

agency's comments must also be sent to the Applicant's representatives.

**Kimberly D. Bose,**  
Secretary.

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. ER10-621-000]

**Noble Energy Marketing and Trade Corporation; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization**

January 28, 2010.

This is a supplemental notice in the above-referenced proceeding of Noble Energy Marketing and Trade Corporation's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is February 26, 2010.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor

must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also 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](mailto:FERCOnlineSupport@ferc.gov) or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2010-2270 Filed 2-3-10; 8:45 am]

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. RM98-1-000]

**Records Governing Off-the-Record Communications; Public Notice**

January 28, 2010.

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a

summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. The communications listed are grouped by docket numbers in ascending order. These filings are 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, please 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.

Docket No.	File Date	Presenter or requestor
Prohibited: 1. EL10-19-000 .....	1-6-10	Richard A. Drom.
Exempt: 1. CP09-35-000 .....	1-12-10	Sarah King <sup>1</sup> .

<sup>1</sup> One of several form letters (notes) from Sarah King, C. Parkinson, Leighton Johnson, James T. Water, *et al.* addressing the proposed Palomar Pipeline Project.

Kimberly D. Bose,

Secretary.

[FR Doc. 2010-2267 Filed 2-3-10; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Office of Energy Efficiency and Renewable Energy

#### Request for Information (RFI)

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy.

**ACTION:** Request for information (RFI).

**SUMMARY:** The Department of Energy (DOE) is requesting information from stakeholders on questions pertaining to Section 1605—the Buy American provisions—of the American Recovery and Reinvestment Act (“Recovery Act”) of 2009, Public Law 111-5. DOE is seeking information organized into two distinct parts. Part 1 requests technical information from stakeholders seeking to ascertain the availability of manufactured goods produced in the United States that are needed to carry out projects funded by the Office of Energy Efficiency and Renewable Energy. Part 2 requests information on questions pertaining to the application and implementation (programmatic questions) of the Buy American provisions in Recovery Act projects funded by the Office of Energy Efficiency and Renewable Energy.

**DATES:** Written comments and information are requested on or before 11:59 pm Eastern Time on Thursday, February 18, 2010.

**ADDRESSES:** Interested persons may submit information by any of the following methods:

- *E-mail (preferred method):* [buyamerican@ee.doe.gov](mailto:buyamerican@ee.doe.gov). Include “Response to Buy American RFI” in the subject line of the message.
- *Mail:* Mr. Benjamin Goldstein, U.S. Department of Energy, Office of Weatherization and Intergovernmental Programs, Mailstop EE-2K, 1000 Independence Avenue, SW., Washington, DC 20585-0121. Please submit one signed paper original.
- *Hand Delivery/Courier:* Mr. Benjamin Goldstein, U.S. Department of Energy, Office of Weatherization and Intergovernmental Programs, Mailstop EE-2K, 1000 Independence Avenue, SW., Washington, DC 20585-0121. Please submit one signed paper original.
- *Instructions:* All submissions received must include the agency name (DOE) and identify this RFI.

#### FOR FURTHER INFORMATION CONTACT:

Direct requests for additional information to Mr. Benjamin Goldstein, U.S. Department of Energy, Office of Weatherization and Intergovernmental Programs, Mailstop EE-2K, 1000 Independence Avenue, SW., Washington, DC 20585-0121. E-mail: [buyamerican@ee.doe.gov](mailto:buyamerican@ee.doe.gov).

**SUPPLEMENTARY INFORMATION:** The U.S. Department of Energy’s Office of Energy Efficiency and Renewable Energy (EERE) received \$16.8 billion in Recovery Act appropriations for EERE’s programs and initiatives (for more information, please visit <http://www1.eere.energy.gov/recovery/>). EERE is committed to achieving the goals of the Recovery Act—stimulating the economy and creating or retaining jobs—while simultaneously advancing the EERE mission of strengthening the United States’ energy security, environmental quality, and economic vitality. With these objectives in mind, EERE is working to ensure that Recovery Act funds are deployed swiftly and effectively by recipients of financial assistance (“grantees”).

Some grantees have encountered difficulties in procuring certain manufactured goods in compliance with the Buy American provisions. Under the Recovery Act, DOE can make an exception to the Buy American provisions (a “waiver”), based on the criteria outlined in Section 1605(b)(2) of the Recovery Act and in 2 CFR 176.80(a)(1). One such criteria is where manufactured goods are not produced in the United States in sufficient and reasonable quantities and of a satisfactory quality (“nonavailability”).

EERE may consider issuing individual or categorical waivers if there are items that qualify for a determination of nonavailability. However, EERE wishes to ensure that any such determinations are based on a complete record obtained in a thorough, transparent and expedited manner. Toward this end, EERE is requesting grantees and other Recovery Act stakeholders to use Part 1 of this RFI to identify and provide technical specifications for products that may be potential candidates for waivers of Buy American provisions in EERE-funded projects based on the domestic nonavailability criteria.

The products and technical specifications submitted in response to Part 1 of this RFI will be catalogued and disseminated to the domestic manufacturing community in order to ascertain the manufacturing capacity for these products; all as part of the EERE due diligence process before considering issuing any waivers based

on nonavailability criteria. EERE will then make the results of our determinations available to grantees and the general public through the **Federal Register**, the EERE Web site, and additional channels as necessary.

EERE is not at this time specifically requesting information, inquiries or expressions of interest from the manufacturing community. EERE will be executing a separate process to engage the manufacturing community around the products identified in Part 1 of this RFI.

Additionally, the Buy American provisions found in Section 1605 of the Recovery Act have generated numerous questions pertaining to their application and implementation (programmatic questions) in projects around the country. EERE has provided grantees with a number of avenues to seek additional information about the Buy American provisions, and has a Web site that provides responses to some of the most common questions: [http://www1.eere.energy.gov/recovery/buy\\_american\\_provision.html](http://www1.eere.energy.gov/recovery/buy_american_provision.html).

To further assist grantees in understanding and implementing the Buy American provisions, EERE will use responses to Part 2 of this RFI to inform the content of forthcoming Buy American-specific guidance to be issued by EERE and available on the EERE Buy American Web site.

EERE strongly encourages responses from grantees and other Recovery Act stakeholders. These include, but are not limited to: Recipients of EERE Recovery Act financial assistance, state and local officials, contractors, and other interested parties.

#### Request for Information (RFI) Submission Guidelines

Responses to this RFI must be submitted or postmarked no later than 11:59 p.m. Eastern Time on February 18, 2010.

E-mail responses must be provided as a Microsoft Word (.doc or .docx), or compatible, attachment to the email responding to either Part 1 or Part 2. Responses to both Part 1 and Part 2 must be submitted as two separate Microsoft Word documents (see below).

Respondents are requested to provide the following information at the start of their response to this RFI:

- Associated government/company/institution name (if applicable).
- Contact information to allow for follow-up questions as necessary.

This RFI is seeking responses organized into two distinct Parts: