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**SUPPLEMENTARY INFORMATION:** 35 U.S.C. 207 authorizes licensing of Government-owned inventions. Implementing regulations are contained in 37 CFR Part 404. 37 CFR 404.7(a)(1) authorizes exclusive licensing of Government-owned inventions under certain circumstances, provided that notice of the invention's availability for license has been announced in the Federal Register.

Issued in Washington, DC, on January 22, 1996.

Agnes P. Dover,

*Deputy General Counsel for Technology  
Transfer and Procurement.*

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## Western Area Power Administration

### Central Valley Project, National Defense Authorization Act Power Allocation

**AGENCY:** Western Area Power  
Administration, DOE.

**ACTION:** Notice of Availability.

**SUMMARY:** The Western Area Power Administration (Western), a Federal Power Marketing Administration of the Department of Energy (DOE), announces the availability of 17.0 megawatts (MW) of power under Section 2929 of the National Defense Authorization Act for Fiscal Year 1994 (Pub. L. 103-160, 107 Stat. 1547, 1935 (1993)) (NDA Act). The power will be allocated under the Final NDA Act Procedures (Procedures). The Procedures were developed by Western and published in 59 FR 61604, December 1, 1994, to fulfill the requirements of the NDA Act.

**DATES:** This additional 17 MW of NDA Act power will be allocated pursuant to the Procedures beginning on February 26, 1996. As stated in the procedures, applications from eligible entities requesting NDA Act Power from Western are being accepted up to November 30, 2003. Requests shall be considered on a first-come, first-served basis consistent with the general allocation and contract principle of the Procedures.

**ADDRESSES:** Information regarding the availability of NDA Act Power, and a copy of the Procedures, are available for public inspection and copying at Western's Sierra Nevada Regional Office located at 114 Parkshore Drive, Folsom, California 95630.

**FOR FURTHER INFORMATION CONTACT:** Zola M. Jackson, Power Marketing Manager, Sierra Nevada Customer Service Regional Office, Western Area Power Administration, 114 Parkshore Drive, Folsom, California 95630-4710, (916) 353-4421.

#### SUPPLEMENTARY INFORMATION:

##### Background

The NDA Act was signed into public law on November 30, 1993. The Procedures, published in 59 FR 61604, on December 1, 1994, explain the process developed by Western to implement the NDA Act. The Procedures identify power classified as NDA Act Power and the types of services and contracts offered. Also set forth under the Procedures are the general eligibility criteria to be applied to all applicants requesting an allocation of NDA Act Power. The Procedures also address the process to be used by applicants when applying for NDA Act Power, which includes demonstration that certain economic development criteria are being met for closed military bases.

Section 2929 of the NDA Act provides that, for a 10-year period beginning on November 30, 1993, the electric power allocations provided as of November 30, 1993, by Western from the Central Valley Project (CVP) to military installations in the State of California that have been closed or approved for closure pursuant to the Defense Base Closure and Realignment Act of 1990 (Title XXIX of Pub. L. 101-510; 104 Stat. 1808) (1990 Act) shall be reserved for sale through long-term contracts to preference entities that agree to use such power to promote economic development at a military installation that is closed or approved for closure pursuant to the 1990 Act. To the extent power reserved by the NDA Act is not disposed of through long-term contracts, it shall be made available on a temporary basis beginning November 30, 1993, for a 10-year period to military installations in the State of California through short-term contracts. By implementing the Procedures, Western established the criteria to allocate the power made available as a result of the NDA Act.

As of the date of this publication, McClellan Air Force Base, a military installation with a CVP contract rate of delivery, is scheduled to close pursuant to the 1990 Act. Western is providing notice that in addition to the 34.209 MW already made available for allocation under 59 FR 61604, that 17.0 MW is available for allocation as NDA Act Power to entities qualifying

pursuant to the final NDA Act Procedures on a first-come, first-served basis beginning 30 days after publication of this Federal Register. Interested parties may contact Western at the address and telephone listed in this Federal Register for more information.

Military installation	Long-term firm power	Type III withdrawable	Total
McClellan Air Force Base, McClellan AFB, CA .....	15.094	1.906	17.0
TOTAL .	15.094	1.906	17.0

#### Regulatory Procedure Requirements

**Environmental Compliance:** The National Environmental Policy Act (NEPA) of 1969, 42 U.S.C. 4321 *et seq.*, and implementing regulations issued by the Council on Environmental Quality, 40 C.F.R. 1500 *et seq.*, and the Department of Energy, 10 C.F.R. 1021, require that the environmental effects of agency decisions be studied and considered by decision makers. Studies were made to determine whether there were significant impacts to the environment as a result of the original allocation of the power to the military installations. These studies and analyses were included in the Revised Environmental Assessment for the Sacramento Area Office, Western Area Power Administration, 1994 Power Marketing Plan (DOE/EA-0467, Revised August, 1992) and related Finding of No Significant Impact. Pursuant to Western's proposal to implement the requirements of Section 2929 of the National Defense Authorization Act, Western determined that the preparation of an environmental impact statement was not required and issued a FONSI on April 12, 1995. This current announcement of available NDA Act Power, under the Procedures, involves the same 529 MW of Power previously analyzed and addressed in the 1994 Power Marketing Plan EA, as well as the April 12, 1995, FONSI and therefore will require no further NEPA documentation.

Issued at Golden, Colorado, January 12, 1995.

J. M. Shafer,

*Administrator.*

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