send your comments to: Public Information and Records Integrity Branch (PIRIB) (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001, Attention: Docket ID number OPP-2002-0296.

3. *By hand delivery or courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, Attention: Docket ID number OPP-2002-0296. Such deliveries are only accepted

during the docket's normal hours of operation as identified in Unit I.A.1.

#### *D. How Should I Submit CBI to the Agency?*

Do not submit information that you consider to be CBI electronically through EPA's electronic public docket or by e-mail. You may claim information that you submit to EPA as CBI by marking any part or all of that information as CBI (if you submit CBI on disk or CD ROM, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is CBI). Information so marked will not be disclosed, except in accordance with procedures set forth in 40 CFR part 2.

In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket and EPA's electronic public docket. If you submit the copy that does not contain CBI on disk or CD ROM, mark the outside of the disk or CD ROM clearly that it does not contain CBI. Information not marked as CBI will be included in the public docket and EPA's electronic public docket without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

## **II. What Action Is EPA Taking?**

This document extends the public comment period established in the **Federal Register** issued on April 17, 2003 (68 FR 18977) (FRL-7279-9). In that document, EPA sought comment on a proposal for implementing a data compensation program under FFDCA. EPA is hereby extending the comment period, which was set to end on July 16, 2003, to September 16, 2003.

## **III. What Is the Agency's Authority for Taking This Action?**

As part of the Food Quality Protection Act of (FQPA) 1996, Congress amended the FFDCA to address exclusive use and compensation rights for data submitted to EPA in support of tolerance and tolerance exemption actions, and to amend treatment of confidential information under the statute. This proposal addresses the implementation of the statutory requirement.

## **Lists of Subjects**

Environmental protection, Pesticides, Tolerance, and Data compensation.

Dated: July 7, 2003.

**Jim Jones,**

*Director, Office of Pesticide Programs.*

[FR Doc. 03-17901 Filed 7-14-03; 8:45 am]

**BILLING CODE 6560-50-S**

## **FEDERAL COMMUNICATIONS COMMISSION**

**[DA 03-2057]**

### **ITFS, MDS, and MMDS Pending Applications**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** In this document, the Federal Communications Commission's (FCC's) Public Safety and Private Wireless Division of the Wireless Telecommunications Bureau dismisses applications where the applicants did not respond to an October 18, 2002 public notice requiring applicants to affirm their interest in those applications. The public notice also dismisses legal matters relating to applications that are being dismissed in the public notice.

**FOR FURTHER INFORMATION CONTACT:** For questions relating to legal matters dismissed as a result of this public notice, please contact John J. Schauble, Chief, Policy and Rules Branch, Public Safety and Private Wireless Division at 202-418-0797. For all other questions relating to this Public Notice, contact Mary Shultz, Branch Chief, or Ruth Taylor, Chief, Microwave Section, Licensing and Technical Analysis Branch at 717-338-2646.

**SUPPLEMENTARY INFORMATION:** This is a summary of the FCC's Public Notice, DA 03-2057, released on June 20, 2003. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW., Washington, DC 20554. The complete text may be purchased from the FCC's copy contractor, Qualex International, 445 12th Street SW., Room CY-B402, Washington, DC 20554. The full text may also be downloaded at: <http://www.fcc.gov>. Alternative formats are available to persons with disabilities by contacting Brian Millin at (202) 418-7426 or TTY (202) 418-7365 or at [bmillin@fcc.gov](mailto:bmillin@fcc.gov).

1. On October 18, 2002, the Wireless Telecommunications Bureau (WTB) released a Public Notice (October Public Notice), 67 FR 69010, November 14, 2002, in which it sought to ensure that it had a complete and accurate listing of

all licenses and pending applications in the Instructional Television Fixed Service (ITFS), the Multipoint Distribution Service (MDS), and the Multichannel Multipoint Distribution Service (MMDS). The Public Notice referenced six different tables of licensing information. Specifically, Table E listed all pending applications for ITFS and Table F listed all pending applications for MDS and MMDS. Tables E and F contained the following information for each pending application: licensee name, file number, application purpose, call sign, facility ID, transmitter city/state, BTA and channel. The WTB required that all ITFS, MDS and MMDS licensees and applicants review and verify the information contained in these tables. For pending applications filed prior to March 25, 2002, the WTB required that the applicant respond in writing by December 18, 2002 if continued processing was desired. The time for licensees and applicants in these services to respond to the October Public Notice was extended to February 3, 2003. This deadline was further extended to February 21, 2003.

2. Appendix A to this Public Notice contains a list of those pending ITFS applications with a filing date prior to March 25, 2002 where the applicant/licensee has not responded to the October Public Notice. Appendix B to this Public Notice contains a list of those pending MDS and MMDS applications for with a filing date prior to March 25, 2002 where the applicant/licensee has not responded to the October Public Notice. In the October Public Notice, WTB indicated, "For any applications for which written affirmations requesting further processing have not been received, those applications will be dismissed without prejudice." Accordingly, it is ordered, pursuant to section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and §§ 21.28(d) and 73.3568(a)(1) of the Commission's Rules, 47 CFR 21.28(d), 73.3568(a)(1), the applications listed in Appendix A and Appendix B to this Public Notice are hereby dismissed without prejudice.

3. In addition, as a result of the dismissal of the applications listed in Appendices A and B, certain legal matters are now moot. Those legal matters consist of petitions to deny or petitions for reconsideration filed with respect to those applications, or complaints filed with respect to licenses that have now expired or been forfeited because of the dismissal of renewal applications for those licenses. Since the underlying applications have now