

business is substituted for a small business that is specifically identified in a subcontracting plan. Notifications must be in writing and may be submitted in a contractor-specified format.

**Michele P. Peterson,**

*Editor, Defense Acquisition Regulations System.*

[FR Doc. E7-19002 Filed 9-25-07; 8:45 am]

**BILLING CODE 5001-08-P**

## DEPARTMENT OF EDUCATION

### Submission for OMB Review; Comment Request

**AGENCY:** Department of Education.

**SUMMARY:** The Acting Leader, Information Management Case Services Team, 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 October 26, 2007.

**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 Acting Leader, Information Management Case Services Team, 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: September 20, 2007.

**Delores J. Barber,**

*Acting Leader, Information Management Case Services Team, Regulatory Information Management Services, Office of Management.*

### Federal Student Aid

*Type of Review:* Extension.

*Title:* Lender's Request for Payment of Interest and Special Allowance—LaRS.

*Frequency:* Quarterly; Annually.

*Affected Public:* Business or other for-profits; Not-for-profit institutions.

*Reporting and Recordkeeping Hour Burden:*

*Responses:* 12,800.

*Burden Hours:* 31,200.

**Abstract:** The Lender's Request for Payment of Interest and Special Allowance—LaRS (ED Form 799) is used by approximately 3,546 lenders participating in the Title IV, PART B loan programs. The ED Form 799 is used to pay interest and special allowance to holders of the Part B loans; and to capture quarterly data from lender's loan portfolio for financial and budgetary projections.

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 3416. 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., Potomac Center, 9th Floor, Washington, DC 20202-4700. Requests may also be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or faxed to 202-245-6623. 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. E7-18977 Filed 9-25-07; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. ER04-157-022, ER04-714-012, EL05-89-002]

### Bangor Hydro-Electric Company; Florida Power & Light Company; New England Transmission Owners; Errata Notice Extending Comment Date

September 19, 2007.

On September 18, 2007, the Commission issued a notice in the above-captioned proceeding. Combined Notice Of Filings # 1, September 18, 2007. The comment date on the notice read "Monday, September 17, 2007." This errata notice extends the comment due date to Wednesday, September 26, 2007.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. E7-18907 Filed 9-25-07; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EF07-2021-000]

### United States Department of Energy-Bonneville Power Administration; Order Approving Rates on an Interim Basis and Providing Opportunity for Additional Comments

Issued September 20, 2007.

Before Commissioners: Joseph T. Kelliher, Chairman; Sudeen G. Kelly, Marc Spitzer, Philip D. Moeller, and Jon Wellinghoff

1. In this order, we approve the Bonneville Power Administration's (Bonneville) proposed 2008 Transmission and Ancillary Services (2008 Transmission) rates on an interim basis, pending our full review. We also provide an additional period of time for the parties to file comments.

### Background

2. On May 22, 2007, Bonneville, in accordance with the Pacific Northwest Electric Power Planning and Conservation Act (Northwest Power Act),<sup>1</sup> and Subpart B of Part 300 of the

<sup>1</sup> 16 U.S.C. 839e(a)(2), 839e(i)(6) (2000).

Commission's regulations,<sup>2</sup> filed with the Commission its proposed 2008 Transmission rates.<sup>3</sup> Bonneville also seeks a finding by the Commission that the proposed 2008 Transmission rates associated with service provided under its open access transmission tariff (OATT)<sup>4</sup> satisfy the Commission's comparability standards applicable to non-public utilities pursuant to the reciprocity conditions of Order No. 888.<sup>5</sup> Bonneville states that the governing statute and case law do not provide the Commission latitude to review these rates in the same manner as the Federal Power Act (FPA)<sup>6</sup> provides for public utilities. Rather, according to Bonneville, if it has satisfied the standards of the Northwest Power Act,<sup>7</sup> the Commission is required to confirm and approve these rates.<sup>8</sup>

3. Notice of Bonneville's filing was published in the **Federal Register**, with protests and interventions due on or before June 21, 2007.<sup>9</sup> Timely motions to intervene were filed by Avista Corporation, PacifiCorp, Portland General Electric Company, Idaho Power Company, Industrial Customers of

Northwest Utilities, Powerex Corp., Public Power Council, and Puget Sound Energy, Inc., raising no substantive issues.

4. In addition, the Electric Power Supply Association (EPSA) and the Northwest and Intermountain Power Producers Coalition (NIPPC) filed a joint motion to intervene and protest. LS Power Associates, L.P. (LS Power) filed a timely motion to intervene and protest. EPSA, NIPPC and LS Power challenge Bonneville's plan to no longer compensate unaffiliated generators within its control area for generation-supplied reactive power service, as unduly discriminatory and in violation of Commission policy. Bonneville filed an answer in response to the protests.

