

Dated: February 19, 2002.

**John Tressler,**

*Leader, Regulatory Information Management,  
Office of the Chief Information Officer.*

**Office of Elementary and Secondary  
Education**

*Type of Review:* Reinstatement.

*Title:* FY 2002 Migrant Education  
Program Consortium Incentive Grants.

*Frequency:* Annually.

*Affected Public:* State, Local, or Tribal  
Gov't, SEAs or LEAs.

*Reporting and Recordkeeping Hour  
Burden:*

*Responses:* 100. Burden Hours: 500.

*Abstract:* The Migrant Education  
Program (MEP) Consortium Incentive  
Grant Program provides grants to state  
educational agencies that participate in  
consortium arrangements with another  
State or other appropriate entity that  
reduces the administrative costs  
associated with operating the MEP and  
to improve the delivery of services to  
migratory children whose education is  
interrupted.

This information collection is being  
submitted under the Streamlined  
Clearance Process for Discretionary  
Grant Information Collections (1890–  
0001). Therefore, the 30-day public  
comment period notice will be the only  
public comment notice published for  
this information collection.

Requests for copies of the proposed  
information collection request may be  
accessed from <http://edicsweb.ed.gov>, or  
should be addressed to Vivian Reese,  
Department of Education, 400 Maryland  
Avenue, SW., Room 4050, Regional  
Office Building 3, Washington, DC  
20202–4651 or to the e-mail address  
[vivian.reese@ed.gov](mailto:vivian.reese@ed.gov). Requests may also  
be electronically mailed to the internet  
address [OCIO\\_RIMG@ed.gov](mailto:OCIO_RIMG@ed.gov) or faxed to  
202–708–9346. Please specify the  
complete title of the information  
collection when making your request.

Comments regarding burden and/or  
the collection activity requirements  
should be directed to Kathy Axt at (540)  
776–7742 or via her internet address  
[Kathy.Axt@ed.gov](mailto:Kathy.Axt@ed.gov). Individuals who use  
a telecommunications device for the  
deaf (TDD) may call the Federal  
Information Relay Service (FIRS) at 1–  
800–877–8339.

[FR Doc. 02–4350 Filed 2–26–02; 8:45 am]

**BILLING CODE 4000–01–P**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory  
Commission**

**Notice of Department of Energy  
Delegation Order**

February 19, 2002.

The attached Department of Energy  
Delegation of Authority Order No. 00–  
004.00 lists delegations from the  
Secretary of Energy to the Federal  
Energy Regulatory Commission. These  
new delegations make no substantive  
changes to the authority of the  
Commission but arrange the delegations  
in a more logical format.

**Magalie R. Salas,**

*Secretary.*

**Department of Energy**

[Delegation Order No. 00–004.00]

*To the Federal Energy Regulatory  
Commission*

**1. Delegation**

Under the authority vested in me as  
Secretary of Energy (“Secretary”) and  
pursuant to sections 642 and 402(e) of  
the Department of Energy Organization  
Act (Public Law 95–91, 42 U.S.C. 7252)  
(the “DOE Act”), I delegate to the  
Federal Energy Regulatory Commission  
(“Commission”) authority to take the  
following actions:

1.1 On a nonexclusive basis to the  
Chairman,

A. Administer and manage the  
Commission’s personnel (including  
members of the Senior Executive  
Service) as is not otherwise granted the  
Chairman by statute. This authority  
delegated to the Chairman for  
administration and management of the  
Commission’s personnel shall include,  
but not be limited to:

1. selection and appointment of  
personnel;
2. performance appraisals and  
performance appraisal systems;
3. compensation, promotions, awards,  
and bonuses;
4. reorganizations, transfers of  
functions, reductions in force, and the  
standards governing such reductions;
5. removals and disciplinary actions;  
and
6. training, travel, and transportation.

B. Enter into, modify, administer,  
terminate, close-out, and take such other  
action as may be necessary and  
appropriate with respect to any  
procurement contract, interagency  
agreement, financial assistance  
agreement, financial incentive  
agreement, sales contract, or other  
similar action binding the Department

of Energy to the obligation and  
expenditure of public funds or the sale  
of products and services that are related  
to the mission of the Commission. Such  
action shall include the rendering of  
approvals, determinations, and  
decisions, except those required by law  
or regulation to be made by other  
authority.

