

business during the JFK Federal Building renovations did not mean that the SLA's longstanding system of dealing with displaced vendors should be changed.

The views and opinions expressed by the panel do not necessarily represent the views and opinions of the U.S. Department of Education.

Dated: May 25, 1995.

**Judith E. Heumann,**  
*Assistant Secretary for Special Education and Rehabilitative Services.*

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## DEPARTMENT OF ENERGY

### Conduct of Employees

Notice of Waiver Pursuant to section 602(c) of the Department of Energy Organization Act (Pub. L. 95-91)

Section 602(a) of the Department of Energy ("DOE") Organization Act (Pub. L. 95-91, hereinafter referred to as the "Act") prohibits a "supervisory employee" (defined in section 601(a) of the Act) of the Department from knowingly receiving compensation from, holding any official relation with, or having any pecuniary interest in any "energy concern" (defined in section 601(b) of the Act).

Section 602(c) of the Act authorizes the Secretary of Energy to waive the requirements of section 602(a) in cases where exceptional hardship would result, where the interest is a pension, interest or other similarly vested interest, or where the waiver is in the Department's interest and the asset is placed in a qualified trust that is created in accordance with regulations promulgated by the Office of Government Ethics.

Dr. Alexander MacLachlan is serving as Deputy Under Secretary for Technology Partnerships and Economic Competitiveness. As a result of his past employment with du Pont (E.I.) de Nemours and Company (DuPont), Dr. MacLachlan has a vested pension interest in the DuPont Pension and Retirement Plan within the meaning of section 602(c) of the Act. Dr. MacLachlan also participates in the DuPont Stock Performance Plan and the DuPont Savings and Investment Plan. I have determined that requiring Dr. MacLachlan to terminate his interest in these plans would be an exceptional hardship. He also owns stock in 11 energy concerns: Bethlehem Steel Corp., Burlington Resources Inc., The Coastal Corp., Delmarva Power & Light Co., E. I. du Pont de Nemours and Company,

General Electric Co., GTE Corp., Halliburton Co., IMC Fertilizer Group, Inc., USX-US Steel Group, and Weyerhaeuser Co. I have determined that requiring Dr. MacLachlan to sell this stock would be an exceptional hardship. Therefore, I have granted Dr. MacLachlan a waiver of the divestiture requirement of section 602(a) of the Act with respect to the interests described above for the duration of his service as a supervisory employee to the Department.

In accordance with section 208, title 18, United States Code, Dr. MacLachlan has been directed not to participate personally and substantially, as a Government employee, in any particular matter the outcome of which could have a direct and predictable effect upon DuPont or any of the other entities listed above, unless his appointing official determines that his financial interest in the particular matter are not so substantial as to be deemed likely to affect the integrity of the services which the Government may expect from Dr. MacLachlan.

Dated: May 10, 1995.

**Hazel R. O'Leary,**  
*Secretary of Energy.*

[FR Doc. 95-13382 Filed 5-31-95; 8:45 am]

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### [FE Docket No. EA-104]

### Application To Export Electricity; Arizona Public Service Company

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of application.

**SUMMARY:** Arizona Public Service Company (APS) has requested authorization to export electric energy to Mexico. APS is a regulated public utility incorporated in the State of Arizona and authorized to do business in the States of Arizona and New Mexico.

**DATES:** Comments, protests, or requests to intervene must be submitted on or before July 3, 1995.

**ADDRESSES:** Comments, protests, or requests to intervene should be addressed as follows: Office of Coal & Electricity (FE-52), Office of Fuels Programs, Fossil Energy, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585.

**FOR FURTHER INFORMATION CONTACT:**  
Warren E. Williams (Program Office) 202-586-9629 or Michael T. Skinner (Program Attorney) 202-586-6667.

#### SUPPLEMENTARY INFORMATION:

Exports of electricity from the United States to a foreign country are regulated

and require authorization under section 202(e) of the Federal Power Act.

On May 5, 1995, APS filed an application with the Office of Fossil Energy (FE) of the Department of Energy (DOE) for authorization to export electric energy to the Comision Federal de Electricidad (CFE), the Mexican national electric utility, pursuant to section 202(e) of the Federal Power Act. APS proposes to sell CFE electricity which is in excess of what is needed for APS customers. Specifically, APS has proposed the sale of economy energy to CFE through the facilities of San Diego Gas & Electric (SDG&E). As an economy energy sale, service can be interrupted or curtailed by APS, CFE, or SDG&E.

The electricity to be sold to CFE would emanate from the APS electrical grid and would be delivered to SDG&E at either the Palo Verde substation west of Phoenix, Arizona, or the North Gila substation, located east of Yuma, Arizona. SDG&E owns two 230-kilovolt (kV) lines which interconnect with CFE. The first connects SDG&E's Miguel substation located east of San Diego, California, with CFE's Tijuana I substation located near Tijuana, Mexico; the second connects SDG&E's Imperial Valley substation located near El Centro, California, with CFE's La Rosita substation located west of Mexicali, Mexico. The construction and operation of these international transmission lines were previously authorized by Presidential Permit numbers PP-68 and PP-79, respectively.

### Procedural Matters

Any person desiring to be heard or to protest this application should file a petition to intervene or protest at the address provided above in accordance with §§ 385.211 or 385.214 of the rules of practice and procedure (18 CFR 385.211, 385.214).

Any such petitions and protests should be filed with the DOE on or before the date listed above. Additional copies of such petitions to intervene or protests also should be filed directly with: Dennis Beals, Arizona Public Service Company, PO Box 53999, Station 9860, Phoenix, Arizona 85072-3999, (602) 250-3101 and Bruce Gardner, Esq., Arizona Public Service Company, PO Box 53999, Station 9820, Phoenix, Arizona 850772-3999, (602) 250-3507.

Pursuant to 18 CFR 385.211, protests and comments will be considered by the DOE 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 petition to intervene under 18 CFR 385.214.