

DFARS 252.225-7037, Duty-Free Entry—Eligible End Products. This new clause requires the contractor to provide information on shipping documents and customs forms regarding products that are eligible for duty-free entry.

DFARS 252.225-7016, Restriction on Acquisition of Ball and Roller Bearings, as prescribed in 225.7009-4(a), requires the contractor to retain records showing compliance with the requirement that ball and roller bearings delivered under the contract be wholly manufactured in the United States or Canada. The contractor must retain the records for 3 years after final payment and must make the records available upon request of the contracting officer. The contractor may request a waiver of this requirement in accordance with DFARS 225.7009-3, which requires the contractor to submit a written plan for transitioning to domestically manufactured bearings, if the waiver is requested under a multiyear contract or a contract exceeding 12 months.

DFARS 252.225-7018, Notice of Prohibition of Certain Contracts with Foreign Entities for the Conduct of Ballistic Missile Defense Research, Development, Test, and Evaluation, as prescribed in 225.7017-4, gives notice of the statutory prohibition on award of a contract to a foreign government or firm, if the contract provides for the conduct of research, development, test, or evaluation in connection with the Ballistic Missile Defense Program. The provision requires an offeror to indicate whether it is or is not a U.S. firm.

DFARS 252.225-7020, Trade Agreements Certificate, as prescribed in 225.1101(5), requires an offeror to list the item number and country of origin of any nondesignated country end product that it intends to furnish under the contract. This provision is used in all solicitations for products subject to the Trade Agreements Act.

DFARS 252.225-7025, Restriction on Acquisition of Forgings, as prescribed in 225.7102-4, requires the contractor to retain records showing compliance with the requirement that end items and their components delivered under the contract contain forging items that are of domestic manufacture only. The contractor must retain the records for 3 years after final payment and must make the records available upon request of the contracting officer. The contractor may request a waiver of this requirement in accordance with DFARS 225.7102-3.

DFARS 252.225-7032, Waiver of United Kingdom Levies—Evaluation of Offers, and 252.225-7033, Waiver of United Kingdom Levies, as prescribed in 225.1101(7) and (8), require an offeror to provide information to the

contracting officer regarding any United Kingdom levies included in the offered price, and require the contractor to provide information to the contracting officer regarding any United Kingdom levies to be included in a subcontract that exceeds \$1 million, before award of the subcontract.

DFARS 252.225-7035, Buy American Act—North American Free Trade Agreement Implementation Act—Balance of Payments Program Certificate, as prescribed in 225.1101(9), requires an offeror to list any qualifying country, NAFTA country, or other foreign end product that it intends to furnish under the contract.

**Michele P. Peterson,**

*Executive Editor, Defense Acquisition Regulations Council.*

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## DEPARTMENT OF EDUCATION

### Notice of Proposed Information Collection Requests

**AGENCY:** Department of Education.

**SUMMARY:** The Leader, Regulatory Information Management Group, Office of the Chief Information Officer, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before January 26, 2004.

**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 Leader, Regulatory Information Management Group, Office of the Chief Information Officer, 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.

The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: November 21, 2003.

**Angela C. Arrington,**

*Leader, Regulatory Information Management Group, Office of the Chief Information Officer.*

*Office of Special Education and Rehabilitative Services*

*Type of Review:* Extension.

*Title:* Annual Client Assistance

Program (CAP) Report.

*Frequency:* Annually.

*Affected Public:* State, local, or tribal gov't, SEAs or LEAs.

*Reporting and Recordkeeping Hour Burden:*

*Responses:* 56.

*Burden Hours:* 350.

*Abstract:* Form RSA-227 is used to analyze and evaluate the Client Assistance Program (CAP) administered by designated CAP agencies. These agencies provide services to clients and client applicants of programs, projects, and community rehabilitation programs authorized by the Rehabilitation Act of 1973, as amended. Data also are reported on information and referral services provided to any individual with a disability.