C. Serve as the Head of the Procuring  
Activity (HPA) for the Federal Energy  
Regulatory Commission.

D. Appoint Contracting Officers for  
the Commission.

E. Acquire, manage, and dispose of  
personal property held by the  
Commission for official use by its  
employees or contractors.

F. Approve acquisitions of automatic  
data processing and  
telecommunications equipment and  
services.

1.2 Carry out Part I of the Federal  
Power Act (Public Law 280, 66th Cong.,  
2d Sess., as amended), to the extent that  
such authority is not transferred to, and  
vested in, the Commission by section  
402(a)(1)(A) of the DOE Act, *provided*  
that this paragraph delegates (A) section  
4 of the Federal Power Act to the extent  
the Commission determines the exercise  
of such authority is necessary for it to  
exercise any function transferred to, and  
vested in, the Commission by this  
delegation, and (B) section 24 of the  
Federal Power Act (relating to the  
granting of entry, location, or other  
disposition of lands of the United States  
reserved or classified as power sites).

1.3 Carry out such functions as are  
necessary to implement and enforce the  
Secretary’s policy requiring holders of  
Presidential permits authorizing the  
construction, operation, maintenance, or  
connection of facilities for the  
transmission of electric energy between  
the United States and foreign countries  
to provide non-discriminatory open  
access transmission services. In  
exercising this authority the  
Commission is specifically authorized  
to utilize the authority of the Secretary  
under Executive Order No. 10485, dated  
September 3, 1953, as amended by  
Executive Order No. 12038, dated  
February 3, 1978, and section 202(e) of  
the Federal Power Act (FPA) (16 U.S.C.  
824a(3)) and such other sections of the  
FPA vested in the Secretary as may be  
relevant, to regulate access to, and the  
rates, terms, and conditions for,  
transmission services over permitted  
international electric transmission  
facilities to the extent the Commission  
finds it necessary and appropriate to the  
public interest. This authority is  
delegated to the Commission for the sole  
purpose of authorizing the Commission  
to take actions necessary to implement

and enforce non-discriminatory open access transmission service over the United States portion of those international electric transmission lines required by the Secretary to provide such service. Nothing in this delegation shall allow the Commission to revoke, amend, or otherwise modify Presidential permits or electricity export authorizations issued by the Secretary.

1.4 Implement section 202(a) of the Federal Power Act (relating to dividing the country into regional districts).

1.5 Implement section 203 of the Federal Power Act (relating to the disposition, merger or consolidation of facilities and the acquisition of securities);

1.6 Implement section 204 of the Federal Power Act (relating to the issuance of securities and the assumption of liabilities);

1.7 Implement section 206(b) of the Federal Power Act (relating to the investigation and determination of the cost of production or transmission of electric energy), as the Commission determines appropriate to perform its functions;

1.8 Implement section 207 of the Federal Power Act (relating to adequate and sufficient interstate service);

1.9 Implement section 209 of the Federal Power Act (relating to use of boards composed of State representatives and cooperation with State commissions);

1.10 Implement section 304 of the Federal Power Act (relating to annual and periodic or special reports), as the Commission determines appropriate to perform its functions;

1.11 Implement section 305 of the Federal Power Act (relating to officers or directors benefitting from the sale of issued securities and to interlocking directorates);

1.12 Implement section 311 of the Federal Power Act (relating to investigations regarding the generation, transmission, distribution, and sale of electric energy), as the Commission determines appropriate to perform its functions;

1.13 Implement sections 1(b) and 1(c) of the Natural Gas Act (ch. 556, 52 Stat. 821 (1938)(15 U.S.C. 717)) (relating to certain exemptions from the provisions of the Natural Gas Act);

1.14 Implement section 3 of the Natural Gas Act with respect to the decision on cases assigned to the Commission by rule;

1.15 Implement section 5(b) of the Natural Gas Act (relating to the investigation and determination of the cost of production or transportation of natural gas), as the Commission

determines appropriate to perform its functions;

1.16 Implement section 10 of the Natural Gas Act (relating to annual and periodic or special reports), as the Commission determines appropriate to perform its functions;

1.17 Implement section 12 of the Natural Gas Act (relating to officers or directors benefitting from the sale of issued securities);

