

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Reporting:* At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to <http://www.ed.gov/fund/grant/apply/appforms/appforms.html>.

4. *Performance Measures:* Under the Government Performance and Results Act of 1993 (GPRA), the Department has established a set of performance measures, including long-term measures, that are designed to yield information on various aspects of the effectiveness and quality of the Technical Assistance and Dissemination to Improve Services and Results for Children With Disabilities program. These measures focus on the extent to which projects provide high quality products and services, the relevance of project products and services to educational and early intervention policy and practice, and the use of products and services to improve educational and early intervention policy and practice.

Grantees will be required to provide information related to these measures in annual reports to the Department.

Grantees also will be required to report information on their project's performance in annual reports to the Department (34 CFR 75.590).

## VII. Agency Contact

### FOR FURTHER INFORMATION CONTACT:

Corinne Weidenthal, U.S. Department of Education, 400 Maryland Avenue, SW., room 4120, Potomac Center Plaza (PCP), Washington, DC 20202-2550. Telephone: (202) 245-6529.

If you use a TDD, call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

## VIII. Other Information

*Accessible Format:* Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or computer diskette)

by contacting the Grants and Contracts Services Team, U.S. Department of Education, 400 Maryland Avenue, SW., room 5075, PCP, Washington, DC 20202-2550. Telephone: (202) 245-7363. If you use a TDD, call the FRS, toll free, at 1-800-877-8339.

*Electronic Access to This Document:* You can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister>.

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.

**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.gpoaccess.gov/nara/index.html>.

*Delegation of Authority:* The Secretary of Education has delegated authority to Andrew J. Pepin, Executive Administrator for Special Education and Rehabilitative Services to perform the functions of the Assistant Secretary for Special Education and Rehabilitative Services.

Dated: July 8, 2009.

**Andrew J. Pepin,**

*Executive Administrator for Special Education and Rehabilitative Services.*

[FR Doc. E9-16549 Filed 7-10-09; 8:45 am]

**BILLING CODE 4000-01-P**

## ELECTION ASSISTANCE COMMISSION

### Sunshine Act Notice

**AGENCY:** U.S. Election Assistance Commission.

**ACTION:** Notice of Public Meeting and Hearing Agenda (Amended).

**DATE AND TIME:** Tuesday, July 14, 2009, 1 p.m.-4 p.m. EDT (Meeting and Hearing).

**PLACE:** U.S. Election Assistance Commission, 1225 New York Ave, NW., Suite 150, Washington, DC 20005 (Metro Stop: Metro Center).

**AGENDA:** Please note the extended deadlines for oral and written testimony. The Commission will hold a public meeting to consider administrative matters. The Commission will consider re-accreditation of two voting system test laboratories. The

Commission will receive a briefing on the Accessible Voting Technology Initiative, with a representative from NIST available to help answer questions. The Commission will hear from members of the public regarding technological solutions for voting systems to ensure that voters with disabilities can vote in a private and independent manner.

Members of the public who wish to speak at the meeting, regarding technological solutions for voting systems that ensure that voters with disabilities can vote in a private and independent manner, may send a request to participate to the EAC by 10 a.m. EDT on Monday, July 13, 2009. Due to time constraints, the EAC can select no more than 6 participants amongst the volunteers who request to participate. The selected volunteers will be allotted 5 minutes each to share their viewpoint. Participants will be selected on a first-come, first-served basis. However, to maximize diversity of input, only one participant per organization or entity will be chosen if necessary. Participants will receive confirmation by 12 p.m. EDT on Monday, July 13, 2009. Those who are not selected to speak may provide written comments. Requests to speak may be sent to the EAC via e-mail at [testimony@eac.gov](mailto:testimony@eac.gov), via mail addressed to the U.S. Election Assistance Commission, 1225 New York Avenue, NW., Suite 1100, Washington, DC 20005, or by fax at 202-566-1389. All requests must include a description of what will be said, contact information which will be used to notify the requestor with status of request (phone number on which a message may be left or e-mail), and include the subject/attention line (or on the envelope if by mail): Technology and Disability Access. Please note that these comments will be made available to the public at <http://www.eac.gov>.

Written comments from members of the public, regarding technological solutions for voting systems that ensure that voters with disabilities can vote in a private and independent manner, will also be accepted. This testimony will be included as part of the written record of the hearing, and available on our Web site. Written testimony must be received by 3 p.m. EDT on Monday, July 13, 2009, and should be submitted via e-mail at [testimony@eac.gov](mailto:testimony@eac.gov), via mail addressed to the U.S. Election Assistance Commission, 1225 New York Avenue, NW., Suite 1100, Washington, DC 20005, or by fax at 202-566-1389. All correspondence that contains written testimony must have in the subject/attention line (or on the envelope if by mail): Written

Submission for Technology and Disability Access.

