

the Petition for Waiver.”³¹ MEUS will experience economic hardship if the application for interim waiver is denied. Additionally, precedent indicates that DOE will likely grant MEUS’s petition for waiver. Finally, it is in the public interest to grant an interim waiver. Therefore, MEUS respectfully requests DOE to grant the application for interim waiver.

MEUS plans to introduce the new WR2 and WY products into the U.S. market early in the first quarter of 2007. The procedure for granting a petition for waiver is a time-consuming process—DOE must publish the petition in the **Federal Register**, allow time for public comment, and then consider any comments before it makes a decision. Thus, the process typically takes a number of months. If an interim waiver is not granted, MEUS will suffer economic hardship because MEUS will be required to delay its introduction of these products to U.S. customers.

In addition, DOE will likely grant MEUS’s petition for waiver. As described above, the design characteristics which prevented testing of the basic model of the products listed in the 2004 CITY MULTI Waiver and the R410A Interim Waiver are present for the new WR2 and WY models as well. The best evidence that DOE is likely to grant this waiver petition is the fact that it granted a similar petition in the 2004 CITY MULTI Waiver, and granted an interim waiver for the R410A products on the basis that “it appears likely that the [R410A] Petition for Waiver will be granted.”³² DOE also granted an interim waiver to Samsung Air Conditioning in 2005 stating that Samsung’s petition would likely be granted because Samsung’s products are quite similar to the MEUS’s CITY MULTI products, for which DOE already granted a waiver.³³

Finally, DOE’s regulations state that the Assistant Secretary may grant an interim waiver if he determines that it would be desirable for public policy reasons to grant immediate relief pending a determination for the Petition for Waiver. In response to MEUS’s Application for Interim Waiver for its R410A products, DOE stated that “in those instances where the likely success of the Petition for Waiver has been demonstrated, based upon DOE having granted a waiver for a similar product design, it is in the public interest to have similar products tested and rated for energy consumption on a comparable basis.”³⁴

³¹ Energy Conservation Program for Consumer Products: Publication of the Petition for Waiver and Granting of the Application for Interim Waiver of Samsung Air Conditioning From the DOE Residential and Commercial Package Air Conditioner and Heat Pump Test Procedures (Case No. CAC-009), 70 FR 9629, at 9630 (Feb. 28, 2005) (Samsung Interim Waiver). See 10 CFR 431.201(e)(3) (2005). See also R410A Interim Waiver at 14860.

³² R410A Interim Waiver at 14860.

³³ Samsung Interim Waiver at 9630.

³⁴ R410A Interim Waiver at 14860. DOE made the same statement in the Samsung Interim Waiver, concluding that “in those instances where the likely success of the Petition for Waiver has been demonstrated, based upon DOE having granted a waiver for a similar product design, it is in the public interest to have similar products tested and

MEUS’s WR2 and WY CITY MULTI products are similar to the R22 and R410A CITY MULTI products, as well as the products for which Samsung Air Conditioning and Fujitsu General Limited were granted interim waivers,³⁵ and they will suffer the same testing obstacles as those products.

Therefore, since it is in the public interest to have similar products tested and rated on a comparable basis, DOE should grant MEUS’s Application for Interim Waiver.

IX. Conclusion

MEUS seeks a waiver of the applicable test procedures for the products listed in Section IV above. Such a waiver is necessary because the basic WR2 and WY CITY MULTI models “contain[] one or more design characteristics which * * * prevent testing of the basic model according to the prescribed test procedures.”³⁶ MEUS respectfully asks the Department of Energy to grant a waiver from existing test standards until such time as an appropriate test procedure is developed and adopted for this class of products. MEUS expects to continue working with ARI and DOE to develop appropriate test procedures.

MEUS further requests DOE to grant its request for an interim waiver while its Petition for Waiver is pending.

If you have any questions or would like to discuss this request, please contact Paul Doppel, at (678) 376-2923, or Douglas Smith at (202) 298-1902. We greatly appreciate your attention to this matter.

Sincerely,

William Rau,

*Senior Vice President and General Manager,
HVAC Advanced Products Division,
Mitsubishi Electric & Electronics USA, Inc.,
4300 Lawrenceville-Suwanee Road,
Suwanee, GA 30024.*

Mitsubishi Electric
Mitsubishi Electric & Electronics USA, Inc.
HVAC Advanced Products Division 3400
Lawrenceville-Suwanee Road, Suwanee,
GA 30024

CERTIFICATE

I hereby certify that I have this day served the foregoing Petition for Waiver and Application for Interim Waiver upon the following company known to Mitsubishi Electric & Electronics USA, Inc. to currently market systems in the United States which appear to be similar to the WR2 and WY CITY MULTI VRFZ system design. I have notified this manufacturer that the Assistant Secretary for Energy Efficiency and Renewable Energy will receive and consider timely written comments on the Application for Interim Waiver.