1.18 Implement section 19 of the Natural Gas Act (relating to rehearings on orders);

1.19 Implement the Interstate Commerce Act (49 U.S.C. 1, *et seq.*) and other statutes which formerly vested authority in the Interstate Commerce Commission or the chairman and members thereof, as such statutes relate to the transportation of oil by pipeline, to the extent that such statutes are not transferred to, and invested in, the Commission by section 402(b) of the DOE Act, *provided*, that this paragraph does not include any of the authority under section 11 of the Clayton Act (15 U.S.C. 21);

1.20 Issue orders, and take such other action as may be necessary and appropriate, to direct the Energy Information Administration to gather energy information pursuant to the Federal Energy Administration Act of 1974 or the Energy Supply and Environmental Coordination Act of 1974 to the extent necessary or appropriate to the exercise of regulatory functions of the Commission;

1.21 In reference to regulating the imports and exports of natural gas under the National Gas Act (ch. 556, 52 Stat. 821 (1938)(15 U.S.C. 717)), Executive Order No. 10485, as amended by Executive Order No. 12038, and section 301(b), 402(e) and (f) under the Department of Energy Organization Act (Public Law 95-91, 91 Stat. 565 (42 U.S.C. 7101 *et seq.*),

A. Approve or disapprove the construction and operation of particular facilities, the site at which such facilities shall be located, and with respect to natural gas that involves the construction of new domestic facilities, the place of entry of imports or exit for exports, except when the Assistant Secretary for Fossil Energy exercises the disapproval authority pursuant to the Delegation of Authority to the Assistant Secretary for Fossil Energy.

B. Carry out all functions under sections 4, 5, and 7 of the Natural Gas Act.

C. Issue orders, authorizations, and certificates which the Commission determines to be necessary or appropriate to implement the determinations made by the Assistant

Secretary for Fossil Energy under the Delegation of Authority to the Assistant Secretary and by the Commission under this subparagraph. The Commission shall not issue any order, authorization, or certificate unless such order, authorization, or certificate adopts such terms and conditions as are attached by the Assistant Secretary for Fossil Energy pursuant to the Delegation of Authority to the Assistant Secretary of Fossil Energy.

## 2. Rescission

Delegation Orders 0204-1, 0204-1 (Amendment 1), 0204-105, 0204-110, 0204-112, 0204-136, 0204-166, 0204-170 are hereby rescinded.

## 3. Limitations

3.1 In exercising the authority delegated in paragraphs 1.1B through 1.1F in this Order, or redelegated pursuant thereto, the delegate(s) shall be governed by the rules and regulations of the Department of Energy and the policies and procedures prescribed by the Secretary or delegate(s).

3.2 Nothing in this Order precludes the Secretary from exercising any of the authority delegated by this Order.

3.3 Except as provided in paragraph 1.14, this Order does not include the authority to carry out the functions delegated herein to the extent such functions are vested in the Secretary pursuant to his authority to regulate the exports or imports of natural gas or electricity, under section 402(f) of the DOE Act; *provided* that the Secretary may from time to time delegate to the Commission such other authority under section 3 of the Natural Gas Act as may be determined appropriate.

3.4 The Commission shall consult with the Administrator of the Energy Information Administration ("EIA") with respect to the exercise of functions under paragraphs 1.7, 1.10, 1.12, 1.15, 1.16, and 1.20, as EIA considers appropriate.

3.5 Any amendments to this Order shall be in consultation with the Department of Energy General Counsel.

## 4. Authority To Redelegate

4.1 Except as expressly prohibited by law, regulation, or this Order, the Commission may delegate, this authority further, in whole or in part.

4.2 Copies of redelegations and any subsequent redelegations shall be provided to the Office of Management and Operations Support, which manages the Secretarial Delegations of Authority system.

## 5. Duration and Effective Date

5.1 All actions pursuant to any authority delegated prior to this Order or pursuant to any authority delegated by this Order taken prior to and in effect on the date of this Order are ratified, and remain in force as if taken under this Order, unless or until rescinded, amended or superseded.

5.2 This Order is effective December 6, 2001.

**Spencer Abraham,**

*Secretary of Energy.*

[FR Doc. 02-4564 Filed 2-26-02; 8:45 am]

**BILLING CODE 6717-01-M**

**DEPARTMENT OF ENERGY****Bonneville Power Administration****Mint Farm Generation Project**

**AGENCY:** Bonneville Power Administration (BPA), Department of Energy (DOE).

**ACTION:** Notice of availability of Record of Decision (ROD).

**SUMMARY:** This notice announces the availability of the ROD to offer contract terms for integrating power from the Mint Farm Generation Project, proposed by Mint Farm Generation LLC (MFG), a wholly owned subsidiary of Mirant Corporation, into the Federal Columbia River Transmission System.

