

consistent with longstanding Commission policy which favors the structural approach to remedies, rather than the behavioral approach which seeks to govern conduct through the use of rules.<sup>7</sup>

The fuel supply contracts between PWCC and Navajo and Mohave give the Navajo owners a right of first refusal to buy the Kayenta mine and Mohave owners a right of first refusal to buy the Black Mesa mine. Because these rights of first refusal could delay the divestiture process, the proposed Consent Order affords PacifiCorp a period of nine months following the Acquisition to complete the required divesture, and under certain circumstances, extends the time for divestiture to as late as March 1, 2000. Under the circumstances of this case, the Commission believes that the unusually long time afforded Respondents to complete the divestiture and possible extension of that time under the terms of the proposed Consent Order are likely to lead to substantial economic harm. PacifiCorp's incentive to increase the fuel price at Navajo and Mohave depends on PacifiCorp's sales of electricity at the market price. In the near-term, most of PacifiCorp's electricity sales are at regulated rates or at prices specified by long-term contracts. Thus, in the near-term, PacifiCorp will not have a strong incentive to increase fuel prices at Navajo and Mohave because PacifiCorp has limited net sales of electricity at the market price. However, as PacifiCorp's wholesale contracts are renegotiated and as PacifiCorp's retail sales are deregulated, PacifiCorp gains an ever greater incentive to increase electricity prices by raising the fuel price at Navajo and Mohave.

To remedy the alleged threat to competition from abuse of confidential customer information, the proposed consent order forbids Peabody from transferring PacifiCorp non-public information regarding Peabody customers who object to such disclosure and who either purchase coal from Peabody under contracts with a term of one-year or longer or who purchased in excess of one million tons of coal from Peabody during the preceding year. By preventing the transfer of this information, the Proposed Consent Order prevents PacifiCorp from trading on proprietary information in a way that is likely to retard development of a fully

competitive market in the wholesaling of electric power.

#### VI. Opportunity for Public Comment

The proposed Consent Order has been placed on the public record for sixty (60) days for receipt of comments by interested person. Comments received during this period will become part of the public record. After sixty days, the Commission will again review the proposed Consent Order and the comments received and will decide whether it should withdraw from the Agreement Containing Consent Order, make final the Consent Order, or take such other action as the Commission may determine to be in the public interest.

The Commission anticipated that the proposed Consent Order will cure the anticompetitive effects of the Acquisition as alleged in the proposed complaint. The purpose of this analysis is to invite public comment on the proposed Consent Order, including the proposed divestitures, to aid the Commission in its determination of whether to make final the proposed Consent Order. This analysis is not intended to constitute an official interpretation of the proposed Consent Order, nor is it intended to modify the term of the proposed Consent Order in any way.

**Donald S. Clark,**

Secretary.

[FR Doc. 98-4755 Filed 2-24-98; 8:45 am]

BILLING CODE 6750-01-M

Dated: February 18, 1998.

**Barbara M. Williams,**

Deputy Standard and Optional Forms Management Officer.

[FR Doc. 98-4796 Filed 2-24-98; 8:45 am]

BILLING CODE 6820-34-M

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

##### Food and Drug Administration; Delegation of Authority

Notice is hereby given that I have delegated to the Commissioner of Food and Drugs the authorities vested in the Secretary of Health and Human Services under Title III, Section 354 of the Public Health Service Act (43 U.S.C. 262 et seq), as amended hereafter.

This delegation supersedes the delegation memorandum from the Acting Assistant Secretary for Health to the Commissioner of Food and Drugs dated, June 1, 1993, titled "Delegation of Authority for Section 354 of the Public Health Service Act, as amended by Public Law 102-539, the Mammography Quality Standards Act of 1992."

This delegation shall be exercised under the Department's existing delegation of authority and policy on regulations. In addition, I have affirmed and ratified any actions taken by you or your subordinates which involved the exercise of the authorities delegated herein prior to the effective date of the this delegation. This delegation is effective upon signature.

Dated: February 11, 1998.

**Donna E. Shalala,**

Secretary.

[FR Doc. 98-4723 Filed 2-24-98; 8:45 am]

BILLING CODE 4160-01-M

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

##### Office of the Secretary

#### HHS Management and Budget Office; Office of Facilities Services; Statement of Organization, Functions and Delegations of Authority

Part A, Office of the Secretary, Statement of Organization, Functions and Delegations of Authority for the Department of Health and Human Services is being amended at Chapter AM, HHS Management and Budget Office, Chapter AMR, Office of Facilities Services, as last amended at 61 FR 55988-90, October 30, 1996. The functional statement for the Office of Facilities Services is being amended to reflect its current responsibility for

<sup>7</sup> See William J. Baer, *FTC Perspectives on Competition Policy and enforcement Initiatives in Electric Power*, before the Conference on the New Rules of the Game for Electric Power: Antitrust & Anticompetitive Behavior (Washington D.C., Dec. 4, 1997) at 12-13.

**DATES:** Effective upon publication in the **Federal Register** (February 25, 1998).

**FOR FURTHER INFORMATION CONTACT:** Ms. Barbara Williams, General Services Administration, (202) 501-0581.

Health and Wellness Centers. The change is as follows:

Under paragraph, "C. AMR.20 Functions," subparagraph "2", Division of Policy Coordination (AMR1), delete item g and replace with the following:

g. Establishes, maintains, and promulgates HHS policy for the Health and Wellness and Day Care Centers. Provides technical assistance on a Department-wide basis as required.

Dated: February 12, 1998.

