

*Rate Schedule VA-2-B*

Available to public bodies and cooperatives in Virginia and North Carolina to whom power may be transmitted pursuant to contracts between the Government, DVP, and PJM. The customer is responsible for providing a scheduling arrangement with the Government.

*Rate Schedule VA-3-B*

Available to public bodies and cooperatives in Virginia and North Carolina to whom power may be scheduled pursuant to contracts between the Government, DVP, and PJM. The customer is responsible for providing a transmission arrangement.

*Rate Schedule VA-4-B*

Available to public bodies and cooperatives in the service area of DVP and PJM. The customer is responsible for providing a scheduling arrangement with the Government and for providing a transmission arrangement.

*Rate Schedule CP&L-1-B*

Available to public bodies and cooperatives in North Carolina to whom power may be transmitted and scheduled pursuant to contracts between the Government and Carolina Power & Light (also known as Progress Energy Carolinas).

*Rate Schedule CP&L-2-B*

Available to public bodies and cooperatives in North Carolina to whom power may be transmitted pursuant to contracts between the Government and Carolina Power & Light. The customer is responsible for providing a scheduling arrangement with the Government.

*Rate Schedule CP&L-3-B*

Available to public bodies and cooperatives in North Carolina to whom power may be scheduled pursuant to contracts between the Government and Carolina Power & Light. The customer is responsible for providing a transmission arrangement.

*Rate Schedule CP&L-4-B*

Available to public bodies and cooperatives in the service area of Carolina Power & Light. The customer is responsible for providing a scheduling arrangement with the Government and for providing a transmission arrangement.

*Rate Schedule AP-1-B*

Available to public bodies and cooperatives in Virginia to whom power may be transmitted and scheduled pursuant to contracts between the Government, American Electric Power

Service Corporation and the American Electric Power Service Corporation's Transmission Operator, currently and the PJM Interconnection, LLC (PJM).

*Rate Schedule AP-2-B*

Available to public bodies and cooperatives in Virginia to whom power may be transmitted pursuant to contracts between the Government, American Electric Power Service Corporation, and PJM. The customer is responsible for providing a scheduling arrangement with the Government.

*Rate Schedule AP-3-B*

Available to public bodies and cooperatives in Virginia to whom power may be scheduled pursuant to contracts between the Government, American Electric Power Service Corporation, and PJM. The customer is responsible for providing a transmission arrangement.

*Rate Schedule AP-4-B*

Available to public bodies and cooperatives in the service area of American Electric Power Service Corporation and PJM. The customer is responsible for providing a scheduling arrangement with the Government and for providing a transmission arrangement.

*Rate Schedule NC-1-B*

Available to public bodies and cooperatives in Virginia and North Carolina to whom power may be transmitted pursuant to a contract between the Government and PJM and scheduled pursuant to a contract between the Government and Carolina Power & Light.

*Rate Schedule Replacement-2*

This rate schedule shall be applicable to the sale energy purchased to meet contract minimum energy and sold under appropriate contracts between the Government and the Customer.

The referenced repayment studies are available for examination at 1166 Athens Tech Road, Elberton, GA 30635. Proposed Rate Schedules VA-1-B, VA-2-B, VA-3-B, VA-4-B, CP&L-1-B, CP&L-2-B, CP&L-3-B, CP&L-4-B, AP-1-B, AP-2-B, AP-3-B, AP-4-B, NC-1-B, and Replacement-2 are also available.

Dated: February 10, 2010.

**Kenneth E. Legg,**

*Administrator.*

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**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. AD10-5-000]

**RTO/ISO Performance Metrics; Notice Requesting Comments on RTO/ISO Performance Metrics**

February 3, 2010.

In September 2008, the United States Government Accountability Office (GAO) issued a report titled "Electricity Restructuring: FERC Could Take Additional Steps to Analyze Regional Transmission Organizations' Benefits and Performance," GAO-08-987. This report recommends that the Chairman of the Federal Energy Regulatory Commission (Commission or FERC), among other actions, work with regional transmission organizations (RTO), Independent System Operators (ISO), stakeholders and other experts to develop standardized measures that track the performance of RTO/ISO operations and markets and report the performance results to Congress and the public annually, while also providing interpretation of (1) what the measures and reported performance communicate about the benefits of RTOs and, where appropriate, (2) changes that need to be made to address any performance concerns.

As recommended by GAO, Commission staff has worked with a team comprised of staff from all the jurisdictional ISOs/RTOs to develop a set of performance metrics that the ISOs/RTOs will use to report annually to the Commission. Commission staff and representatives from the ISOs/RTOs have also met with interested stakeholders to solicit their perspectives and comments on the proposed performance metrics.

Commission staff requests comments on whether the proposed performance metrics will effectively track the performance of ISO/RTO operations and markets. Comments must be filed on or before March 5, 2010. Reply comments must be filed on or before March 19, 2010.

**Addresses:** Parties may submit comments, identified by Docket No. AD10-5-000, by one of the following methods.

**Agency Web site:** <http://www.ferc.gov/>. Follow the instructions for submitting comments via the eFiling link found under the "Documents and Filing" tab.

**Mail:** Commenters unable to file comments electronically must mail or hand deliver an original and 14 copies of their comments to: Federal Energy

Regulatory Commission, Secretary of the Commission, 888 First Street, NE., Washington, DC 20426.

