

Building, the Engineering Research Office Building, and various DOE vehicle and bus parking facilities located in Idaho Falls, Arco, on Highway 20, Bonneville County, Blackfoot, Mackay, Shelley, Rexburg, Rigby, and Pocatello, Idaho.

Since the last published notice on May 10, 2000, DOE has leased three new facilities in Idaho Falls, Idaho. Accordingly, DOE prohibits the unauthorized entry and the unauthorized introduction of weapons or dangerous materials, as provided in 10 CFR 860.3 and 860.4 into and upon these Idaho Operations Office sites. The sites referred to above have previously been designated as off-limits areas, and this notice adds to those off-limits areas. Descriptions of the sites being designated at this time are as follows:

1. University Boulevard—1

535 University Boulevard, Idaho Falls, Idaho 83415, more particularly described as Lot 4, Block 1 Education Research Center, Division #1, an addition to the City of Idaho Falls being a part of the Northeast ¼ of Section 12, T.2N., R.37E., B.M. Idaho Falls, Bonneville County, Idaho.

2. University Boulevard—2

655 University Boulevard, Idaho Falls, Idaho 83415, more particularly described as Lot 3, Block 1 Education Research Center, Division #1, an addition to the City of Idaho Falls being a part of the Northeast ¼ of Section 12, T.2N., R.37E., B.M. Idaho Falls, Bonneville County, Idaho.

3. University Boulevard—3

625 University Boulevard, Idaho Falls, Idaho 83415, more particularly described as Lot 1, Block 1 Education Research Center, Division #1, an addition to the City of Idaho Falls being a part of the Northeast ¼ of Section 12, T.2N., R.37E., B.M. Idaho Falls, Bonneville County, Idaho.

Notices stating the pertinent prohibitions of 10 CFR 860.3 and 860.4 and the penalties of 10 CFR 860.5 are being posted at all entrances of the above-referenced areas and at intervals along their perimeters, as provided in 10 CFR 860.6.

Glenn S. Podonsky,

*Chief Health, Safety and Security Officer,
Office of Health, Safety and Security.*

[FR Doc. E9-2172 Filed 1-30-09; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC09-598-001]

Commission Information Collection Activities (FERC-598); Comment Request; Submitted for OMB Review

January 26, 2009.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Notice.

SUMMARY: In compliance with the requirements of section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507, the Federal Energy Regulatory Commission (Commission) has submitted the information collection described below to the Office of Management and Budget (OMB) for review of the information collection requirements. Any interested person may file comments directly with OMB and should address a copy of those comments to the Commission as explained below. The Commission received no comments in response to the **Federal Register** notice (73FR70339, 11/20/2008) and has made this notation in its submission to OMB.

DATES: Comments on the collection of information are due by February 24, 2009.

ADDRESSES: Address comments on the collection of information to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Federal Energy Regulatory Commission Desk Officer. Comments to OMB should be filed electronically, c/o oir_submission@omb.eop.gov and include OMB Control Number 1902-0166 as a point of reference. The Desk Officer may be reached by telephone at 202-395-7345.

A copy of the comments should also be sent to the Federal Energy Regulatory Commission and should refer to Docket No. IC09-598-001. Comments may be filed either electronically or in paper format. Those persons filing electronically do not need to make a paper filing. Documents filed electronically via the Internet must be prepared in an acceptable filing format and in compliance with the Federal Energy Regulatory Commission submission guidelines. Complete filing instructions and acceptable filing formats are available at <http://www.ferc.gov/help/submission-guide/electronic-media.asp>. To file the document electronically, access the Commission's Web site and click on Documents & Filing, E-Filing (<http://www.ferc.gov/docs-filing/efiling.asp>),

and then follow the instructions for each screen. First time users will have to establish a user name and password. The Commission will send an automatic acknowledgement to the sender's e-mail address upon receipt of comments.

For paper filings, an original and 2 copies of the comments should be submitted to the Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street, NE., Washington, DC 20426, and should refer to Docket No. IC09-598-001.

All comments may be viewed, printed or downloaded remotely via the Internet through FERC's homepage using the "eLibrary" link. For user assistance, contact ferconlinesupport@ferc.gov or toll-free at (866) 208-3676 or for TTY, contact (202) 502-8659.

FOR FURTHER INFORMATION CONTACT:

Michael Miller may be reached by telephone at (202) 502-8415, by fax at (202) 273-0873, and by e-mail at michael.miller@ferc.gov.

SUPPLEMENTARY INFORMATION: The information collected under FERC-598 "Self Certification for Entities Seeking Exempt Wholesale Generator or Foreign Utility Company Status" (OMB Control No. 1902-0166) is used by the Commission to implement the statutory provisions of Title XII, subchapter F of the Energy Policy Act of 2005 (EPAct 2005).¹

EPAct 2005 repealed the Public Utility Holding Company Act of 1935 (PUHCA 1935) in its entirety, including section 32, which provided for the Commission to exempt wholesale generators from PUHCA 1935 on a case-by-case basis, upon application. Following the repeal of PUHCA 1935 and the enactment of PUHCA 2005, in Order No. 667² the Commission amended its regulations to add procedures for self-certification by entities seeking exempt wholesale generator (EWG) and foreign utility company (FUCO) status. This self-certification is similar to the process available to entities that seek qualifying facility status.

