

DEPARTMENT OF ENERGY**Office of Energy Efficiency and Renewable Energy****Federal Energy Management Advisory Committee; Open Meeting****AGENCY:** Department of Energy.**ACTION:** Notice of open meeting.

SUMMARY: This notice announces an open meeting of the Federal Energy Management Advisory Committee. The Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770), requires that agencies publish these notices in the **Federal Register** to allow for public participation. This notice announces the first meeting of the Federal Energy Management Advisory Committee (FEMAC) under Executive Order 13123—"Greening the Government through Efficient Energy Management."

DATES: Monday, October 23, 2000; 1:30 p.m. to 5:00 p.m.; Tuesday, October 24, 2000; 9:00 a.m. to 4:00 p.m.

ADDRESS: Loews L'Enfant Plaza Hotel, 480 L'Enfant Plaza, SW., Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: Steven Huff, Designated Federal Officer for the Committee, Office of Federal Energy Management Programs, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585; (202) 586-3507.

SUPPLEMENTARY INFORMATION:

Purpose of Meeting: To provide advice and guidance on the Federal Energy Management.

Tentative Agenda: Agenda will include discussions on the following:

Monday, October 23, 2000 and Tuesday October 24, 2000

- Energy-Savings Performance Contracts
- Utility energy-efficiency service contracts
- Procurement of ENERGY STAR (Registered Trademark) and other energy efficient products
 - Building design
 - Process energy use
 - Applications of efficient and renewable energy technologies (including clean energy technologies) at Federal Facilities
- Public Comment

Public Participation: In keeping with procedures, members of the public are welcome to observe the business of the Federal Energy Management Advisory Committee. If you would like to file a written statement with the Committee, you may do so either before or after the meeting. If you would like to make oral statements regarding any of these items

on the agenda, you should contact Steven Huff at (202) 586-3507 or Steven.Huff@ee.doe.gov (e-mail). You must make your request for an oral statement at least 5 business days before the meeting. Members of the public will be heard in the order in which they sign up at the beginning of the meeting. Reasonable provision will be made to include the scheduled oral statements on the agenda. The Chair of the Committee will make every effort to hear the views of all interested parties. The Chair will conduct the meeting to facilitate the orderly conduct of business.

Minutes: The minutes of the meeting will be available for public review and copying within 30 days at the Freedom of Information Public Reading Room; Room 1E-190; Forrestal Building; 1000 Independence Avenue, SW., Washington, DC, between 9:00 a.m. and 4:00 p.m., Monday through Friday, except Federal holidays.

Issued at Washington, DC on October 3, 2000.

Rachel M. Samuel,

Deputy Advisory Committee Management Officer.

[FR Doc. 00-25768 Filed 10-5-00; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****[Docket No. ID-2932-001]****James R. Lientz, Jr.; Order Granting Interventions, Dismissing Rehearing As Moot, and Directing Notification of Change in Status**

Issued October 2, 2000.

Before Commissioners: James J. Hoecker, Chairman; William L. Massey, Linda Breathitt, and Curt Hebert, Jr.

In this order, the Commission dismisses as moot a request for rehearing, in light of subsequent and superseding Congressional action, of a letter order issued in this proceeding on August 13, 1998, that concluded that James R. Lientz, Jr. could only conditionally hold interlocking positions as Director of Georgia Power Company (Georgia Power) and President and Director of NationsBank of Georgia, N.A. (NationsBank Georgia).¹

In addition, the Commission directs other individuals who have been granted authorization to hold an interlock and who believe they are

affected by the above Congressional action to provide notice to us.

Background

On January 3, 1996, Mr. Lientz filed an application pursuant to section 305(b) of the Federal Power Act (FPA)² for Commission authorization to hold interlocking positions as Director of Georgia Power and President and Director of NationsBank Georgia. As explained in the August 13 Order, Georgia Power is a public utility for the purpose of section 305(b).³ While neither NationsBank Georgia nor its parent may directly underwrite or participate in the marketing of the securities of a public utility, two affiliates of NationsBank Georgia may underwrite or participate in the marketing of the securities of public utilities. The Commission has found that these securities underwriting and marketing authorizations are attributed to NationsBank Georgia, and as a consequence, the proposed interlocking positions were found to be jurisdictional pursuant to section 305(b).⁴

In the August 13 Letter Order, the Director, Division of Opinions and Corporate Applications, Office of Electric Power Regulation, pursuant to delegated authority, explained.

[T]he Commission has observed that a senior executive or corporate officer has the ability to substantially influence company policies in such a manner as to jeopardize the best interests of the utility, its investors, and the consuming public. Accordingly, the Commission has held that this type of interlock requires the imposition of certain safeguards to prevent "opportunities for undue influence, failures in arms length bargaining, or other potential improprieties."

After consideration, it is concluded that the conditioned holding of the positions identified will not adversely affect public or private interests. Authorization to hold them is hereby granted subject to the condition that NationsBank Georgia (and its subsidiaries and affiliates) refrain from underwriting or participating in the marketing of securities (other than dealing in the secondary securities market) of Georgia Power (and its subsidiaries and affiliates) during the period Mr. Lientz holds any of the authorized interlocking positions.⁵

On rehearing, Mr. Lientz requests that the Commission no longer impose the underwriting ban as a condition of his interlock authorization. Mr. Lientz asserts that the underwriting ban "is no longer justified or necessary to protect the public interest,"⁶ and that changed circumstances warrant the Commission

² 16 U.S.C. 825d(b) (1994).

³ 84 FERC at 64,226.

⁴ See *id.* at 64,226 & n.3.

⁵ *Id.* at 64,226 (footnotes omitted).

⁶ Request for Rehearing at 2.

¹ James R. Lientz, Jr., 84 FERC ¶ 62,143 (1998) (August 13 Letter Order).