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#### SUPPLEMENTARY INFORMATION:

##### Background

Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106-554) requires all Federal agencies covered by the Paperwork Reduction Act (44 U.S.C. Chapter 35), including the Department of Education, to issue guidelines by October 1, 2002, for the purpose of "ensuring and maximizing the quality, objectivity, utility, and integrity of information (including statistical information) disseminated by the agency." (Public Law 106-554). The agency guidelines must be consistent with government-wide guidelines published by the Office of Management and Budget (66 FR 49718, September 28, 2001; 67 FR 8452, February 22, 2002) and must include "administrative mechanisms allowing affected persons to seek and obtain correction of information" that the agency maintains and disseminates, and that does not comply with the OMB or agency guidelines.

On May 1, 2002, the Department published in the **Federal Register** (67 FR 21641) a request for public comments on the Department's draft information quality guidelines. On June 11, 2002, the Department published in the **Federal Register** (67 FR 39962) a notice reopening and extending the public comment period. The Department received four sets of public comments on the guidelines. Three sets of comments were general suggestions that were addressed to all agencies and did not specifically address the Department's guidelines, *e.g.*, suggestions for how to define terms, set deadlines for review, and establish a correction and appeal process. These comments were considered and, where appropriate, suggested changes have been incorporated into the final guidelines.

The Department did receive one set of comments specifically on its guidelines. That commenter suggested that the Department should: (1) Categorize the types of data the Department would consider as "influential information"; (2) provide more detailed guidance to the program offices with respect to the

level of correction and the corresponding action to be taken; and (3) only decide not to process a request for correction if it is made in bad faith.

With respect to the first suggestion, the final guidelines include an expanded definition of influential information and examples of some of the types of data that would fall into this category. With respect to the second suggestion, the Department has not made any changes in the final guidelines; the Department believes that the appropriate program office will exercise good judgment in determining whether a correction is necessary and, if so, what that correction should be. In addition, the ability of the requester to appeal to the Chief Information Officer for an impartial review that is conducted by parties other than those who prepared the Department's initial decision serves as an opportunity for the Department to reconsider whether the initial decision was appropriate. Finally, with respect to the third suggestion, the Department has revised the final guidelines to state that the Department "may reject a request that appears to be made in bad faith or without justification, and is only required to undertake the degree of correction that it concludes is appropriate for the nature and timeliness of the information involved. In addition, the Department need not respond substantively to requests that concern information not covered by the information quality guidelines."

In addition, the National Center for Education Statistics (NCES) received substantive comments on its standard for Maintaining Confidentiality. In response to those comments, NCES expanded the discussion of laws in the standard and clarified the language required for a confidentiality pledge.

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Dated: September 27, 2002.

**Craig B. Luigart,**

*Chief Information Officer.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER02-2567-000AES]

#### The AES Corporation; Capital Funding, LLC; AES New Energy, Inc.; Notice of Filing

September 24, 2002.

Take notice that on September 19, 2002, The AES Corporation, AES Capital Funding, LLC, AES NewEnergy, Inc. (NewEnergy), Constellation Energy Group, Inc. (CEG), and CEG Acquisition, LLC (CEG Acquisition) filed with the Federal Energy Regulatory Commission (Commission) a Notice of Consummation of the Disposition of Facilities regarding the consummation of CEG's acquisition of 100% of the stock of NewEnergy, through CEG's wholly owned subsidiary, CEG Acquisition, on September 9, 2002; and a Notice of Succession to properly reflect the change in name from AES NewEnergy, Inc. to Constellation NewEnergy, Inc. that became effective as of September 9, 2002.

Any person desiring to intervene or to protest this filing should file with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with rules 211 and 214 of the Commission's rules of practice and procedure (18 CFR 385.211 and 385.214). 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 proceeding. Any person wishing to become a party must file a motion to intervene. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. This filing is available for review at the Commission or may be viewed on the Commission's web site at <http://www.ferc.gov>, using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number filed to access the document. For assistance, call (202) 502-8222 or TTY, (202) 502-8659. Protests and interventions may be filed electronically

via the Internet in lieu of paper; see 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site under the "e-Filing" link. The Commission strongly encourages electronic filings.

