

Ownership and License Agreement<sup>27</sup> and an Indemnification and Insurance Matters Agreement. The Indemnification and Insurance Matters Agreement provides for a separation of insurance coverage and for mutual indemnification for claims based upon fault.<sup>28</sup>

The Transitional Services Agreement provides for the continuation on an incidental basis of certain services currently provided to Southern Energy, including financial, human resources administration and payroll, accounting and treasury, engineering and technical consulting, information technology, procurement, government relations and legal services, for a term not to exceed two years from September 1, 2000. As a result of the incidental nature of the services, neither Southern nor its subsidiaries will incur unreimbursed costs. After the Separation Date, the subsidiaries of Southern intend to restrict the services rendered to the Southern Energy group to the services enumerated in the Transitional Services Agreement, which are a subset of the currently authorized services.<sup>29</sup>

Southern further requests that the Commission take action, if deemed appropriate and consistent with the Act under section 12(f) of the Act<sup>30</sup> with respect to the Master Agreement and the Ancillary Agreements, taking into account that Southern Energy will in all probability cease to be an associate company of Southern in 2001. Southern proposes that the authority to provide the ancillary services shall expire in

accordance with the terms of the Master Agreement on or before September 1, 2002.<sup>31</sup> Southern proposes to provide ancillary services on a wholly incidental basis and only as required to permit an orderly separation of the businesses without extraordinary losses or transition costs.

#### V. Reporting Requirements

The Applicants propose that a single consolidated quarterly report be filed by Southern and in accordance with rule 24 with respect to all activities of Southern and its subsidiaries authorized in this file. This report would replace the combined report currently being filed pursuant to the 1996 Order.

For the Commission, by the Division of Investment Management, under delegated authority.

**Jonathan G. Katz,**

*Secretary.*

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## DEPARTMENT OF STATE

### [Public Notice 3452]

#### Office of Overseas Schools; Information Collection Request

**AGENCY:** Department of State.

**ACTION:** 30-Day Notice of Information Collection; Overseas Schools—Grant Status Reports.

**SUMMARY:** The Department of State has submitted the following information collection request to the Office of Management and Budget (OMB) for approval in accordance with the Paperwork Reduction Act of 1995. Comments should be submitted to OMB within 30 days of the publication of this notice.

The following summarizes the information collection proposal submitted to OMB:

*Type of Request:* Renewal.

*Originating Office:* A/OPR/OS.

*Title of Information Collection:* Overseas Schools—Grant Status Reports.

*Frequency:* Annual.

*Form Number:* OMB No. 1405-0033.

*Respondents:* Recipients of grants.

*Estimated Number of Respondents:* 190.

<sup>31</sup> Following the Distribution, Southern will principally provide engineering and technical services to Southern Energy through Solutions or any other rule 58 subsidiary authorized to provide energy-related engineering and technical services to third parties. The costs associated with Southern Services providing support services (other than energy-related engineering and technical services) are estimated to be less than 1% of the annual billings of Southern Service.

*Average Hours Per Response:* .25.

*Total Estimated Burden:* 47.5 hours.

Public comments are being solicited to permit the agency to:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.
- Evaluate the accuracy of the agency's estimate of the burden of the collection, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected.
- Minimize the reporting burden on those who are to respond, including through the use of automated collection techniques or other forms of technology.

#### FOR FURTHER INFORMATION CONTACT:

Copies of the proposed information collection and supporting documents may be obtained from Office of Overseas Schools, U.S. Department of State, Washington, DC 20520 (202) 261-8200. Public comments and questions should be directed to the State Department Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20530, (202) 395-5871.

Dated: October 16, 2000.

**Robert B. Dickson,**

*Executive Director, Bureau of Administration, Department of State.*

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## DEPARTMENT OF STATE

### Bureau of Oceans, Environment and Science

#### [Public Notice No. 3451]

#### Public Meeting on An International Agreement on Prior Informed Consent for Certain Hazardous Chemicals and Pesticides

**SUMMARY:** This public meeting will provide an overview of ongoing efforts to implement a binding agreement on the application of a prior informed consent (PIC) procedure for certain hazardous chemicals and pesticides. A total of 73 countries have signed the binding PIC agreement, with 11 countries completing ratification. The purpose of the public meeting is to discuss preparations for the seventh session of the PIC intergovernmental negotiating committee (INC-7) which will take place from October 30 to November 3, 2000. The INC-7 meeting will address a number of timely issues

<sup>27</sup> The Technology and Intellectual Property Ownership and License Agreement documents the intellectual property that Southern and Southern Energy are each authorized to use and does not require any future transfers of intellectual property following the Separation Date.

<sup>28</sup> Applicants assert that a claims indemnification agreement of this nature incidental to a genuine transaction does not involve an upstream or any extension of credit and is not an "indemnity" within the meaning of section 12 of the Act. See Mississippi Valley Generating Company, HCAR No. 12794 (February 9, 1955) and The Southern Company, HCAR No. 27134 (February 9, 2000) (both construing and applying Section 12(a) of the Act in accordance with Section 1(c) of the Act and the legislative history showing an intent to protect public utility subsidiaries).

<sup>29</sup> Southern's subsidiaries are authorized under rule 87 of the Act to provide goods and services at cost to Southern Energy and its subsidiaries in accordance with the limitations imposed by rule 87. Southern Company Services, Inc. ("Southern Services") is further authorized under the 1996 Order and HCAR No. 26212 (December 30, 1994) to provide services at cost to SERI. Southern Energy represents less than 3% of the total service billings of Southern Services. Southern anticipates a substantial reduction in the services rendered to Southern Energy following the Separation Date and a further reduction following the Distribution.

<sup>30</sup> Section 12(f) of the Act confers plenary jurisdiction upon the Commission over affiliate transactions.