**John J. Callahan,**

*Assistant Secretary for Management and Budget.*

[FR Doc. 98-4724 Filed 2-24-98; 8:45 am]

BILLING CODE 4150-04-M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Agency for Health Care Policy and Research; Notice of Meetings

In accordance with section 10(d) of the Federal Advisory Committee Act (5 U.S.C., Appendix 2) announcement is made of the following subcommittees scheduled to meet during the month of March 1998:

**Name:** Health Care Policy and Research Special Emphasis Panel "Effectiveness of Children's Mental Health and Substance Abuse Treatment in the General Sector".

**Date and Time:** March 19-20, 1998, 8 a.m.

**Place:** Doubletree Hotel, 1750 Rockville Pike, Parklawn Room, Rockville, Maryland 20852.

Open March 19, 9:00 a.m. to 9:15 a.m.  
Closed for remainder of meeting.

**Name:** Health Care Policy and Research Special Emphasis Panel "Quality of Care Under Varying Features of Managed Care Organizations".

**Date and Time:** March 26-27, 1998, 8 a.m.

**Place:** Doubletree Hotel, 1750 Rockville Pike, Halpine Room, Rockville, Maryland 20852.

Open March 26, 8 a.m. to 8:30 a.m.  
Closed for remainder of meeting.

**Purpose:** To review and evaluate grant applications.

**Agenda:** The open session of the meetings will be devoted to business covering administrative matters and reports. During the closed sessions, the Subcommittees will be reviewing and discussing grant applications dealing with health services research issues. In accordance with the Federal Advisory Committee Act, section 10(d) of 5 U.S.C., Appendix 2 and 5 U.S.C. 552b(c) (6), the Administrator, Agency for Health Care Policy and Research, has made a formal determination that these latter sessions will be closed because the discussions are likely to reveal personal information concerning individuals associated with the applications. This information is exempt from mandatory disclosure.

Anyone wishing to obtain a roster of members, minutes of the meeting, or other relevant information should contact Mrs. Sheila Simmons, Committee Management Officer, Office of Scientific Affairs, Agency for Health Care Policy and Research, 2101 East Jefferson Street, Suite 400, Rockville, Maryland 20852, Telephone (301) 594-1452 x 1627.

Agenda items for this meeting are subject to change as priorities dictate.

Dated: February 17, 1998.

**John M. Eisenberg,**

*Administrator.*

[FR Doc. 98-4752 Filed 2-24-98; 8:45 am]

BILLING CODE 4160-90-M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Administration for Children and Families

#### Request for Applications Under the Office of Community Services' Fiscal Year 1998 Combined Program Announcement

**AGENCY:** Office of Community Services, ACF, DHHS

**ACTION:** Announcement of availability of funds and request for applications under the Office of Community Services' Combined Program Announcement for FY 1998.

**SUMMARY:** The Office of Community Services (OCS) invites eligible entities to submit applications for FY 1998 funding of competitive grants serving low income persons and families under the following OCS programs:

- (1) Urban and Rural Community Economic Development
- (2) Community Food and Nutrition
- (3) Job Opportunities for Low-Income Individuals
- (4) Residential Energy Assistance Challenge Option (REACH) Program
- (5) CSBG/Training, Technical Assistance and Capacity Building
- (6) Family Violence Prevention and Services

Applications will be screened and evaluated as indicated in this Combined Program Announcement. Awards will be contingent on the outcome of the competition and the availability of funds. There is no limit on the number of applications that can be submitted under a specific Program/Priority Area as long as each application contains a proposal for a different project. However, an applicant can receive only one grant in each Program/Priority Area. Also, applicants that receive more than one grant for a common budget/project period must be mindful that salaries and wages claimed for the same persons cannot collectively exceed 100% of total annual salary.

**ADDRESSES:** Prior to submitting an application, potential applicants must obtain a copy of the Application Kit, containing additional program information, forms, and instructions. Application Kits are available by writing or calling the Office of Community Services at 5th Floor West, Aerospace Building, 370 L'Enfant Promenade, S.W., Washington DC 20447.

To obtain a copy of the applicable Application Kit, call: (202) 401-9354 and 401-9345 for Community Economic Development, (202) 401-9354 and 401-9345 for Community Food and Nutrition Kit, (202) 401-1195 for REACH and/or JOLI Kit (202) 401-4787 for CSBG/T&TA and/or Family Violence Kit.

#### FOR FURTHER INFORMATION CONTACT:

Requests for program-specific technical information should be directed to the Program Contact Person identified for each program covered by this Combined Program Announcement.

A copy of the **Federal Register** containing this Combined Program Announcement is available for reproduction at most local libraries and Congressional District Offices. It is also available on the Internet through GPO Access at the following web address: [http://www.access.gpo/su\\_docs/aces/aces140.html](http://www.access.gpo/su_docs/aces/aces140.html)

If this Combined Program Announcement is not available at these sources, it may be obtained by writing to the office listed under **ADDRESSES** above.

**APPLICATION DEADLINES:** The closing dates for submission of applications are provided in the Supplementary Information section of this Combined Program Announcement. Mailed applications postmarked after the closing date will be classified as late. Refer to application submission below for other details.

#### SUPPLEMENTARY INFORMATION:

##### A. Program Announcements

Individual Program Announcements for FY 1998 will not be published in the **Federal Register**. Rather, OCS is publishing this Combined Program Announcement in the **Federal Register**. Where applicable, this Combined Program Announcement contains the following information for each of the above-listed programs: Legislative Authority; Eligible Applicants and Availability of Funds; Eligible Activities; Review Criteria; Project Period and Budget Period; Type of Awards; Matching Requirement; Date of Application Kit; Application Due Date; and Program Contact Person. Detailed information on how to obtain Application Kits containing additional