

*Invitational priority:* Under an invitational priority, we are particularly interested in applications that meet the priority. However, we do not give an application that meets the priority a preference over other applications (34 CFR 75.105(c)(1)).

*Final Priorities:*

We will announce the final priorities in a notice in the **Federal Register**. We will determine the final priorities after considering responses to this notice and other information available to the Department. This notice does not preclude us from proposing additional priorities subject to meeting applicable rulemaking requirements.

*Note:* This notice does not solicit applications. In any year in which we choose to use one or more of these priorities, we invite applications through a notice in the **Federal Register**.

**Executive Orders 12866 and 13563**

*Regulatory Impact Analysis*

Under Executive Order 12866, the Secretary must determine whether this regulatory action is “significant” and therefore subject to the requirements of the Executive order and subject to review by Office of Management and Budget (OMB). Section 3(f) of Executive Order 12866 defines a “significant regulatory action” as an action likely to result in a rule that may—

(1) Have an annual effect on the economy of \$100 million or more, or adversely affect a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local or tribal governments, or communities in a material way (also referred to as an “economically significant” rule);

(2) Create serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impacts of entitlement grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President’s priorities, or the principles set forth in the Executive Order.

This proposed regulatory action is not a significant regulatory action subject to review by OMB under section 3(f) of Executive Order 12866.

We have also reviewed these priorities under Executive Order 13563, which supplements and explicitly reaffirms the principles, structures, and definitions governing regulatory review established in Executive Order 12866. To the extent permitted by law, Executive Order 13563 requires that an agency—

(1) Propose or adopt regulations only on a reasoned determination that their benefits justify their costs (recognizing that some benefits and costs are difficult to quantify);

(2) Tailor its regulations to impose the least burden on society, consistent with obtaining regulatory objectives and taking into account—among other things and to the extent practicable—the costs of cumulative regulations;

(3) In choosing among alternative regulatory approaches, select those approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity);

(4) To the extent feasible, specify performance objectives, rather than the behavior or manner of compliance a regulated entity must adopt; and

(5) Identify and assess available alternatives to direct regulation, including economic incentives—such as user fees or marketable permits—to encourage the desired behavior, or provide information that enables the public to make choices.

Executive Order 13563 also requires an agency “to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible.” The Office of Information and Regulatory Affairs of OMB has emphasized that these techniques may include “identifying changing future compliance costs that might result from technological innovation or anticipated behavioral changes.”

We are issuing these proposed priorities only on a reasoned determination that the benefits justify the costs. In choosing among alternative regulatory approaches, we selected those approaches that maximize net benefits. The Department believes that this proposed regulatory action is consistent with the principles in Executive Order 13563.

We also have determined that this regulatory action would not unduly interfere with State, local, and tribal governments in the exercise of their governmental functions.

In accordance with both Executive orders, the Department has assessed the potential costs and benefits of this regulatory action. The potential costs associated with this proposed regulatory action are those resulting from statutory requirements and those we have determined as necessary for administering this program effectively and efficiently. The potential benefits are those resulting from the provision of college savings accounts, financial incentives, and financial counseling to

10,000 GEAR UP students and parents, and the evidence gained about the effect of providing these in the context of GEAR UP support services.

*Intergovernmental Review:* This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. One of the objectives of the Executive Order is to foster an intergovernmental partnership and a strengthened federalism. The Executive Order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

This document provides early notification of our specific plans and actions for this program.

*Accessible Format:* Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**.

*Electronic Access to This Document:* 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 via the Federal Digital System at: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys). At this site 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). To use PDF you must have Adobe Acrobat Reader, which is available free at the site. You may also access documents of the Department published in the **Federal Register** by using the article search feature at: [www.federalregister.gov](http://www.federalregister.gov). Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: May 25, 2012.

**Eduardo M. Ochoa,**  
Assistant Secretary for Postsecondary Education.

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**BILLING CODE 4000-01-P**

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**DEPARTMENT OF ENERGY**

**Office of Energy Efficiency and Renewable Energy**

**Developing Large-Scale Renewable Energy Projects at Federal Facilities Using Private Capital Draft**

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy (DOE).

**ACTION:** Notice of availability.

**SUMMARY:** DOE is releasing for public comment a draft guidebook entitled Federal Renewable Energy Guide: Developing Large-Scale Renewable Energy Projects at Federal Facilities Using Private Capital. DOE will consider comments and recommendations on the draft guidebook, which is available at: <http://www1.eere.energy.gov/femp/pdfs/largereguide.pdf>.