## Discussion

### Procedural Matters

5. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 CFR 385.214 (2007), the timely, unopposed motions to intervene serve to make the entities that filed them parties to this proceeding. Rule 213(a)(2) of the Commission's Rules of Practice and Procedure, 18 CFR 385.213(a)(2) (2007), prohibits an answer to a protest unless otherwise ordered by the decisional authority. We will accept Bonneville's answer because it has provided information that assisted us in our decision-making process.

### Standard of Review

6. Under the Northwest Power Act, the Commission's review of Bonneville's transmission rates is limited to determining whether Bonneville's proposed rates meet the three specific requirements of section 7(a)(2):

(A) They must be sufficient to assure repayment of the Federal investment in the Federal Columbia River Power System over a reasonable number of years after first meeting the Administrator's other costs;

(B) They must be based upon the Administrator's total system costs; and

(C) Insofar as transmission rates are concerned, they must equitably allocate the costs of the Federal transmission system between Federal and non-Federal power.<sup>10</sup>

7. Unlike the Commission's statutory authority under the FPA, the Commission's authority under section 7(a)(2) of the Northwest Power Act does not include the power to modify the rates. The responsibility for developing rates in the first instance is vested with Bonneville's Administrator. The rates

are then submitted to the Commission for approval or disapproval. In this regard, the Commission's role can be viewed as an appellate one: To affirm or remand the rates submitted to it for review.<sup>11</sup>

8. Moreover, review at this interim stage is further limited. In view of the volume and complexity of a Bonneville rate application, such as the one now before the Commission in this filing, and the limited period in advance of the requested effective date in which to review the application,<sup>12</sup> the Commission generally defers resolution of issues on the merits until an order on final confirmation and approval. Thus, proposed rates, if not patently deficient, generally are approved on an interim basis and the parties are afforded an additional opportunity in which to raise issues with regard to Bonneville's filing.<sup>13</sup>

### Interim Approval

9. The Commission declines at this time to grant final confirmation and approval of Bonneville's proposed 2008 Transmission rates. The Commission's preliminary review nevertheless indicates that Bonneville's 2008 Transmission rates appear to meet the statutory standards and the minimum threshold filing requirements of Part 300 of the Commission's regulations.<sup>14</sup> Moreover, the Commission's preliminary review of Bonneville's submittal indicates that it does not contain any patent deficiencies. The proposed rates, therefore, will be approved on an interim basis pending our full review for final approval. We note, as well, that no one will be harmed by this decision because interim approval allows Bonneville's rates to go into effect subject to refund with interest; the Commission may order refunds with interest if the Commission later determines in its final decision not to approve the rates.<sup>15</sup> The Commission will address concerns raised by protesters in the final decision.

<sup>11</sup> See *United States Department of Energy—Bonneville Power Administration*, 67 FERC ¶ 61,351 at 62,216–17 (1994); see also, e.g., *Aluminum Company of America v. Bonneville Power Administration*, 903 F.2d 585, 592–93 (9th Cir. 1989).

<sup>12</sup> See 18 CFR 300.10(a)(3)(ii) (2007).

<sup>13</sup> See, e.g., *United States Department of Energy—Bonneville Power Administration*, 64 FERC ¶ 61,375 at 63,606 (1993); *United States Department of Energy—Bonneville Power Administration*, 40 FERC ¶ 61,351 at 62,059–60 (1987).

<sup>14</sup> See, e.g., *United States Department of Energy—Bonneville Power Administration*, 105 FERC ¶ 61,006 at P 13–14 (2003); *United States Department of Energy—Bonneville Power Administration*, 96 FERC ¶ 61,360 at 62,358 (2001).

<sup>15</sup> 18 CFR 300.20(c) (2007).

<sup>2</sup> 18 CFR part 300 (2007).

<sup>3</sup> The proposed transmission rate schedules for which Bonneville seeks approval for the two year period ending September 30, 2009 include: FPT–08.1 (Formula Power Transmission); FPT–08.3 (Formula Power Transmission); IR–08 (Integration of Resources); NT–08 (Network Integration); PTP–08 (Point-to-Point Firm Transmission); IS–08 (Southern Intertie Transmission); IM–08 (Montana Intertie Transmission); UFT–08 (Use-of-Facilities Transmission); AF–08 (Advance Funding); TGT–08 (Townsend-Garrison Transmission); IE–08 (Eastern Intertie); ACS–08 (Ancillary Services and Control Areas Services); and GRSPs (General Rate Schedule Provisions for Transmission and Ancillary Services).

<sup>4</sup> The proposed rate schedules associated with Bonneville's OATT are: Network Integration (NT–08), Point-to-Point (PTP–08), Southern Intertie (IS–08), Montana Intertie (IM–08), Use-Of-Facilities (UFT–08), Advance Funding (AF–08), Ancillary Services (ACS–08), and GRSPs.

