

application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: January 13, 2003.

Stephen L. Leathery,

Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 03-1251 Filed 1-17-03; 8:45 am]

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DEPARTMENT OF DEFENSE

Department of the Navy

Meeting of the Board of Advisors to the Superintendent, Naval Postgraduate School

AGENCY: Department of the Navy, DOD.

ACTION: Notice of open meeting.

SUMMARY: The purpose of the meeting is to elicit the advice of the board on the Naval Service's Postgraduate Education Program. The board examines the effectiveness with which the Naval Postgraduate School is accomplishing its mission. To this end, the board will inquire into the curricula, instruction, physical equipment, administration, state of morale of the student body, faculty, and staff; fiscal affairs; and any other matters relating to the operation of the Naval Postgraduate School as the board considers pertinent. In order to further the collaborative exchange and partnership between the Naval Postgraduate School and the Air Force Institute of Technology (AFIT), AFIT and the Air University's Board of Visitors will attend a joint session on January 30, 2003. This meeting will be open to the public.

DATES: The meetings will be held on Wednesday, January 29, 2003, from 8 a.m. to 4 p.m. and on Thursday, January 30, 2003, from 8 a.m. to 2 p.m. All written comments regarding this meeting should be received by January 24, 2003, and be directed to Superintendent, Naval Postgraduate School (Attn: Jaye Panza), 1 University Circle, Monterey, CA 92943 or by fax (831) 656-3145.

ADDRESSES: The meetings will be held at the Naval Postgraduate School, Herrmann Hall, 1 University Circle, Monterey, CA.

FOR FURTHER INFORMATION CONTACT: Mrs. Jaye Panza, Naval Postgraduate School, 1 University Circle, Monterey, CA, 93943-5000, telephone number (831) 656-2514.

Dated: January 14, 2003.

R.E. Vincent II,

Lieutenant Commander, Judge Advocate General's Corp, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. 03-1300 Filed 1-17-03; 8:45 am]

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DEPARTMENT OF EDUCATION

State Flexibility Program

AGENDA: Office of Elementary and Secondary Education, Department of Education.

ACTION: Notice amending eligibility requirements and extending application deadline.

SUMMARY: Under the State Flexibility ("State-Flex") Program, the Secretary will competitively grant State-Flex authority to up to seven State educational agencies (SEAs), permitting them to (1) consolidate certain Federal education funds that are provided for State-level activities and State administration and use those funds for any educational purpose authorized under the Elementary and Secondary Education Act (ESEA) in order to meet the State's definition of adequate yearly progress (AYP) and advance the education priorities of the State and its local educational agencies (LEAs); and (2) specify how LEAs in the State will use funds allocated under section 5112(a) (State Grants for Innovative Programs) of the ESEA. In addition, an SEA with State-Flex authority must enter into performance agreements with at least four, but no more than ten, LEAs (at least half of which must be high-poverty LEAs), giving those LEAs the flexibility to consolidate certain Federal education funds and to use those funds for any educational purpose permitted under the ESEA in order to meet the State's definition of AYP and specific, measurable goals for improving student achievement and narrowing achievement gaps.

In this notice, we are (1) amending the State-Flex eligibility requirements consistent with the recently announced requirements for submission of accountability plans under Title I of the ESEA and (2) extending the deadline for eligible SEAs to apply to participate in the State-Flex program.

Application Deadline: February 28, 2003.

Eligible Applicants: To be eligible to participate in this State-Flex competition, an SEA must have submitted, by January 31, 2003, its accountability workbook under Title I of the ESEA.

SUPPLEMENTARY INFORMATION: On October 11, 2002, we published in the **Federal Register** a notice inviting applications for State flexibility authority (67 FR 63,394-63,395) and a notice of final application requirements, selection criteria, and competition schedule (67 FR 63,390-63,394). At that time, we established a State-Flex application deadline of January 17, 2003 and indicated that to be eligible to apply, an SEA had to either have its AYP definition approved by the Department or submit an assurance that it would provide the Department with a State AYP definition that meets the requirements of section 1111(b)(2) of the ESEA by the AYP deadline established by the Department.

Subsequent to announcing the initial State-Flex competition, the Department published final accountability regulations under Title I and sent to all States an accountability workbook to assist them in submitting their accountability plans for peer review and approval. Because the primary purpose of the State-Flex program is to assist States and affected LEAs in meeting the State's definition of AYP under Title I, in this notice, the Department is amending the State-Flex eligibility requirements to reflect the recently announced steps that States must take to comply with Title I accountability requirements.

Under Title I, States must submit their completed accountability workbook to the Department by January 31, 2003. The workbook will document how respective elements that are required for approval are met by existing State policy, or will be met through a proposed State policy. For each proposed policy that a State lists in its workbook, the State must include a dateline demonstrating the steps that it will take to adopt the policy prior to the May 1, 2003 deadline for final submission of State accountability plans.

Thus, to be eligible to participate in the State-Flex program, a State must have submitted the completed workbook by the deadline established by the Department under Title I.

