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You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

o. Procedural schedule and final amendments: The application will be processed according to the following Hydro Licensing Schedule. Revisions to the schedule will be made as appropriate.

Issue Acceptance or Deficiency Letter: June 2005.

Request Additional Information: June 2005.

Notice Soliciting Final Terms and Conditions: September 2005.

Notice of the Availability of the EA: February 2006.

Ready for Commission's Decision on the Application: April 2006.

Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

**Magalie R. Salas,**  
*Secretary.*

[FR Doc. E5-2571 Filed 5-20-05; 8:45 am]  
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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. AD05-11-000 and ER02-1656-000]

#### Energy Infrastructure and Investment in California and California Independent System Operator Corporation; Notice of Technical Conference

May 13, 2005.

Take notice that the Federal Energy Regulatory Commission in conjunction with California State agencies, will host a technical conference on Thursday, June 2, 2005, to discuss energy infrastructure and investment in California. The conference will be held in San Francisco, California. The conference is scheduled to begin at 9 a.m. (p.s.t.) and end at approximately 3 p.m. A separate notice will be issued by the Commission to announce the exact location and final agenda. FERC Commissioners will attend and participate.

The purpose of the conference is for the Commission and State officials to discuss with industry representatives

the current and future state of infrastructure development and investment in California. We look forward to an informative discussion of the issues to clarify how we can facilitate and enhance a comprehensive collaborative approach to energy infrastructure development and reliability for California.

The Commission is now soliciting nominations for speakers at the technical conference. Persons wishing to nominate themselves as speakers should do so using this electronic link: <http://www.ferc.gov/whats-new/registration/infra-06-02-speaker-form.asp>. Such nomination must be made before the close of business on May 20, 2005, so that a final agenda for the technical conference can be drafted and published.

Although registration is not a strict requirement, in-person attendees are asked to register for the conference online by close of business on May 31, 2005 at <http://www.ferc.gov/whats-new/registration/infra-06-02-form.asp>.

Transcripts of the conference will be immediately available from Ace Reporting Company (202) 347-3700 or 1-800-266-6646 for a fee. They will be available for the public on the Commission's eLibrary system and on the calendar page posting for this event seven calendar days after FERC receives the transcript. Additionally, Capitol Connection offers the opportunity for remote listening of the conference via Real Audio or a Phone Bridge Connection for a fee. Persons interested in making arrangements should contact David Reininger or Julia Morelli at Capitol Connection (703) 933-3100 as soon as possible or visit the Capitol Connection Web site at <http://www.capitolconnection.org> and click on "FERC."

As mentioned above, additional details on the conference, including the agenda, will be included in a supplemental notice to be issued at a later date. You are encouraged to watch for additional notices.

For additional information, please contact Sarah McKinley at (202) 502-8004, [sarah.mckinley@ferc.gov](mailto:sarah.mckinley@ferc.gov).

**Magalie R. Salas,**  
*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. PR05-8-000]

#### Northwest Natural Gas Company; Notice of Technical Conference

May 13, 2005.

Take notice that a technical conference will be held on Tuesday, May 24, 2005 at 1 p.m., Eastern Time, in a room to be designated at the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

The purpose of the conference is to address Northwest Natural Gas Company's (Northwest) section 311 petition for rate approval filed on January 18, 2005. Northwest should be prepared to discuss return on equity and operating statements issues.

FERC conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations please send an e-mail to [accessibility@ferc.gov](mailto:accessibility@ferc.gov) or call toll free (866) 208-3372 (voice) or 202-208-1659 (TTY), or send a FAX to 202-208-2106 with the required accommodations.

All interested parties and staff are permitted to attend. For further information please contact Aileen Roder at (202) 502-6022 or e-mail [aileen.roder@ferc.gov](mailto:aileen.roder@ferc.gov).

**Magalie R. Salas,**  
*Secretary.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7916-3]

#### Protection of Stratospheric Ozone: Process for Exempting Critical Uses of Methyl Bromide

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

**ACTION:** Notice of solicitation of applications and information on alternatives

**SUMMARY:** EPA is soliciting applications for the Critical Use Exemption from the phaseout of methyl bromide for 2007 and beyond. This application process offers users of methyl bromide the opportunity to provide technical and economic information to support a "critical use" claim. Today's notice also invites interested parties to provide information on the technical and economic feasibility of methyl bromide alternatives.

