

Assistance to Individuals With Disabilities

On request, we will supply an appropriate aid, such as a reader or print magnifier, to an individual with a disability who needs assistance to review the comments or other documents in the public record for this notice of proposed deadlines. If you want to schedule an appointment for this type of aid, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Proposed Deadlines and Affected Parties

We propose establishing two deadlines related to implementation of the USCO provisions: (1) The date by which each State must identify persistently dangerous public elementary and secondary schools; and (2) the date by which each State must allow students who attend a persistently dangerous school, and students who are victims of violent criminal offenses while at school or on the grounds of the school, to transfer to a safe school.

We propose that each State identify those schools that meet its definition of a persistently dangerous school by *July 1, 2003 and each July 1st thereafter*, and that each State allow students attending a persistently dangerous public elementary or secondary school to transfer to a safe school *by the start of the 2003–2004 school year and by the start of every school year thereafter*. We propose that, *by the start of the 2003–2004 school year*, each State must have in place its policy to allow students who are victims of violent criminal offenses while in or on the grounds of a school they attend to transfer to a safe public school. We recognize that the start of the school year will vary from local educational agency (LEA) to LEA. The opportunity to transfer provided by USCO must be offered to affected students by the start of the school year in their LEA. This policy would remain in place for future years. Changes, consistent with statutory requirements, may be made as needed by the State.

Background

Title IX, section 9532 of the Elementary and Secondary Education Act as reauthorized by the No Child Left Behind Act 2001 establishes the USCO requirements. Accordingly, each State receiving ESEA funds must establish and implement a statewide USCO policy. This policy must provide to a student attending a persistently dangerous public elementary or secondary school the opportunity to transfer to a safe public elementary

school or secondary school (which may be a public charter school) within the LEA in which the student is currently enrolled. This policy must provide the same transfer opportunity to a student who becomes the victim of a violent criminal offense while in or on the grounds of that student's public elementary or secondary school.

Each State must establish a policy to address both USCO provisions after consultation with a representative sample of LEAs.

Section 9532 requires that, as a condition of receiving ESEA funds, each State certify to the Secretary that it is in compliance with the USCO requirements. Each State has already provided the required certification in its application for ESEA funding available on July 1, 2002. However, we recognized that not all States were able to meet all of the requirements of the USCO by that date. Thus, we permitted each State to "qualify" its respective certification, pending completion of the activities necessary to comply with the USCO provisions, and to report quarterly on its progress toward full compliance. We also issued draft non-regulatory guidance in July 2002 that outlined the implementation steps that would constitute full compliance with the USCO provisions.

We propose these deadlines to ensure that students who attend persistently dangerous schools or who are the victims of violent criminal offenses while in school or on school grounds are offered the opportunity to transfer to a safe public school as quickly as possible. Such transfers will help ensure the opportunity for students to learn in a safe environment.

We believe that the proposed deadlines appropriately balance the amount of time needed by each State to implement these provisions with the compelling interest of having students attend a safe school.

Paperwork Reduction Act of 1995

Although the Department of Education is not collecting data, the statute does contain information collection requirements. As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)), the Department of Education submitted a copy of the information collection to the Office of Management and Budget (OMB) for its review and approval.

We estimate annual recordkeeping burden for this collection of information to average 20 hours for each of 56 respondents, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and

completing and reviewing the collection of information. Thus, we estimate the total annual reporting and recordkeeping burden for this collection to be 1120 hours.

If you want to comment on the information collection requirements, please send your comments to the Office of Information and Regulatory Affairs, OMB, room 10235, New Executive Office Building, Washington, DC 20503; Attention: Desk Officer for U.S. Department of Education.

Electronic Access to This Document

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To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1–888–293–6498; or in the Washington, DC, area at (202) 512–1530.

You may also view this document in text or PDF at the following site: <http://www.ed.gov/offices/OSDFS/index.html>.

Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.access.gpo.gov/nara/index.html>.

Program Authority: 20 U.S.C. 7912.

Dated: April 4, 2003.

Judge Eric Andell,

Deputy Under Secretary for Safe and Drug-Free Schools.

[FR Doc. 03–8400 Filed 4–4–03; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

[Docket No. EA–101–B]

Application To Export Electric Energy; Avista Corporation

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of application.

SUMMARY: Avista Corporation (Avista) has applied to amend its authorization to export electric energy to Canada pursuant to section 202(e) of the Federal Power Act.

DATES: Comments, protests or requests to intervene must be submitted on or before May 7, 2003.

ADDRESSES: Comments, protests or requests to intervene should be

addressed as follows: Office of Coal & Power Import/Export (FE-27), Office of Fossil Energy, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0350 (FAX 202-287-5736).

FOR FURTHER INFORMATION CONTACT:
Ellen Russell (Program Office) 202-586-9624 or Michael Skinker (Program Attorney) 202-586-2793.

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 (FPA) (16 U.S.C. 824a(e)).

