

Deadline (days after publication in the Fed. Reg.)	Compliance action	Order No. 890 paragraph No.
180 (9/11/2007) ..... 210 (10/11/2007) .....	Submit compliance filings with Attachment C (ATC) of the <i>pro forma</i> OATT ..... ISOs and RTOs, and transmission providers located within an ISO/RTO footprint, submit FPA section 206 filings that contain the non-rate terms and conditions set forth in Order No. 890. These filings need only contain the revised provisions adopted in Order No. 890 or a demonstration that previously approved variations continue to be consistent with or superior to the revised <i>pro forma</i> OATT.	P 140 P 157 P 161
210 (10/11/2007) .....	Submit compliance filings with Attachment K (Planning) of the <i>pro forma</i> OATT or RTOs and ISOs file a demonstration that their planning processes are consistent with or superior to the planning principles in Order No. 890.	P 140 P 422
N/A .....	N/A Transmission Providers must file a revised Attachment C to incorporate any changes to NERC's and NAESB's reliability and business practice standards to achieve consistency in ATC within 60 days of completion of the NERC and NAESB processes.	P 325
N/A .....	After the submission of FPA section 206 compliance filings, transmission providers may submit FPA section 205 filings proposing rates for the services provided for in the tariff, as well as non-rate terms and conditions that differ from those set forth in Order No. 890 if those provisions are "consistent with or superior to" the <i>pro forma</i> OATT.	P 135

[FR Doc. E7-7229 Filed 4-16-07; 8:45 am]  
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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

**18 CFR Part 381**

[Docket No. RM07-12]

**Annual Update of Filing Fees**

April 9, 2007.

**AGENCY:** Federal Energy Regulatory Commission, Department of Energy.

**ACTION:** Final rule; annual update of Commission filing fees.

**SUMMARY:** In accordance with 18 CFR 381.104, the Commission issues this update of its filing fees. This notice provides the yearly update using data in the Commission's Management, Administrative, and Payroll System to calculate the new fees. The purpose of updating is to adjust the fees on the basis of the Commission's costs for Fiscal Year 2006.

**EFFECTIVE DATE:** May 17, 2007.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Misiewicz, Office of the Executive Director, Federal Energy Regulatory Commission, 888 First Street, NE., Room 4R-03, Washington, DC 20426, 202-502-6240.

**SUPPLEMENTARY INFORMATION: Document Availability:** In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the Internet through FERC's Home Page (<http://www.ferc.gov>) and in FERC's Public Reference Room during normal business hours (8:30 a.m. to 5 p.m.

Eastern time) at 888 First Street, NE., Room 2A, Washington DC 20426.

From FERC's Web site on the Internet, this information is available in the eLibrary (formerly FERRIS). The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field and follow other directions on the search page.

User assistance is available for eLibrary and other aspects of FERC's website during normal business hours. 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.

**Annual Update of Filing Fees**

The Federal Energy Regulatory Commission (Commission) is issuing this notice to update filing fees that the Commission assesses for specific services and benefits provided to identifiable beneficiaries. Pursuant to 18 CFR 381.104, the Commission is establishing updated fees on the basis of the Commission's Fiscal Year 2006 costs. The adjusted fees announced in this notice are effective May 17, 2007. The Commission has determined, with the concurrence of the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget, that this final rule is not a major rule within the meaning of section 251 of Subtitle E of Small Business Regulatory Enforcement Fairness Act, 5 U.S.C. 804(2). The Commission is submitting this final rule to both houses of the United States Congress and to the Comptroller General of the United States.

The new fee schedule is as follows:  
*Fees Applicable to the Natural Gas Policy Act:*

1. Petitions for rate approval pursuant to 18 CFR 284.123(b)(2). (18 CFR 381.403): \$10,420.

*Fees Applicable to General Activities:*

1. Petition for issuance of a declaratory order (except under Part I of the Federal Power Act). (18 CFR 381.302(a)): \$20,940.

2. Review of a Department of Energy remedial order:

*Amount in controversy:*

\$0-9,999 (18 CFR 381.303(b)): \$100.

\$10,000-29,999 (18 CFR 381.303(b)):

\$600.  
\$30,000 or more (18 CFR 381.303(a)):

\$30,560.

3. Review of a Department of Energy denial of adjustment:

*Amount in controversy:*

\$0-9,999 (18 CFR 381.304(b)): \$100.

\$10,000-29,999 (18 CFR 381.304(b)):

\$600.  
\$30,000 or more (18 CFR 381.304(a))

\$16,020.

4. Written legal interpretations by the Office of General Counsel (18 CFR 381.305(a)): \$6,000.

*Fees Applicable to Natural Gas Pipelines:*

1. Pipeline certificate applications pursuant to 18 CFR 284.224 (18 CFR 381.207(b)): \$1,000\*

*Fees Applicable to Cogenerators and Small Power Producers:*

1. Certification of qualifying status as a small power production facility (18 CFR 381.505(a)): \$18,000.

2. Certification of qualifying status as a cogeneration facility (18 CFR 381.505(a)): \$20,380.

The Commission is eliminating the fee for applications for exempt wholesale generator status.

\* This fee has not been changed.

**List of Subjects in 18 CFR Part 381**

Electric power plants, Electric utilities, Natural gas, Reporting and recordkeeping requirements.

**Thomas R. Herlihy,**  
*Executive Director.*

■ In consideration of the foregoing, the Commission amends part 381, Chapter I, Title 18, Code of Federal Regulations, as set forth below.