Methyl bromide is a chemical pesticide that has been identified under the *Montreal Protocol on Substances that Deplete the Ozone Layer* and the Clean Air Act as an ozone-depleting substance. The complete phaseout of methyl bromide took effect on January 1, 2005. The Critical Use Exemption is designed to allow continued production and import of methyl bromide after the phaseout for those uses that have no technically and economically feasible alternatives. Critical Use Exemptions are exemptions from the January 1, 2005 methyl bromide phaseout.

Applicants for the exemption are requested to submit technical and economic information to EPA for U.S. review. The U.S. will then create a national nomination for review by the Parties to the Montreal Protocol. EPA encourages users with similar circumstances of use to submit a single application. Please contact your state regulatory agency to receive information about their involvement in the process.

**DATES:** Applications for the Critical Use Exemption must be postmarked on or before August 8, 2005.

**ADDRESSES:** Applications for the methyl bromide Critical Use Exemption should be submitted in duplicate (two copies) by mail to: U.S. Environmental Protection Agency, Office of Air and Radiation, Stratospheric Protection Division, Attention Methyl Bromide Review Team, Mail Code 6205J, 1200 Pennsylvania Ave. NW., Washington, DC 20460 or by courier delivery (other than U.S. Post Office overnight) to: U.S. Environmental Protection Agency, Office of Air and Radiation, Stratospheric Protection Division, Attention Methyl Bromide Review Team, 1310 L St. NW., Room 827L, Washington DC 20005. EPA also encourages users to submit their applications electronically to Marta Montoro, Stratospheric Protection Division, at [montoro.marta@epa.gov](mailto:montoro.marta@epa.gov). If the application is submitted electronically, applicants are requested to fax a signed copy of Worksheet 1 to Marta Montoro at (202) 343-2337 or (202) 343-2338 by the application deadline.

**FOR FURTHER INFORMATION CONTACT:**

*General Information:* U.S. EPA Stratospheric Ozone Information Hotline, 1-800-296-1996; also <http://www.epa.gov/ozone/mbr>.

*Technical Information:* Colwell Cook, U.S. Environmental Protection Agency, Office of Pesticide Programs (7503C), 1200 Pennsylvania Ave., NW., Washington, DC, 20460, 703-308-8146. E-mail: [cook.colwell@epa.gov](mailto:cook.colwell@epa.gov).

*Economic Information:* Elisa Rim, U.S. Environmental Protection Agency, Office of Pesticide Programs (7503C), 1200 Pennsylvania Ave., NW., Washington, DC, 20460, 703-308-8123. E-mail: [rim.elisa@epa.gov](mailto:rim.elisa@epa.gov).

*Regulatory Information:* Marta Montoro, U.S. Environmental Protection Agency, Stratospheric Protection Division (6205J), 1200 Pennsylvania Ave., NW., Washington, DC, 20460, 202-343-9321. E-mail: [montoro.marta@epa.gov](mailto:montoro.marta@epa.gov).

**SUPPLEMENTARY INFORMATION:**

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**I. What Do I Need To Know to Respond to This Request for Applications?**

*A. Who can respond to this request for information?*

The application form may be submitted either by a consortium representing multiple users or by individual users who anticipate needing methyl bromide in 2007 and beyond and believe there are no technically and economically feasible alternatives. EPA encourages groups of users with similar circumstances of use to submit a single application (for example, any number of pre-plant users with similar soil, pest, and climactic conditions can join together to submit a single application). In some instances, state agencies will assist users with the application process (see discussion

of voluntary state involvement in Part I.B. below).

In addition to requesting information from applicants for the Critical Use Exemption, this solicitation for information provides an opportunity for any interested party to provide EPA with information on methyl bromide alternatives (e.g. technical and/or economic feasibility research). The application form for the methyl bromide Critical Use Exemption and other information on research relevant to alternatives must be sent to the addresses specified above or emailed to the address specified above. The applicant's signature, which is required for processing and is required on Worksheet 1 of the application, may be faxed to Marta Montoro at (202) 343-2337 or (202) 343-2338.

*B. Whom can I contact to find out if a consortium is submitting an application form for my methyl bromide use?*

Please contact your local, state, regional or national commodity association to find out if they plan on submitting an application on behalf of your commodity group.

Additionally, you should contact your state regulatory agency (generally this will be the State Department of Agriculture or State Environmental Protection Agency) to receive information about their involvement in the process. If your state agency has chosen to participate, EPA encourages all applicants to first submit their applications to the state regulatory agency, which will then forward them to EPA. The National Pesticide Information Center Web site is one resource available for identifying the lead pesticide agency in each state (<http://ace.orst.edu/info/npic/state1.htm>).