**DATES:** DOE will accept comments, data, and information regarding this draft guidebook no later than July 2, 2012.

**ADDRESSES:** You may submit comments by any of the following methods:

1. *Email to:* [FEMPLargeREGuide@ee.doe.gov](mailto:FEMPLargeREGuide@ee.doe.gov).

Include "Comments—[Name/ Organization]" in the subject line of the email. Please include the full body of your comments in the text of the message or as an attachment.

2. *Mail:* Address written comments to Anne Crawley, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Federal Energy Management Program (EE-2L), 1000 Independence Avenue SW., Washington, DC 20585-0121.

Because of potential delays in DOE's receipt and processing of mail sent through the U.S. Postal Service, we encourage respondents to submit comments electronically to ensure timely receipt.

**FOR FURTHER INFORMATION CONTACT:** Mrs. Anne Crawley, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Federal Energy Management Program (EE-2L), 1000 Independence Ave. SW., Washington, DC 20585-0121; (202) 586-1505; [Anne.Crawley@ee.doe.gov](mailto:Anne.Crawley@ee.doe.gov).

**SUPPLEMENTARY INFORMATION:** The draft guidebook, entitled Federal Renewable Energy Guide: Developing Large-Scale Renewable Energy Projects at Federal Facilities Using Private Capital, provides guidance to Federal agencies on how to establish a project development framework to allow Federal agencies to work effectively with private developers on the implementation of large-scale renewable energy projects.

FEMP specifically requests comment and information with respect to the following issues:

1. Does Figure 3 in Section I sufficiently identify the private sector's motivations and constraints related to large-scale renewable energy projects?
2. Does Section II accurately describe the general process that renewable energy developers and financiers use to

develop large-scale renewable energy projects?

3. Does the graphic in Figure 1 reasonably portray the developer and financier processes? If not, please recommend changes.

4. Do you agree with the seven categories of project development outlined in Section II and expanded on in Appendix B?

5. Are the terms referring to the stages of the process that developers and financiers use to develop large-scale renewable energy projects accurate? Would you use any different terms? If so, can you define those terms for a general audience?

6. What items would you add to the checklists in Appendix B?

7. Would renewable energy developers be interested in pursuing large-scale renewable energy projects at Federal facilities that follow the steps outlined in this guidebook?

8. What, if anything, is this guidebook missing?

This draft guidebook is available at: <http://www1.eere.energy.gov/femp/pdfs/largereguide.pdf>. DOE will accept comments and information regarding the draft guidebook no later than the date specified in the **DATES** section.

More information on DOE's FEMP is available at: <http://www1.eere.energy.gov/femp/>.

Issued in Washington, DC, on May 24, 2012.

**Timothy D. Unruh,**

*Program Manager, DOE-EERE Federal Energy Management Program.*

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**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

**[Project No. 13213-003]**

#### Lock 14 Hydro Partners; Notice of Application Tendered for Filing With the Commission and Soliciting Additional Study Requests

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

a. *Type of Application:* Major License (5 Megawatts or less).

b. *Project No.:* 13213-003.

c. *Date filed:* May 16, 2012.

d. *Applicant:* Lock 14 Hydro Partners, LLC.

e. *Name of Project:* Heidelberg Hydroelectric Project.

f. *Location:* On the Kentucky River, near the Town of Heidelberg, Lee

County Kentucky. Lands managed by the Federal government are located within the project boundary.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791(a)—825(r).

h. *Applicant Contact:* David Brown Kinloch, Lock 14 Hydro Partners, 414 S. Wenzel Street, Louisville, Kentucky 40204, (502) 589-0975.

i. *FERC Contact:* Michael Spencer, (202) 502-6093, [michael.spencer@ferc.gov](mailto:michael.spencer@ferc.gov).

j. *Cooperating agencies:* Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues that wish to cooperate in the preparation of the environmental document should follow the instructions for filing such requests described in item l below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. *See*, 94 FERC ¶ 61,076 (2001).

k. Pursuant to section 4.32(b)(7) of 18 CFR of the Commission's regulations, if any resource agency, Indian Tribe, or person believes that an additional scientific study should be conducted in order to form an adequate factual basis for a complete analysis of the application on its merit, the resource agency, Indian Tribe, or person must file a request for a study with the Commission not later than 60 days from the date of filing of the application, and serve a copy of the request on the applicant.

*l. Deadline for filing additional study requests and requests for cooperating agency status: July 15, 2012.*

All documents may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and seven copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

m. The application is not ready for environmental analysis at this time.