The Secretary intends to select up to four SEAs for participation in State-Flex in this initial competition. In conducting the competition, the Department will review the quality of State-Flex plans, including the quality of the local performance agreements that are submitted as part of those plans, on the basis of the selection criteria announced in the October 11, 2002 **Federal Register** notice (67 FR 63,390-63,394). If an SEA selected for State-Flex authority has not yet received final

approval of its accountability system as required under Title I, that SEA will receive conditional State-Flex authority. An SEA with conditional State-Flex authority will not be able to exercise its State-Flex authority or implement any portion of its State-Flex plan (including the local performance agreements) unless the Department fully approves the SEA's accountability system by the deadline established under Title I.

The Department will select the additional State-Flex SEAs in a subsequent competition.

FOR FURTHER INFORMATION CONTACT: Ms. Milagros Lanauze. Telephone: (202) 401-0039 or via Internet: StateFlex@ed.gov.

If you use a telecommunications device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1-800-877-8339. Individuals with disabilities may obtain this notice in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed above.

APPLICATIONS: You may obtain a copy of the application on the Department's Web site at: <http://www.ed.gov/GrantApps/#stateflex>.

You may also obtain a copy of the application from the contact person identified under **FOR FURTHER INFORMATION CONTACT**.

Electronic Access to This Document

You may view this document, as well as other Department of Education documents published in the **Federal Register** in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/legislation/FedRegister>.

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Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official version of the **Federal Register** and the Code of Federal Regulations is available on GPO access at: <http://www.access.gpo.gov/nara/index.html>.

Program Authority: Sections 6141 through 6144 of the ESEA, as amended by the No Child Left Behind Act of 2001 (P.L. 107-110).

Dated: January 16, 2003.

Eugene W. Hickok,
Under Secretary.

[FR Doc. 03-1373 Filed 1-16-03; 2:22 pm]

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DEPARTMENT OF ENERGY

[Docket No. EA-275]

Application to Export Electric Energy; NorthPoint Energy Solutions Inc.

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of application.

SUMMARY: NorthPoint Energy Solutions Inc. ("NorthPoint") has applied for authority to transmit electric energy from the United States to Canada pursuant to section 202(e) of the Federal Power Act.

DATES: Comments, protests or requests to intervene must be submitted on or before February 20, 2003.

ADDRESSES: Comments, protests or requests to intervene should be addressed as follows: Office of Coal & Power Import/Export (FE-27), Office of Fossil Energy, U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585-0350 (FAX 202-287-5736).

FOR FURTHER INFORMATION CONTACT: Rosalind Carter (Program Office) 202-586-7983 or Michael Skinker (Program Attorney) 202-586-2793.

SUPPLEMENTARY INFORMATION: Exports of electricity from the United States to a foreign country are regulated and require authorization under section 202(e) of the Federal Power Act (FPA) (16 U.S.C. 824a(e)).

On December 3, 2002, the Office of Fossil Energy (FE) of the Department of Energy (DOE) received an application from NorthPoint to transmit electric energy from the United States to Canada. NorthPoint is a corporation organized and existing under the Business Corporation Act of Saskatchewan, having its principal place of business in Regina, Saskatchewan, Canada. The sole shareholder of Northpoint is Saskatchewan Power Corporation ("SaskPower"), a Provincial Crown Corporation of the Government of Saskatchewan. NorthPoint does not own or control any electric power generation or transmission facilities and does not have a franchised electric power service area in the United States.

NorthPoint will purchase the power to be exported from electric utilities and federal power marketing agencies within the United States. The exported electricity will be delivered to Canada over the existing international transmission facilities owned by Basin Electric Power Cooperative, Bonneville Power Administration, Citizens Utilities Co., International Transmission Company, Eastern Maine Electric Cooperative, Joint Owners of the

Highgate Project, Long Sault, Inc., Maine Electric Power Company, Maine Public Service Company, Minnesota Power and Light Inc., Minnkota Power Cooperative, New York Power Authority, Niagara Mohawk Power Corporation, Northern States Power, and Vermont Electric Transmission Company. The construction, operation, maintenance, and connection of each of the international transmission facilities to be utilized by NorthPoint, as more fully described in the application, has previously been authorized by a Presidential permit issued pursuant to Executive Order 10485, as amended.

Procedural Matters

Any person desiring to become a party to this proceeding or to be heard by filing comments or protests to this application should file a petition to intervene, comment or protest at the address provided above in accordance with §§ 385.211 or 385.214 of the FERC's Rules of Practice and Procedures (18 CFR 385.211, 385.214). Fifteen copies of each petition and protest should be filed with the DOE on or before the date listed above.

Comments on the NorthPoint application to export electric energy to Canada should be clearly marked with Docket EA-275. Additional copies are to be filed directly with Debra L. McAllister, Senior Legal Counsel, NorthPoint Energy Solutions Inc., 2025 Victoria Avenue, Regina, Saskatchewan, Canada S4P 0S1 AND Stan Berman and Todd Glass, Heller Ehrman White & McAuliffe LLP, 701 Fifth Avenue, Seattle, WA 98104..

A final decision will be made on this application after the environmental impacts have been evaluated pursuant to the National Environmental Policy Act of 1969, and a determination is made by the DOE that the proposed action will not adversely impact on the reliability of the U.S. electric power supply system.

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above or by accessing the Fossil Energy Home Page at <http://www.fe.doe.gov>. Upon reaching the Fossil Energy Home page, select "Regulatory Programs," then "Electricity Regulation," and then "Pending Proceedings" from the options menus.