

matter. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official, Mr. Ralph Caruso (Telephone: 301-415-8065) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Electronic recordings will be permitted.

Further information regarding this meeting can be obtained by contacting the Designated Federal Official between 7:30 a.m. and 4:15 p.m. (e.t.). Persons planning to attend this meeting are urged to contact the above named individual at least two working days prior to the meeting to be advised of any potential changes to the agenda.

Dated: January 25, 2005.

John H. Flack,

Acting Branch Chief, ACRS/ACNW.

[FR Doc. 05-1688 Filed 1-28-05; 8:45 am]

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RAILROAD RETIREMENT BOARD

Proposed Collection; Comment Request

SUMMARY: In accordance with the requirement of section 3506 (c)(2)(A) of the Paperwork Reduction Act of 1995 which provides opportunity for public comment on new or revised data collections, the Railroad Retirement Board (RRB) will publish periodic summaries of proposed data collections.

Comments are invited on: (a) Whether the proposed information collection is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the RRB's estimate of the burden of the collection of the information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden related to the collection of information on

respondents, including the use of automated collection techniques or other forms of information technology.

Title and Purpose of Information Collection: Medical Reports; OMB 3220-0038.

Under Sections 2(a)(1)(iv), 2(a)(2) and 2(a)(3) of the Railroad Retirement Act (RRA), annuities are payable to qualified railroad employees whose physical or mental condition is such that they are unable to (1) work in their regular occupation (occupational disability); or (2) work at all (permanent total disability). The requirements for establishment of disability and proof of continuance of disability are prescribed in 20 CFR part 220.

Under sections 2(c)(1)(ii)(c) and 2(d)(1)(ii) of the RRA, annuities are also payable to qualified spouses and widow(ers), respectively, who have a qualified child who is under a disability which began before age 22. Annuities are also payable to surviving children on the basis of disability under section 2(d)(1)(iii)(C) if the child's disability began before age 22 and to widow(ers) on the basis of disability under section 2(d)(1) (i)(B). To meet the disability standard, the RRA provides that individuals must have a permanent physical or mental condition such that they are unable to engage in any regular employment.

Under section 2(d)(1)(v) of the RRA, annuities are also payable to remarried and surviving divorced spouses on the basis of, *inter alia*, disability or having a qualified disabled child in care. However, the disability standard in these cases is that found in the Social Security Act. That is, individuals must be able to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment. The RRB also determines entitlement to a period of early disability and early Medicare entitlement for qualified claimants in accordance with Section 216 of the Social Security Act.

When making disability determinations, the RRB needs evidence

from acceptable medical sources. The RRB currently utilizes Forms G-3EMP, Report of Medical Condition by Employer; G-250, Medical Assessment; G-250a, Medical Assessment of Residual Functional Capacity; G-260, Report of Seizure Disorder; RL-11b, Disclosure of Hospital Medical Records; and RL-11d, Disclosure of Medical Records from a State Agency; to obtain the necessary medical evidence.

The RRB proposes significant changes to the information collection. The primary change is to add proposed Form G-197, Authorization to Release Medical Information, to the information collection. Proposed Form G-197 will be the standard Health Insurance Portability and Accountability Act (HIPAA) compliant release form used by the RRB to obtain consent for the release of medical evidence under the RRA. The RRB also proposes to revise, renumber, and rename current Form G-250 to proposed Form RL-250, Request for Medical Assessment. Currently, Form G-250, requests a narrative report, copies of office records of the claimant's treatment, requests completion of Form G-250a, and includes a consent statement that the claimant must sign. Proposed Form RL-250 will not request the narrative report nor contain a consent statement. A new Form G-250, titled Medical Assessment is proposed. It is intended to provide more complete information while being more user-friendly by formatting responses into a question and answer format by body system being evaluated. Forms G-3EMP, and RL-11b are being revised to delete the consent portions from the versions currently in use. Minor editorial changes are proposed to Form G-250a which will continue to be used by agency hearings officers as a means to clarify, when necessary, information previously received or to obtain precise information needed to make a residual functional capacity determination. No changes are proposed to Form G-260. Completion is voluntary. One response is requested of each respondent.

ESTIMATE OF RESPONDENT BURDEN

Form No.	Annual response	Time (min)	Burden (hours)
G-3EMP	600	10	100
G-197	6,000	10	1,000
G-250	11,950	30	5,975
G-250a	50	20	17
G-260	100	25	42
RL-11b	5,000	10	833
RL-250	11,950	10	1,992
Total	35,900	9,501

FOR FURTHER INFORMATION CONTACT: To request more information or to obtain a copy of the information collection justification, forms, and/or supporting material, please call the RRB Clearance Officer at (312) 751-3363 or send an e-mail request to Charles.Mierzwa@RRB.GOV. Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092 or send an e-mail to Ronald.Hodapp@RRB.GOV. Written comments should be received within 60 days of this notice.

Charles Mierzwa,
Clearance Officer.

[FR Doc. 05-1670 Filed 1-28-05; 8:45 am]

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RAILROAD RETIREMENT BOARD

Agency Forms Submitted for OMB Review

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Railroad Retirement Board (RRB) has submitted the following proposal(s) for the collection of information to the Office of Management and Budget for review and approval.

