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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 2002 costs. The adjusted fees announced in this notice are effective September 22, 2003. 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) ..... \$9,480

#### 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)) ..... 19,040

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)) ..... 27,800

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)) ..... 14,580

4. Written legal interpretations by the Office of General Counsel. (18 CFR 381.305(a)) ..... \$5,460

#### 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)) ..... 16,370

2. Certification of qualifying status as a cogeneration facility. (18 CFR 381.505(a)) ..... 18,540

3. Applications for exempt wholesale generator status. (18 CFR 381.801) ..... 870

\* 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 “18,260” and adding “\$19,040” in its place.

#### § 381.303 [Amended]

■ 3. In 381.303, paragraph (a) is amended by removing “\$26,660” and adding “\$27,800” in its place.

#### § 381.304 [Amended]

■ 4. In 381.304, paragraph (a) is amended by removing “\$13,980” and adding “\$14,580” in its place.

#### § 381.305 [Amended]

■ 5. In 381.305, paragraph (a) is amended by removing “\$5,240” and adding “\$5,460” in its place.

#### § 381.403 [Amended]

■ 6. Section 381.403 is amended by removing “\$9,090” and adding “\$9,480” in its place.

#### § 381.505 [Amended]

■ 7. In 381.505, paragraph (a) is amended by removing “\$15,700” and adding “\$16,370” in its place and by removing “\$17,770” and adding “\$18,540” in its place.

#### § 381.801 [Amended]

■ 8. Section 381.801 is amended by removing “\$990” and adding “\$870” in its place.

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#### DEPARTMENT OF HOMELAND SECURITY

#### Bureau of Customs and Border Protection

#### 19 CFR Part 122

[CBP Dec. 03-22]

#### User Fee Airports

**AGENCY:** Customs and Border Protection, Homeland Security.

**ACTION:** Final rule.

**SUMMARY:** This document amends the Customs Regulations to reflect the designation of Williams Gateway Airport in Mesa, Arizona and Roswell Industrial Air Center in Roswell, New Mexico as user fee airports and to correct an error regarding the city in Texas in which the McKinney Airport user fee airport is located. A user fee airport is one which while not qualifying for designation as an international or landing rights airport, has been approved by the Commissioner of the Bureau of Customs and Border Protection (CBP) to receive, for a fee, the services of a CBP officer for the processing of aircraft entering the United States and their passengers and cargo.

**EFFECTIVE DATE:** August 22, 2003.