*C. How do I obtain an Application Form for the methyl bromide Critical Use Exemption?*

An Application Form for the methyl bromide Critical Use Exemption can be obtained either in electronic or hard-copy form. EPA encourages use of the electronic form. Applications can be obtained in the following ways:

1. PDF format and Microsoft Excel at EPA website: <http://www.epa.gov/ozone/mbr>;
2. Hard copy ordered through the Stratospheric Ozone Protection Hotline at 1-800-296-1996;
3. Hard-copy format at Air Docket No. OAR-2003-0017. The docket is located in room B-102, EPA West Building, U.S. Environmental Protection Agency, 1301 Constitution Ave. NW., Washington DC, 20004. The Docket Office is open from 8:30 a.m. until 4:30 p.m. Monday through Friday. A reasonable fee may be charged by EPA for copying docket materials.

*D. What alternatives must applicants address when applying for a Critical Use Exemption?*

To support the assertion that a specific use of methyl bromide is "critical," applicants are expected to demonstrate that there are no technically and economically feasible alternatives available to the user of methyl bromide. The Parties to the Montreal Protocol have developed an "International Index" of methyl bromide alternatives which lists chemical and non-chemical alternatives, by crop (<http://www.epa.gov/ozone/mbr/>

*in\_alt\_in.html*). The chemicals and non-chemical practices included on this index were identified by the international technical advisory groups under the Montreal Protocol: The Methyl Bromide Technical Options Committee (MBTOC) and the Technical and Economic Assessment Panel (TEAP). The MBTOC and the TEAP determined that alternatives in the International Index have the "technical potential" to replace methyl bromide in at least one circumstance of use on the identified crop (Report of the Technical and Economic Assessment Panel, 1997) ([http://www.teap.org/html/teap\\_reports.html](http://www.teap.org/html/teap_reports.html)). A corresponding U.S. Index of alternatives (also listed by crop) has been developed by the U.S. government ([http://www.epa.gov/ozone/mbr/us\\_alt\\_in.html](http://www.epa.gov/ozone/mbr/us_alt_in.html)). This U.S. Index reflects whether chemical alternatives included in the International Index have been registered for use in the United States.

Applicants must address technical, regulatory, and economic issues that limit the adoption of "chemical alternatives" and combinations of "chemical" and "non-chemical alternatives" listed for their crop within the "U.S. Index" of Methyl Bromide Alternatives. Applicants must also address technical, regulatory, and economic issues that limit the adoption of "non-chemical alternatives" and combinations of "chemical" and "non-chemical alternatives" listed for their crop in the "International Index."

*E. What portions of the applications will be considered confidential business information?*

The person submitting information to EPA in response to this Notice may assert a business confidentiality claim covering part or all of the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the applicant, and may be submitted separately to facilitate identification and handling by EPA. If the applicant desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state. Information covered by a claim of confidentiality will be disclosed by EPA only to the extent, and by means of the procedures, set forth under 40 CFR Part 2 Subpart B; 41 FR 36752, 43 FR 40000, 50 FR 51661. If no claim of confidentiality accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to the applicant.

If you are asserting a business confidentiality claim covering part or all of the information in the application, please submit a non-confidential version that EPA can place in the public docket for reference by other interested parties. Do not include on the "Worksheet Five: Application Summary" page of the application any information that you wish to claim as confidential business information. These application information

summary sheets will be posted on the EPA Web site ([www.epa.gov/ozone/mbr](http://www.epa.gov/ozone/mbr)) and included in Air Docket No. OAR-2003-0017. Applications that are not confidential business information will be placed in the Docket in their entirety. Please note, claiming business confidentiality may delay the ability of EPA to review your application.

*F. Must I submit a "Notice of Intent to Apply?"*

A "Notice of Intent to Apply" is not required, but would facilitate the organization of the application review during the Critical Use Exemption Process. If EPA is aware of the consortia and the individuals who intend to submit applications 30 days before the application deadline, the technical experts will be better positioned to review the application. This Notice may be submitted to Marta Montoro via e-mail at [montoro.marta@epa.gov](mailto:montoro.marta@epa.gov) or via U.S. mail to U.S. Environmental Protection Agency, Office of Air and Radiation, Stratospheric Protection Division, 1200 Pennsylvania Ave., NW., 6205J, Washington, DC 20460 or by courier to U.S. Environmental Protection Agency, Office of Air and Radiation, Stratospheric Protection Division, 1310 L St., NW., Room 827L, Washington, DC 20005.

