

[FR Doc. E7-8576 Filed 5-3-07; 8:45 am]

BILLING CODE 4000-01-C

## DEPARTMENT OF EDUCATION

### Notice of Funding of Continuation Grant and Waiver for the Pacific Vocational Educational Improvement Program (PVEIP)

**AGENCY:** Office of Vocational and Adult Education, Department of Education.

**SUMMARY:** The Secretary waives the requirements in 34 CFR 75.250 of the Education Department General Administrative Regulations (EDGAR) that generally prohibit project periods exceeding five years and announces the funding of a continuation grant for the PVEIP. This waiver enables the current, single eligible grantee, the Pacific Region Educational Laboratory (PREL), to continue to receive Federal funding beyond the five-year limitation from fiscal years (FYs) 2006 and 2007 appropriations.

**EFFECTIVE DATE:** This notice is effective June 4, 2007.

**FOR FURTHER INFORMATION CONTACT:**

Laura Karl Messenger, U.S. Department of Education, 400 Maryland Avenue, SW., Room 11028, Potomac Center Plaza, Washington, DC 20202-7241. Telephone (202) 245-7840.

If you use a telecommunications device for the deaf (TDD), you may call the Federal Relay Service (FRS) at 1-800-877-8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

**CONTACT.**

**SUPPLEMENTARY INFORMATION:** Under the Administrative Procedure Act (APA) (5 U.S.C. 553), the Department generally offers interested parties the opportunity to comment on proposed regulations. However, on March 9, 2007, in accordance with section 553(b) of the APA, the Department gave actual notice to the current PVEIP single eligible grantee and its sub-grantees of, and requested comment on, our proposal to waive 34 CFR 75.250 and to fund a continuation grant instead of requiring PREL to submit a new application for a new, one-year grant award. This waiver and continuation grant enable the Secretary to provide additional funds to the current, single eligible grantee for one additional project period, in accordance with the requirements of section 115(b)(1) of the Carl D. Perkins Career and Technical Education Act of

2006, Pub.L. 109-270 (Perkins Act). There are no substantive differences between the actual notice of our proposal and this notice of funding of a continuation grant and waiver. Therefore, all affected parties were provided actual notice of the Department's proposal and an opportunity to comment in lieu of publication of a notice of proposed rulemaking in the **Federal Register**.

The Perkins Act was signed into law on August 12, 2006. The PVEIP is authorized by section 115(b)(1) of the Perkins Act, which states that, for the first fiscal year following the date of enactment, i.e., FY 2007, the Secretary shall award a grant to PREL to make grants for career and technical education and training in Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, and that, beginning with the second fiscal year after enactment, the Secretary shall make grants in equal proportions to Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands under section 115(b)(2) from the funds that were previously reserved for PREL.

The PVEIP makes grants to Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, for the purpose of providing direct career and technical educational services, including: (A) Teacher and counselor training and retraining; (B) curriculum development; and (C) the improvement of career and technical education and training programs in secondary schools and institutions of higher education or improving cooperative education programs involving secondary schools and institutions of higher education.

Because the Perkins Act does not make any substantive changes to the purpose of the PVEIP, and because the law specifies that PREL is to receive an award during one additional fiscal year only, we do not believe it would be in the public interest to require PREL to submit a new application for a one-year grant award. The nature of the PVEIP, in which the single eligible applicant, PREL, is defined in the law, allowed us to provide actual notice in lieu of publishing a notice of proposed rulemaking, consistent with section 553(b) of the APA. Pursuant to the requirements of section 553(b) of the APA, and in order to make a timely grant award in FY 2007, on March 9, 2007, we contacted PREL and its sub-grantees directly and provided them actual notice of, and requested their comments on, our proposal to waive 34 CFR 75.250 and fund a continuation grant.

In response to the actual notice of proposed funding of a continuation grant and waiver, and our invitation to comment, two parties submitted comments supporting the proposed waiver and the proposal to fund a continuation grant for the current, single eligible grantee. We did not receive any comments opposing the proposed waiver and proposal to fund a continuation grant, and, therefore, no substantive changes have been made.

