

**DEPARTMENT OF ENERGY****Notice of Intent To Grant Exclusive or Partially Exclusive Patent License**

**AGENCY:** National Energy Technology Laboratory (NETL), Department of Energy (DOE).

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given of an intent to grant to Powerspan Corporation at New Durham, New Hampshire, an exclusive or partially exclusive license to practice the invention described in the U.S. patent number 6,567,092 titled, "Method for Removal of Mercury from Various Gas Streams." The invention is owned by the United States of America, as represented by the Department of Energy (DOE). The proposed license will be exclusive or partially exclusive, subject to a license and other rights retained by the U.S. Government, and other terms and conditions to be negotiated. DOE intends to grant the license, upon a final determination in accordance with 35 U.S.C. 209(c), unless within 15 days of publication of this notice the Technology Transfer Manager, Department of Energy, National Energy Technology Laboratory, P.O. Box 880, Morgantown, WV 26507-0880, receives in writing any of the following, together with the supporting documents: A statement from any person setting forth reasons why it would not be in the best interest of the United States to grant the proposed license; or, an application for a nonexclusive license to the invention, in which applicant states that it already has brought the invention to practical application or is likely to bring the invention to practical application expeditiously.

**DATES:** Written comments or nonexclusive license applications are to be received at the address listed below no later than fifteen (15) days after the date of this published notice.

**ADDRESSES:** Diane Newlon, Technology Transfer Manager, U.S. Department of Energy, National Energy Technology Laboratory, P.O. Box 880, Morgantown, WV 26507-0880.

**FOR FURTHER INFORMATION CONTACT:** Diane Newlon, Technology Transfer Manager, U.S. Department of Energy, National Energy Technology Laboratory, P.O. Box 880, Morgantown, WV 26507-0880; Telephone (304) 285-4086; E-mail: [newlon@netl.doe.gov](mailto:newlon@netl.doe.gov).

**SUPPLEMENTARY INFORMATION:** 35 U.S.C. 209(c) provides the DOE with authority to grant exclusive or partially exclusive licenses in Department-owned

inventions, where a determination can be made, among other things, that the desired practical application of the invention has not been achieved, or is not likely expeditiously to be achieved, under a nonexclusive license. The statute and implementing regulations (37 CFR part 404) require that the necessary determinations be made after public notice and opportunity for filing written objections.

Powerspan Corporation, a small business located at New Durham, New Hampshire, has applied for an exclusive or partially exclusive license to practice the inventions and has a plan for commercialization of the invention.

The proposed license will be exclusive or partially exclusive, subject to a license and other rights retained by the U.S. Government, and subject to a negotiated royalty. The Department will review all timely written responses to this notice, and will grant the license if, after expiration of the 15-day notice period, and after consideration of written responses to this notice, a determination is made, in accordance with 35 U.S.C. 209(c), that the license grant is in the public interest.

Issued: December 1, 2003.

**Rita A. Bajura,**

*Director, National Energy Technology Laboratory.*

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**BILLING CODE 6450-01-P**

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. EC04-32-000, et al.]

**RWE Trading Americas Inc., et al.; Electric Rate and Corporate Filings**

December 8, 2003.

The following filings have been made with the Commission. The filings are listed in ascending order within each docket classification.

**1. RWE Trading Americas Inc., UBS AG**

[Docket No. EC04-32-00]

Take notice that on December 3, 2003, RWE Trading Americas Inc. (RWE Trading) and UBS AG (together, the Applicants) filed a joint application pursuant to section 203 of the Federal Power Act for disposition of all of the wholesale power sales contracts of RWE Trading to UBS AG. The Applicants further request confidential treatment of Exhibits H and I to the application pursuant to section 388.112 of the Commission's rules. The Applicants request that the Commission act on the

application so that the transfer may be consummated before January 1, 2004.

*Comment Date:* December 23, 2003.

**2. WFEC GENCO, L.L.C.**

[Docket No. ER01-388-002]

Take notice that on December 1, 2003, WFEC GENCO, L.L.C. (GENCO) tendered for filing, (1) an updated market power analysis in compliance with the Commission's order authorizing GENCO to engage in wholesale sales of electric power at market-based rates; and (2) an amendment to its market-based rate tariff to adopt the Commission's new Market Behavior Rules.

*Comment Date:* December 22, 2003.

**3. International Transmission Company, DTE Energy Company**

[Docket Nos. ER01-3000-008; RT01-101-008; EC01-146-008]

Take notice that on December 2, 2003, International Transmission Company and DTE Energy Company tendered a filing in compliance with the November 17, 2003, Commission's Order, 105 FERC ¶ 61,209 (2003).

*Comment Date:* December 23, 2003.

**4. Bank of America, N.A.**

[Docket No. ER02-2536-001]

Take notice that on December 1, 2003, Bank of America, N.A. (Bank of America) tendered for filing First Revised Sheet No. 1 and Original Sheet Nos. 2-3 in compliance with FERC's Order Amending Market-Based Rate Tariffs and Authorizations, Investigation of Terms and Conditions of Public Utility Market-Based Rate Authorizations, 105 FERC ¶ 61,218 (Nov. 17, 2003), and FERC's Order Conditionally Accepting Market-Based Rate Schedule, 101 FERC ¶ 61,098 (Oct. 30, 2002). These sheets contain the "Market Behavior Rules" amendment required by the November 17 Order.

*Comment Date:* December 22, 2003.

**5. The Detroit Edison Company**

[Docket No. ER03-19-003]

Take notice that on December 2, 2003, The Detroit Edison Company (Detroit Edison) tendered for filing a revised agency agreement between Midwest Independent System Operator, Inc., and Detroit Edison in compliance with Commission's Order, November 17, 2003, 105 FERC ¶ 61,209.

*Comment Date:* December 23, 2003.

**6. MxEnergy Electric Inc.**

[Docket No. ER04-170-001]

Take notice that on December 2, 2003, MxEnergy Electric Inc. submitted for filing a revised rate schedule, modifying