

D. Assistance from the Societe de Recuperation d'Exploitation et de Developpement Forestiers du Quebec (Rexfor)

La Pointe & Roy stated in its questionnaire response that it did not apply for, use or benefit from loans or loan guarantees from Rexfor during the POR, therefore, we preliminarily determine that it did not use the program. In the underlying investigation, the Department determined that no benefit was provided by loans issued under Rexfor because the interest rates charged under this program were equal to or higher than the interest rates charged on comparable commercial loans at the time of the investigation. See "Programs Determined Not to Confer a Benefit," in the March 21, 2002, Issues and Decision Memorandum that accompanied the *Lumber Final*. As no benefit was conferred during the POI, a final determination of this program's countervailability was not made. We are not further examining this program in the instant review because La Pointe & Roy did not use it.

Preliminary Results of New Shipper Review

In accordance with section 751(a)(2)(B)(i) of the Act, we have determined an individual rate for the manufacturer of the subject merchandise participating in this new shipper review. We preliminarily determine the total estimated net countervailable subsidy rate to be:

Producer/Exporter	Net subsidy rate
Scierie La Pointe & Roy Ltee.	0.08 percent <i>ad valorem</i>

As provided for in the Act and 19 CFR 351.106(c)(1) of the Department's regulations, any rate less than 0.5 percent *ad valorem* in a new shipper review is *de minimis*. Accordingly, if the final results of this new shipper review remain the same as the preliminary results, no countervailing duties will be assessed. The Department will instruct CBP to liquidate without regard to countervailing duties, shipments of the subject merchandise (e.g., certain softwood lumber from Canada) produced and exported by La Pointe & Roy entered, or withdrawn from warehouse, for consumption on or after May 22, 2002 and on or before December 31, 2002. Also, the cash deposit rates will be set at zero for this company. The Department will issue appropriate appraisement instructions directly to the CBP within 15 days of

publication of the final results of this review.

Public Comment

Pursuant to 19 CFR 351.224(b), the Department will disclose to parties to the proceeding any calculations performed in connection with these preliminary results within five days after the date of publication of this notice. Pursuant to 19 CFR 351.309, interested parties may submit written comments in response to these preliminary results. Case briefs must be submitted within 30 days after the date of publication of this notice, and rebuttal briefs, limited to arguments raised in case briefs, must be submitted no later than five days after the time limit for filing case briefs. Parties who submit argument in this proceeding are requested to submit with the argument: (1) a statement of the issue, and (2) a brief summary of the argument. Case and rebuttal briefs must be served on interested parties in accordance with 19 CFR 351.303(f).

Also, pursuant to 19 CFR 351.310, within 30 days of the date of publication of this notice, interested parties may request a public hearing on arguments to be raised in the case and rebuttal briefs. Unless the Secretary specifies otherwise, the hearing, if requested, will be held two days after the date of submission of rebuttal briefs, that is, thirty-seven days after the date of publication of these preliminary results.

Representatives of parties to the proceeding may request disclosure of proprietary information under administrative protective order no later than 10 days after the representative's client or employer becomes a party to the proceeding, but in no event later than the date the case briefs, under 19 CFR 351.309(c)(ii), are due. The Department will publish the final results of this administrative review, including the results of its analysis of issues raised in any case or rebuttal brief or at a hearing.

This administrative review and notice are issued and published in accordance with section 751(a)(1) and 777(i)(1) of the Act (19 U.S.C. 1675(a)(1) and 19 U.S.C. 1677f(1)).

Dated: October 24, 2003.

James J. Jochum,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Federal Consistency Appeal by Millennium Pipeline Company From an Objection by the New York Department of State

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (Commerce).

ACTION: Notice of extension of time—administrative appeal decision.

SUMMARY: This notice announces that the due date for a decision of an administrative appeal filed with the Department of Commerce by the Millennium Pipeline Company (Consistency Appeal of Millennium Pipeline Company, L.P.) has been extended.

DATES: A decision for the Millennium Pipeline Company's administrative appeal is to be issued no later than December 15, 2003.

ADDRESSES: Materials from the appeal record are available at the Internet site <http://www.ogc.doc.gov/czma.htm> and at the Office of the General Counsel for Ocean Services, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, 1305 East-West Highway, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Branden Blum, Senior Counselor, Office of the General Counsel for Ocean Services, via e-mail at gcos.inquiries@noaa.gov, or at 301-713-2967, extension 186.

SUPPLEMENTARY INFORMATION: This notice announces an extension of the 90-day deadline for issuing a final decision of an administrative appeal filed by the Millennium Pipeline Company, L.P. (Millennium) pursuant to the Coastal Zone Management Act of 1972 (CZMA), as amended, 16 U.S.C. 1451 *et seq.* The appeal was taken from an objection by the New York Department of State to Millennium's proposed natural gas pipeline project that would span approximately 420 miles from the U.S. Canada border to a terminus outside of New York City.

A **Federal Register** notice published on August 4, 2003, triggered the start of the 90-day decision period for this appeal. As indicated by that notice, the deadline may be extended before the end of the 90 day period, one time, by up to 45 days. See 16 U.S.C. 1465. Taking account of the extension, the deadline for a decision in the Millennium appeal is now December 15,