

○ 252.235-7000, *Indemnification Under 10 U.S.C. 2534—Fixed Price*; and 252.235-7001, *Indemnification Under 10 U.S.C. 2534—Cost-Reimbursement*. Paragraphs (f) and (e), respectively, of these clauses require the contractor to notify the contracting officer of any claim that might trigger the Government's liability under the clause, to furnish proof or evidence of any such claim, and to provide copies of all pertinent papers relating to the claim.

○ 252.235-7003, *Frequency Authorization*. Paragraph (b) of this clause requires that the contractor provide to the contracting officer the technical operating characteristics for any experimental, developmental, or operational equipment for which the appropriate frequency allocation has not been made.

**Michele P. Peterson,**

*Editor, Defense Acquisition Regulations System.*

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BILLING CODE 5001-08-P

## DEPARTMENT OF EDUCATION

### Submission for OMB Review; Comment Request

**AGENCY:** Department of Education.

**SUMMARY:** The IC Clearance Official, Regulatory Information Management Services, Office of Management invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before December 24, 2008.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Education Desk Officer, Office of Management and Budget, 725 17th Street, NW., Room 10222, Washington, DC 20503. Commenters are encouraged to submit responses electronically by e-mail to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov) or via fax to (202) 395-6974. Commenters should include the following subject line in their response "Comment: [insert OMB number], [insert abbreviated collection name, e.g., "Upward Bound Evaluation"]". Persons submitting comments electronically should not submit paper copies.

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information

collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The IC Clearance Official, Regulatory Information Management Services, Office of Management, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g. new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

Dated: November 18, 2008.

**Angela C. Arrington,**

*IC Clearance Official, Regulatory Information Management Services, Office of Management.*

*Office of Planning, Evaluation and Policy Development*

*Type of Review:* New Collection.

*Title:* Evaluation of the Growth Model Pilot Program.

*Frequency:* Other: One time.

*Affected Public:* Businesses or other for-profit State, Local, or Tribal Gov't, SEAs or LEAs.

*Reporting and Recordkeeping Hour Burden:*

Responses: 36.

Burden Hours: 41.

**Abstract:** In November 2005 the U.S. Department of Education initiated the Growth Model Pilot Program (GMPP) with the goal of approving up to ten states to incorporate growth models in school AYP determinations under the No Child Left Behind (NCLB). As a condition of participation in Growth Model Pilot Program (GMPP), states are required to participate in an evaluation. The evaluation is designed to provide a more comprehensive picture of Growth Model Pilot Program (GMPP). Authorization to conduct this study is provided by the No Child Left Behind Act of 2001 (Pub. L. 107-110), Part E, Section 1501.

Requests for copies of the information collection submission for OMB review may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 3759. When you access the information collection, click on "Download Attachments" to

view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, Washington, DC 20202-4537. Requests may also be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or faxed to 202-401-0920. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@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. E8-27762 Filed 11-20-08; 8:45 am]

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## DEPARTMENT OF ENERGY

[OE Docket No. EA-346]

### Application To Export Electric Energy; Credit Suisse Energy LLC

**AGENCY:** Office of Electricity Delivery and Energy Reliability, DOE.

**ACTION:** Notice of application.

**SUMMARY:** Credit Suisse Energy LLC (CSE) has applied for authority to transmit electric energy from the United States to Mexico pursuant to section 202(e) of the Federal Power Act.

**DATES:** Comments, protests, or requests to intervene must be submitted on or before December 24, 2008.

**ADDRESSES:** Comments, protests, or requests to intervene should be addressed as follows: Office of Electricity Delivery and Energy Reliability, Mail Code: OE-20, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0350 (FAX 202-586-5860).

#### 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 by the Department of Energy (DOE) pursuant to sections 301(b) and 402(f) of the Department of Energy Organization Act (42 U.S.C. 7151(b), 7172(f)) and require authorization under section 202(e) of the FPA (16 U.S.C. 824a(e)).

On October 31, 2008, DOE received an application from CSE for authority to transmit electric energy from the United States to Mexico as a power marketer. CSE does not own any electric transmission facilities nor does it hold

a franchised service area. The electric energy which CSE proposes to export to Mexico would be surplus energy purchased from electric utilities, Federal power marketing agencies, and other entities within the United States.

CSE proposes to export electric energy to Mexico and to arrange for the delivery of those exports over the international transmission facilities presently owned by AEP Texas Central, El Paso Electric Company, Central Power & Light Company, San Diego Gas & Electric Company, Sharyland Utilities, and Comision Federal de Electricidad, the national electric utility of Mexico.