Requests for copies of the proposed information collection request may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 2411. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to Vivian Reese, Department of Education, 400 Maryland Avenue, SW., Room 4050, Regional Office Building 3, Washington, DC 20202-4651 or to the e-mail address [vivian\\_reese@ed.gov](mailto:vivian_reese@ed.gov). Requests may also be electronically mailed to the internet address [OCIO\\_RIMG@ed.gov](mailto:OCIO_RIMG@ed.gov) or faxed to 202-708-9346. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements

should be directed to Sheila Carey at her e-mail address [Sheila.Carey@ed.gov](mailto:Sheila.Carey@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.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EG04-3-000]

#### Butte Creek Expansion, LLC; Notice of Application for Commission Determination of Exempt Wholesale Generator Status

October 14, 2003.

Take notice that on October 8, 2003, Butte Creek Expansion, LLC (Butte Creek), filed with the Federal Energy Regulatory Commission an application for determination of exempt wholesale generator status pursuant to part 365 of the Commission's regulations.

Butte Creek, a Delaware limited liability company, states that it will be engaged directly and exclusively in the business of owning all or part of one or more eligible facilities, and selling electric energy at wholesale. Butte Creek further states that it is developing an approximately 238 megawatt wind power generation facility to be located in Prowers County, Colorado and indicates that the Project will be an eligible facility pursuant to section 32(a)(2) of PUHCA.

Butte Creek states that it has served a copy of the filing on the Securities and Exchange Commission and the Public Utilities Commission of the State of Colorado.

Any person desiring to intervene or to protest this filing should file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 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 motion to intervene. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. This filing is available for review at the

Commission or may be viewed on the Commission's Web site at <http://www.ferc.gov>, using the eLibrary (FERRIS) link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659. Protests and interventions may be filed electronically via the Internet in lieu of paper; see 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. The Commission strongly encourages electronic filings.

*Comment Date:* October 29, 2003.

Linda Mitry,

*Acting Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. SA04-1-000]

#### CEC Technologies, Limited; Notice of Petition for Adjustment

November 19, 2003.

Take notice that on October 28, 2003, CEC Technologies Limited (CEC), filed a petition for staff adjustment under section 502(c) of the Natural Gas Policy Act (NGPA) of 1978,<sup>1</sup> and Rules 207 and 212 (18 CFR 385.207-385.212) of the Commission's Rules of Practice and Procedure. CEC seeks relief from paying Kansas *ad valorem* tax refunds to Northern Natural Gas Company (Northern), pursuant to the Commission's January 2, 2003, order in Northern, Docket No. RP98-39-029.<sup>2</sup>

In this petition, CEC asserts it first became aware of a refund claim against CEC earlier this year when it received a letter from Northern stating that Chinook Energy Corporation (Chinook) had a refund obligation of Kansas *ad valorem* taxes by reason of Chinook's ownership of working interest in natural gas wells in Comanche County, Kansas.

*CEC asserts:* (1) It had no knowledge of the claims made by Northern and therefore is not in a position to affirm or deny Northern's claims; (2) it does not own any gas producing properties in Kansas or have any records of Chinook or CEC ever receiving any revenues from Northern or from any other pipeline

with respect to gas producing properties in Kansas; (3) it neither owns any working interests in any gas producing properties; (4) it has no record of such Kansas properties; (5) it has virtually no revenues from any source with which it might make refunds; and (6) it does not have the financial resources to prosecute its claim for relief through the evidentiary and multiple briefing phases associated with the Commission hearing in Docket No. RP98-39-029.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with sections 385.211 of the Commission's Rules and Regulations. All such protests must be filed in accordance with section 154.210 of the Commission's Regulations. 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 to the proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission rules. This filing is available for review at the Commission in the Public Reference Room or may 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, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208-3676, or TTY, contact (202) 502-8659. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site under the eFiling link.

*Comment Date:* December 3, 2003.

Magalie R. Salas,

*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EC04-18-000, et al.]

#### Alfalfa Electric Cooperative, Inc., et al.; Electric Rate and Corporate Filings

November 19, 2003.

The following filings have been made with the Commission. The filings are listed in ascending order within each docket classification.

<sup>1</sup> 15 U.S.C. 3142 (c) (1982).

<sup>2</sup> 102 FERC ¶ 61,007 (2003).