<sup>5</sup> See *Promoting Wholesale Competition Through Open Access Non-discriminatory Transmission Services by Public Utilities and Recovery of Stranded Costs by Public Utilities and Transmitting Utilities*, Order No. 888, FERC Stats. & Regs. ¶ 31,036 (1996), order on reh'g, Order No. 888–A, FERC Stats. & Regs. ¶ 31,048 (1997), order on reh'g, Order No. 888–B, 81 FERC ¶ 61,248 (1997), order on reh'g, Order No. 888–C, 82 FERC ¶ 61,046 (1998), *aff'd in relevant part sub nom. Transmission Access Policy Study Group v. FERC*, 225 F.3d 667 (D.C. Cir. 2000), *aff'd sub nom. New York v. FERC*, 535 U.S. 1 (2002).

<sup>6</sup> 16 U.S.C. 824 *et seq.* (2000). Bonneville also must comply with the financial, accounting, and ratemaking requirements in Department of Energy Order No. RA 6120.2.

<sup>7</sup> 16 U.S.C. 839e(a)(2), 839e(i)(6) (2000).

<sup>8</sup> *Central Lincoln Peoples' Utility District v. Johnson*, 735 F.2d 1101, 1110 (9th Cir. 1984) (holding that the Northwest Power Act "remove[s] FERC from actual ratemaking \* \* \* and limit[s] FERC's role to financial oversight of the regional rates").

<sup>9</sup> 72 FR 32,633 (2007).

<sup>10</sup> See 16 U.S.C. 839e(a)(2) (2000).

10. In addition, we will provide an additional period of time for parties to file comments and reply comments on issues related to final confirmation and approval of Bonneville's 2008 Transmission rates. This will ensure that the record in this proceeding is complete and fully developed.

*The Commission Orders:*

(A) Interim approval of Bonneville's proposed 2008 Transmission rates is hereby granted, to become effective on October 1, 2007, subject to refund with interest as set forth in section 300.20(c) of the Commission's regulations, 18 CFR 300.20(c) (2007), pending final action and either approval or disapproval.

(B) Within thirty (30) days of the date of this order, parties who wish to do so may file additional comments regarding final confirmation and approval of Bonneville's proposed rates. Parties who wish to do so may file reply comments within twenty (20) days thereafter.

(C) The Secretary shall promptly publish this order in the **Federal Register**.

By the Commission.

**Nathaniel J. Davis, Sr.,**

*Acting Deputy Secretary.*

[FR Doc. E7-18929 Filed 9-25-07; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. EL07-97-000; QF99-95-002; QF07-129-001]

#### Chugach Electric Association, Inc.; Tiqun Energy, Inc.; Tiqun Energy, Inc.; Notice of Filing

September 19, 2007.

Take notice that on September 12, 2007, Chugach Electric Association, Inc. (Chugach), filed a Petition for Declaratory Order and Motion for Revocation seeking the revocation of the qualifying facility (QF) status of two QFs self-certified by Tiqun Energy, Inc. (Tiqun). The two QFs, neither of which has been built, are the Knik Arm Power Plant (KAPP), which was self-recertified by Tiqun in Docket No. QF99-95-001, and the Pioneer Energy Project, which was self-certified by Tiqun in Docket No. QF07-129-000. Chugach claims that neither the KAPP facility nor the Pioneer facility meet the criteria for QF status, and thus the Commission should issue an order revoking their QF status.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and

Procedure (18 CFR 385.211, 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 notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* 5 p.m. Eastern Time on October 12, 2007.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E7-18908 Filed 9-25-07; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. CP06-5-007]

#### Empire Pipeline Inc.; Notice of Application

September 20, 2007.

Take notice that on September 14, 2007, Empire Pipeline, Inc. (EPI), 6363 Main Street, Williamsville, New York 14221, filed in Docket No. CP06-5-007, an application under section 7 of the Natural Gas Act (NGA), to amend its certificate of public convenience and necessity issued by the Commission on December 21, 2006. EPI requests authorization to proceed with transactions necessary for EPI to receive local real property tax and New York

State sales and use tax exemptions with respect to the pipeline, compression and appurtenant facilities that have been authorized by the Commission. The transactions consist of the transfer of a leasehold interest in such facilities to the respective Industrial Development Agency (IDA) of the Counties of Genesee, Ontario, Yates, Schuyler, Chemung and Steuben Counties, New York where the facilities will be located. EPI will retain operational control of, and responsibility for, the facilities. EPI asserts that the transaction will have no effect on the natural gas transportation service that it will provide to its customers. Upon termination of the leases, EPI will reacquire its full ownership interest in the facilities. The application is on file with the Commission and open to public inspection. This filing may also be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number, excluding the last three digits, in the docket number field to access the document. For assistance, call (202) 502-8659 or TTY, (202) 208-3676.

Any questions regarding this petition should be directed to Antoinetta Mucilli, Senior Attorney for Empire Pipeline, Inc., 6363 Main Street, Williamsville, NY 14221, at (716) 857-7067.

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: Complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below, file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426,