**PART 381—FEES**

■ 1. The authority citation for part 381 continues to read as follows:

**Authority:** 15 U.S.C. 717–717w; 16 U.S.C. 791–828c, 2601–2645; 31 U.S.C. 9701; 42 U.S.C. 7101–7352; 49 U.S.C. 60502; 49 App. U.S.C. 1–85.

**§ 381.302 [Amended]**

■ 2. In 381.302, paragraph (a) is amended by removing “\$19,890” and adding “\$20,940” in its place.

**§ 381.303 [Amended]**

■ 3. In 381.303, paragraph (a) is amended by removing “\$29,040” and adding “\$30,560” in its place.

**§ 381.304 [Amended]**

■ 4. In 381.304, paragraph (a) is amended by removing “\$15,230” and adding “\$16,020” in its place.

**§ 381.305 [Amended]**

■ 5. In 381.305, paragraph (a) is amended by removing “\$5,700” and adding “\$6,000” in its place.

**§ 381.403 [Amended]**

■ 6. Section 381.403 is amended by removing “\$9,900” and adding “\$10,420” in its place.

**§ 381.505 [Amended]**

■ 7. In 381.505, paragraph (a) is amended by removing “\$17,110” and adding “\$18,000” in its place and by removing “\$19,360” and adding “\$20,380” in its place.

**Subpart H of Part 381 [Removed]**

■ 8. Subpart H of part 381 (consisting of § 381.801) is removed.

[FR Doc. E7–7190 Filed 4–16–07; 8:45 am]

**BILLING CODE 6717–01–P**

**DEPARTMENT OF THE INTERIOR****Office of Surface Mining Reclamation and Enforcement****30 CFR Part 938**

**[PA–147–FOR]**

**Pennsylvania Regulatory Program**

**AGENCY:** Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

**ACTION:** Final rule; approval of amendment.

**SUMMARY:** We are removing five required amendments to the Pennsylvania regulatory program (the “Pennsylvania program”) regulations under the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act) related to alternative reclamation plans; alternative postmining land use determinations; and bond forfeiture sites where reclamation is unreasonable, unnecessary, or impossible. Pennsylvania revised its program to be consistent with the corresponding Federal regulations and SMCRA.

We are also approving two of four additional requested changes (not required) to the Pennsylvania program. Pennsylvania revised its program at its own initiative to clarify ambiguities and initiate changes in its fee collection calculations. The two approved changes are in regard to a typographical reference error and the evaluation of bond forfeiture sites. We are deferring our decision on two changes in regard to the discontinuation of a \$100 per acre reclamation fee.

**EFFECTIVE DATE:** April 17, 2007.

**FOR FURTHER INFORMATION CONTACT:**

George Rieger, Chief, Pittsburgh Field Division, Telephone: (717) 782–4036, e-mail: [grieger@osmre.gov](mailto:grieger@osmre.gov).

**SUPPLEMENTARY INFORMATION:**

- I. Background on the Pennsylvania Program
- II. Submission of the Amendment
- III. OSM’s Findings
- IV. Summary and Disposition of Comments
- V. OSM’s Decision
- VI. Procedural Determinations

**I. Background on the Pennsylvania Program**

Section 503(a) of the Act permits a State to assume primacy for the regulation of surface coal mining and reclamation operations on non-Federal and non-Indian lands within its borders by demonstrating that its State program includes, among other things, “a State law which provides for the regulation of surface coal mining and reclamation operations in accordance with the requirements of the Act \* \* \*; and

rules and regulations consistent with regulations issued by the Secretary pursuant to the Act.” See 30 U.S.C. 1253(a)(1) and (7). On the basis of these criteria, the Secretary of the Interior conditionally approved the Pennsylvania program on July 30, 1982. You can find background information on the Pennsylvania program, including the Secretary’s findings, the disposition of comments, and conditions of approval in the July 30, 1982, **Federal Register** (47 FR 33050). You can also find later actions concerning Pennsylvania’s program and program amendments at 30 CFR 938.11, 938.12, 938.13, 938.15 and 938.16.

**II. Submission of the Amendment**

By letter dated May 23, 2006 the Pennsylvania Department of Environmental Protection (PADEP) sent us an amendment to revise its program regulations at 25 Pennsylvania Code (Administrative Record No. PA 793.11) under SMCRA (30 U.S.C. 1201 *et seq.*).

Pennsylvania sent the amendment in response to five required program amendments codified in the Federal regulations at 30 CFR 938.16 (mm), (nn), (oo), (pp), and (qq), and to include four additional changes made at its own initiative. The required amendments pertain to alternative reclamation plans, alternative post mining land use determinations, and bond forfeiture sites where reclamation is unreasonable, unnecessary, or impossible and were required in a final rule notice published in the **Federal Register** on October 24, 1991 (56 FR 55080). The revisions that Pennsylvania proposed at its own initiative concern money received from reclamation fees and the evaluation of bond forfeiture sites.

We announced receipt of the proposed amendment in the August 28, 2006, **Federal Register** (71 FR 50868). In the same document, we opened the public comment period and provided an opportunity for a public hearing or meeting on the amendment’s adequacy (Administrative Record No. PA 793.17). The public comment period ended on September 27, 2006. We did not hold a public hearing or meeting because no one requested one. We received written comments from three Federal agencies and one environmental organization.

**III. OSM’s Findings**

Following are the findings we made concerning the amendment under SMCRA and the Federal regulations at 30 CFR 732.15 and 732.17. We are approving the amendment, except as noted below, which includes removing five required amendments to the Pennsylvania regulatory program. We