Summary of Proposal(s)

- (1) *Collection title:* Financial Disclosure Statement.
- (2) *Form(s) submitted:* DR-423.
- (3) *OMB Number:* 3220-0127.
- (4) *Expiration date of current OMB clearance:* 05/31/2005.
- (5) *Type of request:* Revision of a currently approved collection.
- (6) *Respondents:* Individuals or households.
- (7) *Estimated annual number of respondents:* 1,200.
- (8) *Total annual responses:* 1,200.
- (9) *Total annual reporting hours:* 1,700.
- (10) *Collection description:* Under the Railroad Retirement and the Railroad Unemployment Insurance Acts, the Railroad Retirement Board has authority to secure from an overpaid beneficiary a statement of the individual's assets and liabilities if waiver of the overpayment is requested.

FOR FURTHER INFORMATION CONTACT: Copies of the forms and supporting documents can be obtained from Charles Mierzwa, the agency clearance officer (312-751-3363) or Charles.Mierzwa@rrb.gov.

Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement

Board, 844 North Rush Street, Chicago, Illinois, 60611-2092 or Ronald.Hodapp@rrb.gov and to the OMB Desk Officer for the RRB, at the Office of Management and Budget, Room 10230, New Executive Office Building, Washington, DC 20503.

Charles Mierzwa,
Clearance Officer.

[FR Doc. 05-1671 Filed 1-28-05; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 35-27941]

Filings Under the Public Utility Holding Company Act of 1935, as Amended ("Act")

January 24, 2005.

Notice is hereby given that the following filing(s) has/have been made with the Commission pursuant to provisions of the Act and rules promulgated under the Act. All interested persons are referred to the application(s) and/or declaration(s) for complete statements of the proposed transaction(s) summarized below. The application(s) and/or declaration(s) and any amendment(s) is/are available for public inspection through the Commission's Branch of Public Reference.

Interested persons wishing to comment or request a hearing on the application(s) and/or declaration(s) should submit their views in writing by February 18, 2005, to the Secretary, Securities and Exchange Commission, Washington, DC 20549-0609, and serve a copy on the relevant applicant(s) and/or declarant(s) at the address(es) specified below. Proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. Any request for hearing should identify specifically the issues of facts or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in the matter. After February 18, 2005, the application(s) and/or declaration(s), as filed or as amended, may be granted and/or permitted to become effective.

Allegheny Energy, Inc., et al. (70-10251)

Allegheny Energy, Inc. ("Allegheny"), a registered holding company, and Allegheny Energy Supply Company, LLC ("AE Supply," and together with

Allegheny, "Applicants"),¹ a registered holding company and public-utility company subsidiary of Allegheny; Allegheny Energy Service Corp. ("AESC"), the system service company; the Allegheny wholly-owned public-utility subsidiaries, Monongahela Power Company ("Monongahela"), Mountaineer Gas Company ("Mountaineer"),² The Potomac Edison Company ("Potomac Edison"), West Penn Power Company ("West Penn"), and Allegheny Generating Company ("AGC") (Monongahela, Mountaineer, Potomac Edison, West Penn and AGC, collectively, "Utility Applicants", and along with AE Supply and Allegheny, collectively, "Money Pool Applicants"), and the current and future nonutility subsidiaries of Allegheny ("Nonutility Applicants"),³ 800 Cabin Hill Drive, Greensburg, Pennsylvania 15601, have filed an application-declaration ("Application") under sections 6, 7, 9(a), 10, 11, 12(b), 12(c), and 13 of the Act and rules 43, 45, 46, 54, 86, 87, 90 and 91 under the Act.

The Applicants request authority to engage in financing transactions necessary to their ongoing operations and those of their subsidiaries through November 30, 2007 ("Authorization Period") as well as authority to engage in certain other transactions described below that are necessary to the overall operations of the Allegheny system. In addition, the Money Pool Applicants and AESC request authority to continue the current Allegheny system money pool ("Money Pool").

On December 31, 2001, the Commission issued an order⁴ authorizing the Applicants to engage in a broad range of financing transactions through July 31, 2005. The Applicants intend that the authority sought in this

¹ AE Supply is a public utility company within the meaning of the Act, but it is not subject to state regulation. It is the principal electric generating company for the Allegheny system.

² On August 4, 2004, Allegheny announced it had entered into an agreement to sell Mountaineer and all of Allegheny's West Virginia gas assets to a partnership composed of IGS Utilities LLC, IGS Holdings LLC, and affiliates of ArcLight Capital Partners LLC. See SEC File No. 70-10270.

³ Other than AE Supply and the Utility Applicants, the direct or indirect subsidiaries of Allegheny, whether existing or to be formed or acquired in the future, are referred to as the Nonutility Applicants. The current Nonutility Applicants are Allegheny Energy Solutions, Inc., Allegheny Ventures, Inc. ("Ventures"), Mountaineer Gas Services, Inc., and the West Virginia Power & Transmission Company (collectively, "Existing Nonutility Subsidiaries").

⁴ See Holding Co. Act Release No. 27486 (Dec. 31, 2001) ("2001 Financing Order"), as supplemented by Holding Co. Act Release No. 27521 (April 17, 2002), Holding Co. Act Release No. 27579 (Oct. 17, 2002), and Holding Co. Act Release No. 27652 (Feb. 21, 2003) ("Capitalization Order").