*G. What if I submit an incomplete application?*

EPA will not accept any applications postmarked after August 8, 2005. If the application is completed but postmarked after August 8, 2005, EPA will not accept the application. If the application is postmarked by the deadline but is incomplete or missing any of the following data elements listed in the "Re-Application Information Document" available at <http://www.epa.gov/ozone/mbr> EPA will not accept the application and will not include the application in the U.S. nomination submitted for international consideration. These required elements include Worksheets 1, 2B, 2C, 2D, 4, and 5. However, the entire application (all Worksheets) must be submitted and applicants must submit any new data or updated information that is relevant. However, if the application is substantially complete with only minor errors, corrections will be accepted. EPA reviewers may also call applicants for further elaboration about their application, even if it is complete. All consortia or users who have not applied to EPA in the previous year (2004) must submit an entire completed application with all Worksheets.

*H. What if I already applied in 2002 and/or 2003 and/or 2004?*

In March, 2004 and in November, 2004, the Parties decided that critical use exemptions would be granted for one year. As a result, users must apply to EPA for critical use exemptions on an annual basis. However, if a user group submitted a complete application to EPA in 2004, the user is only required to submit revised copies of the selected Worksheets listed above, though the entire application with all Worksheets must be on file with EPA. A list of the Worksheets is detailed above and is also available at <http://www.epa.gov/ozone/mbr>. The remaining worksheets must only be

completed if any information has changed since 2004.

If a user has previously submitted a critical use exemption application to EPA in 2002 or 2003 (first and second rounds) but did not submit an application in 2004 (third round) then the all worksheets in the application must be submitted again in their entirety.

**II. What Is the Legal Authority for the Critical Use Exemption?**

*A. What is the Clean Air Act (CAA) authority for implementing the Critical Use Exemption to the methyl bromide phaseout?*

In October 1998, the U.S. Congress amended the Clean Air Act by adding CAA sections 604(d)(6), 604(e)(3), and 604(h) (Section 764 of the 1999 Omnibus Consolidated and Emergency Supplemental Appropriations Act (Pub. L. 105-277; October 21, 1998)). The amendment requires EPA to conform the U.S. phaseout schedule for methyl bromide to the provisions of the Montreal Protocol for industrialized countries. Specifically, the amendment requires EPA to make regulatory changes to implement the following phaseout schedule: 25% reduction (from 1991 baseline) in 1999 50% reduction in 2001 70% reduction in 2003 100% reduction in 2005

EPA published regulations in the **Federal Register** on June 1, 1999 (64 FR 29240) and November 28, 2000 (65 FR 70795), instituting the phaseout reductions in the production and import of methyl bromide in accordance with the schedule listed above. Additionally, the 1998 amendment allowed EPA to exempt the production and import of methyl bromide from the phaseout for critical uses starting January 1, 2005 "to the extent consistent with the Montreal Protocol" (Section 764 of the 1999 Omnibus Consolidated and Emergency Supplemental Appropriations Act (Pub. L. 105-277, October 21, 1998), section 604(d)(6) of the Clean Air Act).

*B. What is the Montreal Protocol authority for granting a Critical Use Exemption after the methyl bromide phaseout?*

The Montreal Protocol provides an exemption to the phaseout of methyl bromide for critical uses in Article 2H, paragraph 5. The Parties to the Protocol included provisions for such an exemption in recognition that substitutes for methyl bromide may not be available by 2005 for certain uses of methyl bromide agreed by the Parties to be "critical uses."

In their Ninth Meeting (1997), the Parties to the Protocol agreed to Decision IX/6, setting forth the following criteria for a "critical use" determination:

(a) That a use of methyl bromide should qualify as 'critical' only if the nominating Party [e.g. U.S.] determines that:

(i) The specific use is critical because the lack of availability of methyl bromide for that use would result in a significant market disruption; and

(ii) There are no technically and economically feasible alternatives or substitutes available to the user that are acceptable from the standpoint of environment and health and are suitable to

the crops and circumstances of the nomination.

(b) That production and consumption, if any, of methyl bromide for a critical use should be permitted only if:

(i) All technically and economically feasible steps have been taken to minimize the critical use and any associated emission of methyl bromide;

(ii) Methyl bromide is not available in sufficient quantity and quality from existing stocks of banked or recycled methyl bromide, also bearing in mind the developing countries' need for methyl bromide;

(iii) It is demonstrated that an appropriate effort is being made to evaluate, commercialize and secure national regulatory approval of alternatives and substitutes, taking into consideration the circumstances of the particular nomination \* \* \*. Non-Article 5 Parties [e.g., the U.S.] must demonstrate that research programmes are in place to develop and deploy alternatives and substitutes \* \* \*.