*For further information contact:*

Jeffrey Hitchings, Office of Energy Market Regulation, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Telephone: (202) 502-6042, E-mail: [jeffrey.hitchings@ferc.gov](mailto:jeffrey.hitchings@ferc.gov). or  
Lisa Luftig, Office of the General Counsel—Energy Markets, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Telephone: (202) 502-6791, E-mail: [lisa.luftig@ferc.gov](mailto:lisa.luftig@ferc.gov).

Nathaniel J. Davis, Sr.,

*Deputy Secretary.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OAR-2009-0866; FRL-9114-5]

### Access by EPA Contractors to Information Claimed as Confidential Business Information (CBI) Submitted Under Title II of the Clean Air Act

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

**ACTION:** Notice.

**SUMMARY:** EPA's Office of Transportation and Air Quality (OTAQ) has authorized various contractors to access information which has been submitted to EPA under Title II of the Clean Air Act that is claimed to be, or has been determined to be, confidential business information (CBI). EPA is providing notice of past disclosure and of ongoing and contemplated future disclosure.

**DATES:** Access by EPA contractors to material discussed in this Notice that has been either claimed or determined to be confidential business information (CBI) is ongoing, and is expected to continue in the future. EPA will accept comments on this Notice through March 1, 2010.

**FOR FURTHER INFORMATION CONTACT:** Anne-Marie C. Pastorkovich, Environmental Protection Agency, 1200 Pennsylvania Avenue, NW. (6406J), Washington, DC 20460; telephone number: 202-343-9623; fax number: 202-343-2801; e-mail address: [pastorkovich.anne-marie@epa.gov](mailto:pastorkovich.anne-marie@epa.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. Does This Notice Apply to Me?

This action is directed to the general public. However, this action may be of

particular interest to parties who submit or have previously submitted information to EPA regarding the following programs: Fuel and fuel additive registration (40 CFR part 79), various fuels programs including reformulated gasoline, anti-dumping, gasoline sulfur, ultra low sulfur diesel, benzene content, and the renewable fuel standard (40 CFR part 80), certification and defect reporting/recall of light-duty vehicles (including motorcycles) and heavy duty on-highway vehicles and engines (40 CFR part 86 and 40 CFR part 85, subpart T), certification and defect reporting/recall of non-road compression-ignition engines (40 CFR part 89, subparts B and I, 40 CFR part 1039, subpart C, and 40 CFR part 1068, subpart F), certification and defect reporting/recall of spark-ignition engines less than or equal to 19 kilowatts (40 CFR part 90, subparts C and I, 40 CFR part 1054, subpart C, and 40 CFR part 1068, subpart F), certification and defect reporting/recall of marine spark-ignition engines (40 CFR part 91, subparts B and J, 40 CFR part 1045, subpart C, and 40 CFR part 1068, subpart F), certification and defect reporting/recall of locomotives (40 CFR part 92, subparts C and E, 40 CFR part 1033, subpart C, and 40 CFR part 1068, subpart F), certification and defect reporting/recall of marine compression-ignition engines (40 CFR part 94, subparts C and E, 40 CFR part 1042, subpart C, and 40 CFR part 1068, subpart F), certification of large non-road spark-ignition engines (40 CFR part 1048, subpart C, and 40 CFR part 1068, subpart F), certification of recreational engines and vehicles (40 CFR part 1051, subpart C, and 40 CFR part 1068, subpart F), certification of non-road and stationary equipment for evaporative emissions compliance (40 CFR part 1060, subpart C), certification of stationary compression-ignition and spark-ignition engines (40 CFR part 60, subparts IIII and JJJJ, respectively), fees (40 CFR part 1027), and fuel economy information (40 CFR part 600). Reports submitted to EPA under 40 CFR parts 79 and 80 fuels programs are commonly referred to as the "OTAQ Fuels Reporting System." Reporting submitted to EPA under 40 CFR parts 86 and 600 related to engine and vehicle compliance, such as light-duty certification and fuel economy information, is commonly referred to by the name of the reporting system itself—i.e., as CFEIS (prior to September 2008) and Verify (thereafter). Both the OTAQ Fuels Reporting System and Verify utilize the EPA Central Data Exchange (CDX).

This Notice may be of particular relevance to parties that have submitted data under the above-listed programs or systems. Since other parties may also be interested, the Agency has not attempted to describe all the specific parties that may be affected by this action. If you have further questions regarding the applicability of this action to a particular party, please contact the person listed in **FOR FURTHER INFORMATION CONTACT**.

#### II. How Can I Get Copies of This Document and Other Related Information?

##### A. Electronically

EPA has established a public docket for this Notice under Docket EPA-HQ-OAR-2009-0866.

All documents in the docket are identified in the docket index available at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, such as confidential business information (CBI) or other information for which disclosure is restricted by statute. Certain materials, such as copyrighted material, will only be available in hard copy at the EPA Docket Center.

##### B. EPA Docket Center

Materials listed under Docket EPA-HQ-OAR-2009-0866 will be available for public viewing at the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Air Docket is (202) 566-1742.

#### III. Description of Programs and Potential Disclosure of Information Claimed as Confidential Business Information (CBI) to Contractors

EPA's Office of Transportation and Air Quality (OTAQ) has responsibility for protecting public health and the environment by regulating air pollution from motor vehicles, engines, and the fuels used to operate them, and by encouraging travel choices that minimize emissions. In order to implement various Clean Air Act programs, and to permit regulated entities flexibility in meeting regulatory requirements (e.g., compliance on average), we collect compliance reports and other information from them. Occasionally, the information submitted is claimed to be confidential business information. Information submitted