

blanket approval under Part 34, subject to the conditions found in Appendix A in Ordering Paragraphs (2), (3), and (5):

(2) Within 30 days of the date of this order, any person desiring to be heard or to protest the Commission's blanket approval of issuances of securities or assumptions of liabilities by ODEC should file a motion to intervene or protest 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.

(3) Absent a request to be heard within the period set forth in Ordering Paragraph (2) above, ODEC is hereby authorized to issue securities and assume obligations and liabilities as guarantor, indorser, surety or otherwise in respect of any security of another person; provided that such issue or assumption is for some lawful object within the corporate purposes of ODEC, compatible with the public interest, and reasonably necessary or appropriate for such purposes.

(5) The Commission reserves the right to modify this order to require a further showing that neither public nor private interests will be adversely affected by continued Commission approval of ODEC's issuances of securities or assumptions of liabilities. \* \* \*

Notice is hereby given that the deadline for filing motions to intervene or protests, as set forth above, is January 22, 2002.

Copies of the full text of the Order are available from the Commission's Public Reference Branch, 888 First Street, NE., Washington, DC 20426. The Order may also be viewed on the web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance). Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site under the "e-Filing" link.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL02-43-000]

#### **Southern California Water Company, Complainant, v. Mirant Americas Energy Marketing, L.P., Respondent; Notice of Complaint**

December 27, 2001.

Take notice that on December 21, 2001, Southern California Water Company (SCWC) filed a Complaint against Mirant Americas Energy Marketing, L.P. (MAEM). SCWC requests that the Commission issue an order finding that a firm power purchase contract between SCWC and MAEM was not the product of a competitive wholesale power market and the rate charged by MAEM under this contract is unjust and unreasonable.

Any person desiring to be heard or to protest this filing should file a motion to intervene or protest 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). All such motions or protests must be filed on or before January 10, 2002. 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 motion to intervene. Answers to the complaint shall also be due on or before January 10, 2002. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance). Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site under the "e-Filing" link.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP02-46-000]

#### **Tennessee Gas Pipeline Company, Notice of Application**

December 27, 2001.

Take notice that on December 10, 2001, Tennessee Gas Pipeline Company (Tennessee), 9 E. Greenway Plaza, Houston, Texas 77048, filed an application pursuant to Section 7 of the Natural Gas Act and Part 157 of the Commission's Rules and Regulations for a certificate of public convenience and necessity to construct and operate a new compressor station and to authorize incremental recourse rates for service through Tennessee's Leidy Extension all as more fully set forth in the application which is on file with the Commission and open to public inspection. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance).

Specifically, Tennessee seeks to construct and operate a 4,730 horsepower compressor station and other appurtenant facilities in Potter County, Pennsylvania. The proposed facilities will allow Tennessee to make firm deliveries of up to 150,000 Dth per day directly to Dominion Transmission, Inc. (Dominion). The proposed compressor station is part of Tennessee's larger Can-East Project which will establish its Leidy Extension. Tennessee states that the Can-East Project will extend its existing mainline system to the Leidy Hub by utilizing 280,000 Dth per day of capacity that Tennessee intends to lease from Dominion and National Fuel Gas Supply Corporation (National Fuel).<sup>1</sup> The estimated cost of the proposed facilities is \$9.7 million.

Tennessee also proposes to offer service over its Leidy Extension under its existing FERC Gas Tariff at incremental recourse rates under its Rate Schedules FT-A and IT. Tennessee states that its customers will also have the option of selecting negotiated rates. Tennessee has included pro forma tariff sheets reflecting the proposed changes to its tariff necessary to effect service on the Leidy Extension.

<sup>1</sup> The lease between Tennessee and Dominion is the subject of Docket No. CP02-47-000. The lease between Tennessee and National Fuel is the subject of Docket No. CP02-48-000.

Any questions regarding the application should be directed to Marguerite N. Woung-Chapman, General Counsel, Tennessee Gas Pipeline Company, 9 E. Greenway Plaza, Suite 340, Houston, Texas 77048 at 832-676-7329 or by E-mail at [marguerite.woung-chapman@elpaso.com](mailto:marguerite.woung-chapman@elpaso.com).

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before January 17, 2002, file with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, D.C. 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters

will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

The Commission may issue a preliminary determination on non-environmental issues prior to the completion of its review of the environmental aspects of the project. This preliminary determination typically considers such issues as the need for the project and its economic effect on existing customers of the applicant, on other pipelines in the area, and on landowners and communities. For example, the Commission considers the extent to which the applicant may need to exercise eminent domain to obtain rights-of-way for the proposed project and balances that against the non-environmental benefits to be provided by the project. Therefore, if a person has comments on community and landowner impacts from this proposal, it is important either to file comments or to intervene as early in the process as possible.

Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site under the "e-Filing" link.

If the Commission decides to set the application for a formal hearing before an Administrative Law Judge, the Commission will issue another notice describing that process. At the end of the Commission's review process, a final Commission order approving or denying a certificate will be issued.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

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## **ENVIRONMENTAL PROTECTION AGENCY**

**[FRL-7125-5]**

### **Agency Information Collection Activities: Proposed Collection, Comment Request; Enforcement Policy Regarding the Sale and Use of Aftermarket Catalytic Converters**

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that EPA is planning to submit the following

continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB): Enforcement Policy Regarding the Sale and Use of Aftermarket Catalytic Converters; EPA ICR # 1292.05; OMB No. 2060-0135; expires May 31, 2002. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted on or before March 4, 2002.

**ADDRESSES:** U.S. Environmental Protection Agency, Office of Enforcement and Compliance Assurance, Office of Regulatory Enforcement (2242A), 1200 Pennsylvania Avenue, NW., Washington, DC 20460. Copies of the ICR can be obtained free of charge by contacting Jack McLaughlin as provided below.

**FOR FURTHER INFORMATION CONTACT:** Jack McLaughlin, Telephone: (303) 236-9513; Facsimile number: (303) 236-9514; e-mail: [mclaughlin.jack@epamail.epa.gov](mailto:mclaughlin.jack@epamail.epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

*Affected entities:* Entities potentially affected by this action are manufacturers and installers of aftermarket automobile catalytic converters.

*Title:* Enforcement Policy Regarding the Sale and Use of Aftermarket Catalytic Converters (OMB Control number 2060-0135; EPA ICR # 1292.05.) expiring 5/31/2002.

*Abstract:* Section 203(a)(3) of the Clean Air Act (Act) prohibits removing or rendering inoperative automobile emission control devices or elements of design. But for the adoption of the aftermarket catalytic converter enforcement policy (51 FR 28114-28119, 28133 (Aug. 5, 1986); 52 FR 42144 (Nov. 3, 1987)), the manufacture, sale or installation of aftermarket catalytic converters (catalysts) not equivalent to new original equipment (OE) catalysts would constitute a violation of the Act. However, because replacement OE catalysts are expensive, many consumers had elected to not replace catalysts that malfunctioned subsequent to the expiration of the emissions warranty on their vehicles.

The Agency believes that allowing the installation of aftermarket catalysts on older vehicles can be environmentally beneficial if the Agency can be assured that the aftermarket catalysts meet certain standards and if installers are accountable to select the proper aftermarket catalyst for each vehicle application. Manufacturers of new aftermarket catalysts are required, on a