Daikin AC (Americas), Inc.,
1645 Wallace Drive, Suite 110, Carrollton, TX
75006, Attn: Mike Bregenzer, VP and
GM.

rated for energy consumption on a comparable basis.” 70 FR at 9630.

³⁵ Samsung Interim Waiver; Energy Conservation Program for Consumer Products: Publication of the Petition for Waiver of Fujitsu General Limited From the DOE Residential Air Conditioner and Heat Pump Test Procedures (Case No. CAC-010), 70 FR 5980 (Feb. 4, 2005).

³⁶ 10 CFR 431.201(a)(1) (2005).

Dated this 30th day of October 2006.

William Rau,

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[IC07-580-001, FERC Form 580]

Commission Information Collection Activities, Proposed Collection; Comment Request; Extension

April 3, 2007.

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 and extension of this information collection requirement. 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 comments from two entities in response to an earlier **Federal Register** notice of December 14, 2006 (71 FR 75238-75239) and has provided responses to the commenters in its submission to OMB. Copies of the submission were also submitted to the commenters.

DATES: Comments on the collection of information are due by May 7, 2007.

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 oira_submission@omb.eop.gov* and include the OMB Control No. as a point of reference. The Desk Officer may be reached by telephone at 202-395-4650. A copy of the comments should also be sent to the Federal Energy Regulatory Commission, Office of the Executive Director, ED-34, Attention: Michael Miller, 888 First Street, NE., Washington, DC 20426. Comments may be filed either in paper format or electronically. Those persons filing

electronically do not need to make a paper filing. For paper filings an original and 14 copies, of such comments should be submitted to the Secretary of the Commission, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426 and should refer to Docket No. IC07-580-001.

Documents filed electronically via the Internet must be prepared in WordPerfect, MS Word, Portable Document Format, or ASCII format. To file the document, access the Commission's Web site at <http://www.ferc.gov> and click on "Make an E-Filing," 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. User assistance for electronic filings is available at 202-502-8258 or by e-mail to efiling@ferc.gov. Comments should not be submitted to this e-mail address.

All comments may be viewed, printed or downloaded remotely via the Internet through FERC's homepage using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. 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:

Description

The information collection submitted for OMB review contains the following:

1. *Collection of Information:* FERC 580 "Interrogatory on Fuel and Energy Purchase Practices, Docket No. IN79-6".
2. *Sponsor:* Federal Energy Regulatory Commission.
3. *Control No.:* 1902-0137.

The Commission is now requesting that OMB approve and extend the expiration date for an additional three years with no changes to the existing collection. The information filed with the Commission is mandatory.

4. *Necessity of the Collection of Information:* Submission of the information is necessary for the Commission to carry out its responsibilities in implementing the statutory provisions of the Federal Power Act (FPA). The FPA was amended by the Public Utility Regulatory Policies Act (49 Stat.851; 16

U.S.C. 824d) to require the Commission to review "not less frequently than every two (2) years * * * of practices * * * to ensure efficient use of resources (including economical purchase and use of fuel and electric energy) * * *" The collection of this information is specifically required by Federal statute (FPA Section 205(f)) and thus the Commission lacks authority to allow waivers for the filing of this information. In addition, the Commission entertains requests for confidential treatment pursuant to 18 CFR 388.112 for the coal mine price data and coal rail transportation cost data submitted in response to questions 3(i) and 3(1.2), respectively, only when disclosure would violate the terms of a confidentiality clause of a rail transportation contract. No other requests for confidential treatment are considered. The information is used to: (1) Review as mandated by statute, fuel purchase and cost recovery practices to ensure efficient use of resources, including economical purchase and use of fuel and electric energy, under fuel adjustment clauses on file with the Commission; (2) evaluate fuel costs in individual rate filings; (3) to supplement periodic utility audits. The information has also been used by the Energy Information Administration under a Congressional mandate to study various aspects of coal, oil, and gas transportation rates.

5. *Respondent Description:* The respondent universe currently comprises 114 companies (on average) subject to the Commission's jurisdiction.

6. *Estimated Burden:* 3,600 total hours, 114 respondents (average), 57 responses per respondent, and 63.16 hour per response (rounded off and average time)

7. *Estimated Cost Burden to respondents:* 3,600 hours/2080 hours per years × \$122,137 per year = \$211,391. The cost per respondent is equal to \$1,854.

Statutory Authority: Statutory provisions of sections 205(a) and (e) of the Federal Power Act, 16 U.S.C. 824d.

Philis J. Posey,

Acting Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP07-370-000]

Colorado Interstate Gas Company; Notice of Tariff Filing

April 3, 2007.

Take notice that on March 28, 2007, Colorado Interstate Gas Company (CIG) tendered for filing as part of its FERC Gas Tariff, First Revised Volume No. 1, the tariff sheets listed in Appendix to the filing, to become effective May 28, 2007.

Any person desiring to intervene or to protest this filing must file 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 notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed in accordance with the provisions of § 154.210 of the Commission's regulations (18 CFR 154.210). Anyone filing an intervention or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail FERCOnlineSupport@ferc.gov, or call