*Comment Date:* October 10, 2002.

**Linwood A. Watson, Jr.,**

*Deputy Secretary.*

[FR Doc. 02-25132 Filed 10-2-02; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER02-2561-000]

#### **Allegheny Energy Service Corporation, on behalf of Monongahela Power Company, The Potomac Edison Company, and West Penn Power Company (Allegheny Power); Notice of Filing**

September 24, 2002.

Take notice that on September 19, 2002, Allegheny Energy Service Corporation on behalf of Monongahela Power Company, The Potomac Edison Company, and West Penn Power Company (Allegheny Power), filed an Interconnection Agreement (Agreement) with Mill Run Windpower, LLC as First Revised Service Agreement No. 345 under Allegheny Power's Open Access Transmission Tariff. The proposed effective date for First Revised Service Agreement No. 345 is September 20, 2002. Copies of the filing have been provided to the Public Utilities Commission of Ohio, the Pennsylvania Public Utility Commission, the Maryland Public Service Commission, the Virginia State Corporation Commission, and the West Virginia Public Service Commission.

Any person desiring to intervene or to protest this filing should file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's rules of practice and procedure (18 CFR 385.211 and 385.214). 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 proceeding. Any person wishing to become a party must file a motion to intervene. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. This filing is available for review at the

Commission or may be viewed on the Commission's Web site at <http://www.ferc.gov>, using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number filed to access the document. For assistance, call (202) 502-8222 or TTY, (202) 502-8659. Protests and interventions may be filed electronically via the Internet in lieu of paper; see 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. The Commission strongly encourages electronic filings. *Comment Date:* October 10, 2002.

**Linwood A. Watson, Jr.,**

*Deputy Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER02-2559-000]

#### **Backbone Mountain Windpower LLC Notice of Filing**

September 23, 2002.

Take notice that on September 18, 2002, Backbone Mountain Windpower LLC tendered for filing an application for authorization to sell energy, capacity and ancillary services at market-based rates pursuant to section 205 of the Federal Power Act.

Any person desiring to intervene or to protest this filing should file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). 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 proceeding. Any person wishing to become a party must file a motion to intervene. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. This filing is available for review at the Commission or may be viewed on the Commission's Web site at <http://www.ferc.gov>, using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number filed to access the document. For assistance, call (202) 502-8222 or TTY, (202) 502-8659. Protests and interventions may be filed electronically

via the Internet in lieu of paper; see 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. The Commission strongly encourages electronic filings. *Comment Date:* October 9, 2002.

**Linwood A. Watson, Jr.,**

*Deputy Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EC02-117-000]

#### **BIV Generating Company, L.L.C., Colorado Power Partners Brush Power, LLC; Notice of Filing**

September 24, 2002.

Take notice that on September 18, 2002, BIV Generation Company, L.L.C. (BIV), Colorado Power Partners (CPP) and Brush Power, LLC (Brush Power) (together, the Applicants), filed with the Federal Energy Regulatory Commission (the Commission) an application pursuant to Section 203 of the Federal Power Act seeking authorization for the transfer of certain jurisdictional facilities that will result from the sale of El Paso Corporation's indirect interests in BIV and CPP to Brush Power, LLC, an indirect wholly-owned subsidiary of MDU Resources Group, Inc. BIV owns and operates a 138-MW electric generating facility located near Brush, Colorado. CPP owns and operates a 50-MW electric generating facility and a 25-MW electric generating facility, both located near Brush, Colorado.

Any person desiring to intervene or to protest this filing should file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with rules 211 and 214 of the Commission's rules of practice and procedure (18 CFR 385.211 and 385.214). 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 proceeding. Any person wishing to become a party must file a motion to intervene. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. This filing is available for review at the Commission or may be viewed on the Commission's Web site at <http://www.ferc.gov>, using the "FERRIS" link.