In the context of the phaseout program, the use of the term consumption may be

misleading. Consumption does not mean the "use" of a controlled substance, but rather is defined as the formula: Consumption = production + import - exports, of controlled substances (Article 1 of the Protocol and Section 601 of the CAA). A Class I controlled substance that was produced or imported through the expenditure of allowances prior to its phaseout date can continue to be used by industry and the public after that specific chemical's phaseout under EPA's phaseout regulations, unless otherwise precluded under separate regulations.

In addition to the language quoted above, the Parties further agreed to request the TEAP to review nominations and make recommendations for approval based on the criteria established in paragraphs (a)(ii) and (b) of Decision IX/6.

**III. How Will the U.S. Implement the Critical Use Exemption?**

*A. When will the exemption become available to U.S. users of methyl bromide?*

Under the provisions of both the CAA and the Montreal Protocol, the Critical Use

Exemption became available to approved users on January 1, 2005. Allowances for subsequent years will be authorized through regulations. Until that date, all production and import of methyl bromide (except for those quantities that qualify for the quarantine and preshipment exemption) were required to conform to the phasedown schedule listed above (see Supplementary Information Section II A). For more information on the quarantine and preshipment exemption, please refer to 68 FR 238 (January 2, 2003).

*B. What is the projected timeline for the Critical Use Exemption application process?*

There is both a domestic and international component to the Critical Use Exemption process. The following outline projects a timeline for the process for the next three years.

May 23, 2005 .....	Solicit applications for the methyl bromide Critical Use Exemption for 2007 and beyond.
August 8, 2005 .....	Deadline for submitting Critical Use Exemption applications to EPA.
Fall 2005 .....	U.S. government (EPA, Department of State, U.S. Department of Agriculture, and other interested federal agencies) create U.S. Critical Use nomination package.
January 31, 2006 .....	Deadline for U.S. government to submit U.S. nomination package to the Protocol Parties.
Early 2006 .....	Review of the nominations packages for Critical Use Exemptions by the Technical and Economic Assessment Panel (TEAP) and Methyl Bromide Technical Options Committee (MBTOC).
Mid 2006 .....	Parties consider TEAP/MBTOC recommendations.
Late 2006 .....	Parties authorize Critical Use Exemptions for methyl bromide for production and consumption in 2007 (supplemental request) and 2008.
Early-Mid 2007 .....	EPA publishes proposal and final rule for 2007 supplemental request.
Mid 2007 .....	EPA publishes proposed rule for allocating Critical Use Exemptions in the U.S. for 2008.
Late 2007 .....	EPA publishes final rule allocating Critical Use Exemptions in the U.S. for the 2008 control period.
January 1, 2008 .....	Critical Use Exemption permits the limited production and import of methyl bromide beyond the phaseout date for specific uses for the 2008 control period.

**Authority:** 42 U.S.C. 7414, 7601, 7671-7671q.

Dated: May 16, 2005.

**Brian J. McLean,**

*Director, Office of Atmospheric Programs.*

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**FEDERAL COMMUNICATIONS COMMISSION**

[Report No. AUC-05-61-B (Auction No. 61); DA 05-1047]

**Automated Maritime Telecommunications System Licenses Auction, Notice and Filing Requirements, Minimum Opening Bids, Upfront Payments and Other Auction Procedures**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** This document announces the procedures and minimum opening bids for the upcoming auction of licenses of Automated Maritime Telecommunications System (AMTS) spectrum. This document is intended to familiarize prospective bidders with the procedures and minimum opening bids for this auction.

**DATES:** Auction No. 61 is scheduled to begin on August 3, 2005.

**FOR FURTHER INFORMATION CONTACT:** Auctions and Spectrum Access Division, WTB: For legal questions: Howard Davenport at (202) 418-0660. For general auction questions: Debbie Smith, Roy Knowles or Barbara Sibert at (717) 338-2888. For service rule questions: Public Safety and Critical Infrastructure Division, WTB: Jeff Tobias or James Shaffer at (202) 418-

0680. Media Contact: Lauren Patrich at (202) 418-7944.

**SUPPLEMENTARY INFORMATION:** This is a summary of the *Auction No. 61 Procedures Public Notice* released on April 21, 2005. The complete text of the *Auction No. 61 Procedures Public Notice*, including attachments, as well as related Commission documents, are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. The *Auction No. 61 Procedures Public Notice* and related Commission documents may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 202-488-5300, facsimile 202-488-5563, or you may contact BCPI