The construction, operation, maintenance, and connection of each of the international transmission facilities to be utilized by CSE was previously authorized by a Presidential permit issued pursuant to Executive Order 10485, as amended.

**Procedural Matters:** Any person desiring to become a party to these proceedings 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 comment, petition, and protest should be filed with DOE on or before the dates listed above.

All filings in this proceeding should be clearly marked with Docket No. EA-346. Additional copies are to be filed directly with Matthew Adams, VP Energy Trading and Marketing, 1100 Louisiana Street, Suite 4500, Houston, TX 77007.

A final decision will be made on this application after the environmental impacts have been evaluated pursuant to the National Environmental Policy Act of 1969, and a determination is made by DOE that the proposed action will not adversely impact on the reliability of the U.S. electric power supply system.

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above, by accessing the program Web site at [http://oe.energy.gov/permits\\_pending.htm](http://oe.energy.gov/permits_pending.htm), or by e-mailing Odessa Hopkins at [odessa.hopkins@hq.doe.gov](mailto:odessa.hopkins@hq.doe.gov).

Issued in Washington, DC, on November 18, 2008.

**Anthony J. Como,**

*Director, Permitting and Siting, Office of Electricity Delivery and Energy Reliability.*

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BILLING CODE 6450-01-P

## DEPARTMENT OF ENERGY

[OE Docket No. EA-145-D]

### Application To Export Electric Energy; Powerex Corp.

**AGENCY:** Office of Electricity Delivery and Energy Reliability, DOE.

**ACTION:** Notice of Application.

**SUMMARY:** Powerex Corp. (Powerex) has applied for renewal of its authority to transmit electric energy from the United States to Mexico pursuant to section 202(e) of the Federal Power Act.

**DATES:** Comments, protests, or requests to intervene must be submitted on or before December 24, 2008.

**ADDRESSES:** Comments, protests, or requests to intervene should be addressed as follows: Office of Electricity Delivery and Energy Reliability, Mail Code: OE-20, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0350 (FAX 202-586-8008).

**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 by the Department of Energy (DOE) pursuant to sections 301(b) and 402(f) of the Department of Energy Organization Act (42 U.S.C. 7151(b), 7172(f)) and require authorization under section 202(e) of the FPA (16 U.S.C. 824a(e)).

On May 30, 1997, the Department of Energy (DOE) issued Order No. EA-145 authorizing Powerex to transmit electric energy from the United States to Mexico as a power marketer for a two-year term. That Order was subsequently renewed on June 18, 1999, in Order No. EA-145-A; on August 13, 2001, in Order No. EA-145-B; and on April 26, 2004, in Order No. EA-145-C. The current export authorization will expire on April 26, 2009. On October 23, 2008, Powerex filed an application with DOE to renew the export authority contained in Order No. EA-145-C for an additional five-year term.

Powerex, the wholly owned marketing subsidiary of the British Columbia Hydro and Power Authority (BC Hydro), does not own or control any transmission facilities nor does it have a franchised service area. The electric energy which Powerex proposes to export to Mexico would be surplus energy purchased from BC Hydro or other Canadian utilities, from other power marketers, independent power producers, or U.S. electric utilities and

Federal power marketing agencies in the United States.

Powerex will arrange for the delivery of exports to Mexico over the international transmission facilities owned by San Diego Gas & Electric Company. The construction, operation, maintenance, and connection of each of the international transmission facilities to be utilized by Powerex was previously authorized by a Presidential permit issued pursuant to Executive Order 10485, as amended.

DOE expects exporters of electric energy to obtain the necessary authorization from DOE to export electricity and to abide by the terms and conditions established for such export in the Orders issued by DOE, including any term limit for the authorization and the requirement to create and preserve full and complete records and file quarterly reports. Failure to first obtain an Order authorizing the export of electricity, or continuing to export after the expiration of such an Order, may result in a denial of authorization to export in the future and subject the exporter to sanctions and penalties under the FPA. DOE also expects transmitting utilities owning border facilities and entities charged with the operational control of those border facilities, such as Independent System Operators or RTO's, to verify that companies seeking to schedule an electricity export have the requisite authority from DOE to export such power.

**Procedural Matters:** Any person desiring to become a party to these proceedings 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 comment, petition, and protest should be filed with DOE on or before the dates listed above.

All filings in this proceeding should be clearly marked with Docket No. EA-145-D. Additional copies are to be filed directly with Mike MacDougall, Director, Trade Policy, Powerex Corp., 666 Burrard Street, Suite 1400, Vancouver, British Columbia, Canada V6C 2X8.

A final decision will be made on this application after the environmental impacts have been evaluated pursuant to the National Environmental Policy Act of 1969, and a determination is made by DOE that the proposed action will not adversely impact on the