On October 17, 1994, the Office of Fossil Energy (FE) of the Department of Energy (DOE) issued Order No. EA-101 authorizing Avista (formerly Washington Water Power Company) to transmit electric energy from the United States to Canada using the international electric transmission facilities owned and operated by Bonneville Power Administration (BPA). That Order authorized Avista to export firm capacity and associated energy only for the months of November, December, January, and February, and at a maximum rate of transmission of 100 megawatts (MW). On October 23, 1995, in Order No. EA-101-A, FE amended the previous electricity export authorization by authorizing exports during each month of the calendar year and at a maximum rate of transmission of 400 MW.

On November 8, 2000, Avista filed an application with FE to amend Order No. EA-101-A by increasing the maximum rate of transmission to 1,000 MW. Notice of receipt of that application appeared in the **Federal Register** on November 20, 2000. No comments were received during the 30-day comment period. On February 12, 2003, Avista submitted an amended application. In the amended application, Avista changed its request for a 1,000-MW export limit and, instead, requests that the authorized export limit be changed from 400 MW to an amount not to exceed the reliability and physical limits of the international transmission facilities presently owned by BPA. In its amended application, Avista clarified that the electric energy to be exported will be sold on an "as available" basis as system conditions dictate and as surpluses are available.

Procedural Matters: Any person desiring to become a party to this proceeding or to be heard by filing comments or protests to this application should file a petition to intervene, comment or protest at the address provided above in accordance with

§§ 385.211 or 385.214 of the Federal Energy Regulatory Commission's Rules of Practice and Procedures (18 CFR 385.211, 385.214). Fifteen copies of each petition and protest should be filed with DOE on or before the date listed above.

Comments on the Avista application to export electric energy to Canada should be clearly marked with Docket EA-101-B. Additional copies are to be filed directly with Richard L. Storro, Manager, Wholesale Power, Avista Corporation, P.O. Box 3727, Spokane, Washington 99220-3727 AND R. Blair Strong, Paine, Hamblen, Coffin, Brooke and Miller, 717 W. Sprague, Suite 1200, Spokane, WA 99201-3505.

DOE notes that the circumstances described in this application are virtually identical to those for which export authority had previously been granted in FE Order Nos. EA-101 and EA-101-A. Consequently, DOE believes that it has adequately satisfied its responsibilities under the National Environmental Policy Act of 1969 through the documentation of a categorical exclusion in the previous proceedings.

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above or by accessing the FE Home Page at <http://www.fe.doe.gov>. Upon reaching the FE Home page, select "Electricity Regulation" and then "Pending Proceedings" from the options menus.

Issued in Washington, DC, on March 31, 2003.

Anthony J. Como,

*Deputy Director, Electric Power Regulation,
Office of Coal & Power Import/Export, Office
of Coal & Power Systems, Office of Fossil
Energy.*

[FR Doc. 03-8378 Filed 4-4-03; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Sunshine Act Meeting

April 2, 2003.

The following notice of meeting is published pursuant to Section 3(A) of the Government in the Sunshine Act (Pub. L. 94-409), 5 U.S.C 552B:

AGENCY HOLDING MEETING: Federal Energy Regulatory Commission.

DATE AND TIME: April 9, 2003, 10 a.m.

PLACE: Room 2C, 888 First Street, NE., Washington, DC 20426.

STATUS: Open.

MATTERS TO BE CONSIDERED: Agenda.

Note: Items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE INFORMATION:
Magalie R. Salas, Secretary, telephone (202) 502-8400 for a recording listing items stricken from or added to the meeting, call (202) 502-8627.

This is a list of matters to be considered by the commission. It does not include a listing of all papers relevant to the items on the agenda; however, all public documents may be examined in the reference and information center.

824th Meeting—April 9, 2003; Regular Meeting, 10:00 a.m.

Administrative Agenda

A-1.

Docket# AD02-1, 000, Agency Administrative Matters

A-2.

Docket# AD02-7, 000, Customer Matters, Reliability, Security and Market Operations

Markets, Tariffs and rates—Electric

E-1.

Omitted

E-2.

Docket# ER03-300, 000, Pacific Gas and Electric Company
Other#s ER03-300, 001, Pacific Gas and Electric Company

E-3.

Docket# ER03-401, 000, Midwest Independent Transmission System Operator, Inc.
Other#s ER03-401, 001, Midwest Independent Transmission System Operator, Inc.

E-4.

Omitted

E-5.

Docket# ER03-547, 000, Southwest Power Pool, Inc.

E-6.

Docket# ER03-249, 000, Illinois Power Company
Other#s ER03-249, 001, Illinois Power Company

E-7.

Docket# ER03-560, 000, New York State Electric & Gas Corporation and Rochester Gas and Electric Corporation

E-8.

Docket# ER00-1053, 006, Maine Public Service Company
Other#s ER00-1053, 007, Maine Public Service Company
ER00-1053, 008, Maine Public Service Company

E-9.

Docket# ER98-1438, 012, Midwest Independent Transmission System Operator, Inc.
Other#s ER98-1438, 013, Midwest Independent Transmission System Operator, Inc.

ER02-111, 004, Midwest Independent Transmission System Operator, Inc.
ER02-111, 005, Midwest Independent Transmission System Operator, Inc.

E-10.