Members of the public may observe but not participate in EAC meetings unless this notice provides otherwise. Members of the public may use small electronic audio recording devices to record the proceedings. The use of other recording equipment and cameras requires advance notice to and coordination with the Commission's Communications Office.<sup>1</sup>

This meeting will be open to the public.

**PERSON TO CONTACT FOR INFORMATION:**  
Bryan Whitener, Telephone: (202) 566-3100.

**Gineen Beach,**

*Chair, U.S. Election Assistance Commission.*  
[FR Doc. E9-16634 Filed 7-9-09; 4:15 pm]

**BILLING CODE 6820-KF-P**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Project No. 13452-000]

**McGinnis, Inc.; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications**

July 2, 2009.

On April 29, 2009, McGinnis, Inc. filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act, proposing to study the feasibility of the Cannelton Hydrokinetic Project, located on the Ohio River, in Hancock County, Kentucky, and Perry County, Indiana. The sole purpose of a preliminary permit, if issued, is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

The proposed project would consist of: (1) A 100 to 300-foot-long by 20 to 52-foot-wide barge spudded down to the riverbed; (2) 10 6-8-foot-long by 6-8-foot-diameter turbine-generators mounted in line along the side of the barge; (3) one armored, high-voltage cable transmitting the generated power to the existing transmission line located adjacent to the proposed project area; and (4) appurtenant facilities. The proposed project would generate about 1,533 megawatt-hours.

<sup>1</sup> View EAC Regulations Implementing Government in the Sunshine Act.

Applicant Contact: Bruce D. McGinnis, Sr., McGinnis, Inc., P. O. Box 534, 502 Second St., Ext., South Point, OH 45680, phone: (740) 377-4391.

*FERC Contact:* Sergiu Serban, 202-502-6211.

Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications: 60 days from the issuance of this notice. Comments, motions to intervene, notices of intent, and competing applications may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. If unable to be filed electronically, documents may be paper-filed. To paper-file, an original and eight copies should be mailed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. For more information on how to submit these types of filings please go to the Commission's Web site located at <http://www.ferc.gov/filing-comments.asp>.

More information about this project, including a copy of the application, can be viewed or printed on the "eLibrary" link of Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P-13452) in the docket number field to access the document. For assistance, call toll-free 1-866-208-3372.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E9-16441 Filed 7-10-09; 8:45 am]

**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Project No. 2232-566]

**Duke Energy Carolinas, LLC; Notice of Application for Amendment of License and Soliciting Comments, Motions To Intervene, and Protests**

July 2, 2009.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Non-Project Use of Public Lands and Waters.

b. *Project No.:* 2232-566.

c. *Date Filed:* April 22, 2009.

d. *Applicant:* Duke Energy Carolinas, LLC.

e. *Name of Project:* Catawba-Wateree Project.

f. *Location:* The Catawba-Wateree Project is located in Alexander, Burke, Caldwell, Catawba, Gaston, Iredell, Lincoln, McDowell and Mecklenburg Counties, North Carolina and Chester, Fairfield, Kershaw, Lancaster, and York Counties, South Carolina. This project does not occupy any Federal lands.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a-825r.

h. *Applicant Contact:* Mr. Joe Hall, Lake Management Representative, Duke Energy Carolinas, LLC, P.O. Box 1006, Charlotte, North Carolina 28201-1006, (704) 382-8576.

i. *FERC Contact:* Joy Jones, Telephone 202-502-6760, and e-mail:

[joy.jones@ferc.gov](mailto:joy.jones@ferc.gov).

j. *Deadline for filing comments, motions to intervene, and protest:* August 02, 2009. All documents (original and eight copies) should be filed with: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

The Commission's Rules of Practice and Procedure require all interveners filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

k. *Description of Request:* Duke Energy Carolinas, LLC requests Commission approval of an agreement that would allow Duke to authorize the Town of Mooresville, North Carolina to construct and operate expanded water intake facilities on, and to withdraw water from, Lake Norman. The existing water intake structure would be expanded by connecting a water line to the existing water intake structure and the existing pumping plant.

Approximately 125 feet of water line would be within the project boundary. Additionally, new screens with screen openings that do not exceed 0.25 inch would be installed on the existing intake structure. Intake velocities at the intake structure would not exceed 0.5 feet per second. Under the agreement, the expanded facility would have a gross maximum annual average rate of 18 million gallons per day (MGD), a 6 MGD increase from the current approved withdrawal rate. The water intake and pump facility is located in Iredell County, North Carolina.