An EWG is a "person engaged directly or indirectly through one or more affiliates, and exclusively in the

¹ Energy Policy Act of 2005, Public Law No. 109-58, 119 Stat. 594 (2005) (codified at 42 U.S.C. 16451, *et seq.*).

² Repeal of the Public Utility Holding Company Act of 1935 and Enactment of the Public Utility Holding Company Act of 2005, 70 FR 75,592 (2005), FERC Statutes and Regulations ¶ 31,197 (2005) *Order on reh'g*, 71 FR 28,446 (2006), FERC Statutes and Regulations ¶ 31,213 (2006), *order on reh'g*, 71 FR 42,750 (2006), FERC Statutes and Regulations ¶ 31,224 (2006), *order on reh'g*, FERC ¶ 61,133 (2007).

business of owning or operating, or both owning and operating, all or part of one or more eligible facilities and selling electric energy at wholesale.”³ A FUCO is a company that “owns or operates facilities that are not located in any state and that are used for the generation, transmission, or distribution of electric energy for sale or the distribution at retail of natural or manufactured gas for heat, light, or power, if such company: (1) Derives no part of its income, directly or indirectly, from the generation, transmission, or distribution of electric energy for sale or the distribution at retail of natural or manufactured gas for heat, light, or

power, within the United States; and (2) neither the company nor any of its subsidiary companies is a public-utility company operating in the United States”.⁴

An exempt EWG or FUCO or its representative may file with the Commission a notice of self certification demonstrating that it satisfies the definition of exempt wholesale generator or foreign utility company. In the case of EWGs, the person filing a notice of self certification must also file a copy of the notice of self certification with the state regulatory authority of the state in which the facility is located and that person must also represent to the Commission in its submission that it has

filed a copy of the notice with the appropriate state regulatory authority.⁵

A submission of the information is necessary for the Commission to carry out its responsibilities under EPAct 2005.⁶ The Commission implements its responsibilities through the Code of Federal Regulations, 18 CFR Part 366. These filing requirements are mandatory.

Action: The Commission is requesting a three-year extension of the current expiration date, with no change to the existing collection of data.

Burden Statement: Public reporting burden for this collection is estimated as:

FERC data collection	Number of respondents annually (1)	Number of responses per respondent (2)	Average burden hours per response (3)	Total annual burden hours (1)×(2)×(3)
FERC-598	199	1	6	1,194

Estimated cost to respondents is \$72,549.27 [1,194 hours divided by 2080 hours⁷ per year, times \$126,384⁸ equals \$72,549.27]. The average cost per respondent is \$364.57.

The reporting burden includes the total time, effort, or financial resources expended to generate, maintain, retain, disclose, or provide the information including: (1) Reviewing instructions; (2) developing, acquiring, installing, and utilizing technology and systems for the purposes of collecting, validating, verifying, processing, maintaining, disclosing and providing information; (3) adjusting the existing ways to comply with any previously applicable instructions and requirements; (4) training personnel to respond to a collection of information; (5) searching data sources; (6) completing and reviewing the collection of information; and (7) transmitting, or otherwise disclosing the information.

The estimate of cost for respondents is based upon salaries for professional and clerical support, as well as direct and indirect overhead costs. Direct costs include all costs directly attributable to providing this information, such as administrative costs and the cost for information technology. Indirect or overhead costs are costs incurred by an organization in support of its mission. These costs apply to activities which benefit the whole organization rather than any one particular function or activity.

Comments are invited on: (1) Whether the proposed collections of information are necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden of the proposed collections of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information to be collected; and (4) ways to minimize the burden of the collections of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Kimberly D. Bose,

Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP09-44-000]

Dominion Transmission, Inc.; Notice of Application

January 26, 2009.

Take notice that on January 8, 2009, Dominion Transmission, Inc. (DTI), 120

Tredegar Street, Richmond, Virginia, filed in the above referenced docket an application pursuant to section 7(c) of the Natural Gas Act (NGA) and Part 157 of the Commission's regulations, for an order granting a certificate of public convenience and necessity authorizing DTI to construct, install, own, operate, and maintain certain facilities located in Kanawha and Clay Counties, West Virginia, all as more fully set forth in the application which is on file with the Commission and open to public inspection. The filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the “eLibrary” link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC at FERCOnlineSupport@ferc.gov or call toll-free, (886) 208-3676 or TTY, (202) 502-8659.

Specifically, DTI proposes to replace approximately 27.71 miles of its H-162 line with new 20-inch diameter pipeline. Once completed, DTI will convert the new line from gathering to transmission. Concurrently, DTI requests authority to refunctionalize line TL-272, which runs parallel to line H-162, from gathering to transmission.

Any questions concerning this application may be directed to Brad A. Knisley, Regulatory and Certificates Analyst II, Dominion Transmission, Inc., 701 East Cary Street, Richmond,

³ 18 CFR 366.1.

⁴ Ibid.

⁵ 18 CFR 366.7.

⁶ 42 U.S.C. 16451 *et seq.*

⁷ Number of hours an employee works each year.

⁸ Average annual salary per employee.