**ADDRESSES:** Copies of the MFG ROD, Business Plan, and Business Plan EIS and ROD may be obtained by calling BPA's toll-free document request line: 1-800-622-4520.

**FOR FURTHER INFORMATION CONTACT:** Phil Smith, Bonneville Power Administration—KEC-4, P.O. Box 3621, Portland, Oregon, 97208-3621; telephone number 503-230-3294; fax number 503-230-5699; e-mail [pwsmith@bpa.gov](mailto:pwsmith@bpa.gov).

**SUPPLEMENTARY INFORMATION:** This decision is based on input from public processes and information in the BPA Business Plan Environmental Impact Statement (DOE/EIS-0183, June 1995) and the Business Plan ROD (August 15, 1995). The MFG project is a 319-megawatt gas-fired, combined-cycle, combustion-turbine power generation project, which is located within an industrial park south of the City of Longview, in Cowlitz County, Washington.

Issued in Portland, Oregon, on February 15, 2002.

**Stephen J. Wright,**

*Administrator and Chief Executive Officer.*

[FR Doc. 02-4616 Filed 2-26-02; 8:45 am]

**BILLING CODE 6450-01-P**

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

[Project No. 2142]

**FPL Energy Maine Hydro LLC; Notice of Authorization for Continued Project Operation**

February 20, 2002.

On December 28, 1999, FPL Energy Maine Hydro LLC, licensee for the Indian Pond Project No. 2142, filed an application for a new or subsequent license pursuant to the Federal Power Act (FPA) and the Commission's regulations thereunder. Project No. 2142 is located on the Kennebec River in Somerset and Piscataquis Counties, Maine.

The license for Project No. 2142 was issued for a period ending December 31, 2001. Section 15(a)(1) of the FPA, 16 U.S.C. 808(a)(1), requires the Commission, at the expiration of a license term, to issue from year to year an annual license to the then licensee under the terms and conditions of the prior license until a new license is issued, or the project is otherwise disposed of as provided in Section 15 or any other applicable section of the FPA. If the project's prior license waived the applicability of Section 15 of the FPA, then, based on Section 9(b) of the Administrative Procedure Act, 5 U.S.C. 558(c), and as set forth at 18 CFR 16.21(a), if the licensee of such project has filed an application for a subsequent license, the licensee may continue to operate the project in accordance with the terms and conditions of the license after the minor or minor part license expires, until the Commission acts on its application. If the licensee of such a project has not filed an application for a subsequent license, then it may be required, pursuant to 18 CFR 16.21(b), to continue project operations until the Commission issues someone else a license for the project or otherwise orders disposition of the project.

If the project is subject to Section 15 of the FPA, notice is hereby given that an annual license for Project No. 2142 is issued to FPL Energy Maine Hydro LLC for a period effective January 1, 2002, through December 31, 2002, or until the issuance of a new license for the project or other disposition under

the FPA, whichever comes first. If issuance of a new license (or other disposition) does not take place on or before January 1, 2003, notice is hereby given that, pursuant to 18 CFR 16.18(c), an annual license under Section 15(a)(1) of the FPA is renewed automatically without further order or notice by the Commission, unless the Commission orders otherwise.

If the project is not subject to Section 15 of the FPA, notice is hereby given that FPL Energy Maine Hydro LLC is authorized to continue operation of the Indian Pond Project No. 2142 until such time as the Commission acts on its application for subsequent license.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. 02-4571 Filed 2-26-02; 8:45 am]

**BILLING CODE 6717-01-P**

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

[Docket No. RP96-320-050]

**Gulf South Pipeline Company, LP; Notice of Negotiated Rate Filing**

February 21, 2002.

Take notice that on February 13, 2002, Gulf South Pipeline Company, LP (Gulf South) filed a contract between Gulf South and the following company for disclosure of a recently negotiated rate transaction. As shown on the contract, Gulf South requests an effective date of April 1, 2002.

Special Negotiated Rate Between  
Gulf South Pipeline Company, LP and  
Okaloosa Gas District

Gulf South states that it has served copies of this filing upon all parties on the official service list created by the Secretary in this proceeding. Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with sections 385.214 or 385.211 of the Commission's rules and regulations. All such motions or protests must be filed in accordance with section 154.210 of the Commission's regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the web at