The Secretary waives the requirements in 34 CFR 75.250, which prohibit project periods exceeding five years. With this waiver we can continue the PVEIP grant to PREL and award the final funding authorized by the Perkins Act for PREL from the FY 2006 and FY 2007 appropriations, in accordance with the requirements of section 115(b)(1) of the Perkins Act. This waiver of 34 CFR 75.250 means that: (1) The current PVEIP grant will be continued in accordance with § 75.253, and (2) we will not make a new award in FY 2007.

The waiver of 34 CFR 75.250 does not exempt the current PVEIP grantee from the account closing provisions of 31 U.S.C. 1552(a), nor does it extend the availability of funds previously awarded to the current PVEIP grantee. As a result of 31 U.S.C. 1552(a), appropriations available for a limited period may be used for payment of valid obligations for only five years after the expiration of their period of availability for Federal obligation. After that time, the unexpended balance of those funds is canceled and returned to the Treasury Department and is unavailable for restoration for any purpose.

### Regulatory Flexibility Act Certification

The Secretary certifies that this notice of funding of a continuation grant and waiver will not have a significant economic impact on a substantial number of small entities. The only entities that would be affected are the current eligible grantee and the three eligible PVEIP sub-grantees.

### Paperwork Reduction Act of 1995

This notice of funding of a continuation grant and waiver does not contain any information collection requirements.

### Assessment of Educational Impact

Based on our own review, we have determined that this notice of funding of a continuation grant and waiver does not require transmission of information that any other agency or authority of the United States gathers or makes available.

**Electronic Access to This Document**

You may view this document, as well as all 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/news/fedregister>.

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

**Note:** The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at:

<http://www.gpoaccess.gov/nara/index.html>.

(Catalog of Federal Domestic Assistance Number: 84.048B Pacific Vocational Education Improvement Program)

**Program Authority:** 20 U.S.C. 2325.

Dated: April 30, 2007.

**Troy R. Justesen,**

*Assistant Secretary for Vocational and Adult Education.*

[FR Doc. E7-8527 Filed 5-3-07; 8:45 am]

**BILLING CODE 4000-01-P**

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. ER07-764-000]

**Duke Energy Carolinas, LLC; Notice of Filing**

April 30, 2007.

Take notice that on April 30, 2007, Duke Energy Carolina, LLC filed a First Amended and Restated Agreement with Blue Ridge Electric Membership Corporation, dated April 16, 2007, to become effective May 16, 2007.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 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 notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Comment Date:** 5 p.m. Eastern Time on May 7, 2007.

**Philis J. Posey,**

*Deputy Secretary.*

[FR Doc. E7-8537 Filed 5-3-07; 8:45 am]

**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. RP96-320-073]

**Gulf South Pipeline Company, LP; Notice of Negotiated Rate Filing**

April 27, 2007.

Take notice that on April 20, 2007, Gulf South Pipeline Company, LP (Gulf South) filed with the Commission an amendment to a negotiated rate letter agreement between Gulf South and Centerpoint Energy Resources Corp. (Centerpoint) to correct a typographical error for the shoulder MDQ in Paragraph 1(b).

Gulf South states that copies of the filing has served copies of this filing upon all parties on the official service list created by the Secretary in this proceeding.

Any person desiring to intervene or to protest this filing must file 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 notice of intervention or motion to intervene, as

appropriate. Such notices, motions, or protests must be filed in accordance with the provisions of Section 154.210 of the Commission's regulations (18 CFR 154.210). Anyone filing an intervention or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E7-8518 Filed 5-3-07; 8:45 am]

**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. RP07-406-000]

**National Fuel Gas Supply Corporation; Notice of Tariff Filing and Non-Conforming Service Agreement**

April 30, 2007.

Take notice that on April 23, 2007, National Fuel Gas Supply Corporation (National Fuel) tendered for filing as part of its FERC Gas Tariff, Fourth Revised Volume No. 1, Fourteenth Revised Sheet No. 478, to become effective June 1, 2007.

National Fuel states that the purpose of this filing is to submit for Commission review and acceptance a non-conforming amendment to a service agreement between National Fuel and Duferco Farrell Corporation. The amendment contains provisions that