

A single scoping meeting will be held in Wahoo, Nebraska in the Lower Platte North Natural Resources District (NRD) conference room from 7:00–9:00 pm on May 4, 1999. Scoping comments will be accepted by phone or mail at any time during the preparation of the Draft Feasibility Report/Draft EIS.

**FOR FURTHER INFORMATION CONTACT:**

Questions about the proposed action and Draft EIS should be directed to Candace M. Thomas, Chief, Environmental and Economics Section, Water Resources Branch, U.S. Army Corps of Engineers, 215 North 17th Street, Omaha, Nebraska 68102–4978, phone (402) 221–4575, email: Candace.M.Thomas@usace.army.mil

**SUPPLEMENTARY INFORMATION:** The Lower Platte North NRD is a cost-sharing sponsor in the preparation of the feasibility study/EIS, and would also be required to cost-share on any project that results from the study. The feasibility report and EIS will be integrated to reduce paperwork and redundancy, and to consolidate planning documentation into one consistent report.

A watershed planning approach has been taken in the Sand Creek watershed. A 1998 watershed plan prepared by the Lower Platte North NRD and the NRCS consists of 7 dams that will reduce rural and urban flood damages, reduce sedimentation and scour, enhance fish and wildlife habitat, enhance water quality, improve economic conditions, and provide recreational opportunities. That planning process was extended nearly three years for additional studies and consultation with the USFWS on the timing and flows of the Platte River and potential impacts on the endangered pallid sturgeon.

During the delay period, the Lower Platte North NRD also began pursuing a Lake Wanahoo project that would address some of the same flooding problems. The opportunity for building Lake Wanahoo stems from the redesign of U.S. Highway 77 from a two-lane highway to a four-lane expressway. This construction is scheduled to begin in 2002. The Lake Wanahoo dam embankment could also serve as the expressway crossing of Sand Creek.

**Gregory D. Showalter,**

*Army Federal Register Liaison Officer.*

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**DEPARTMENT OF EDUCATION**

**Notice of Proposed Information Collection Requests**

**AGENCY:** Department of Education.

**ACTION:** Notice of proposed information collection requests.

**SUMMARY:** The Acting Leader, 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:** An emergency review has been requested in accordance with the Act (44 U.S.C. Chapter 3507(j)), since public harm is reasonably likely to result if normal clearance procedures are followed. Approval by the Office of Management and Budget (OMB) has been requested by April 19, 1999. A regular clearance process is also beginning. Interested persons are invited to submit comments on or before June 7, 1999.

**ADDRESSES:** Written comments regarding the emergency review should be addressed to the Office of Information and Regulatory Affairs, Attention: Danny Werfel, Desk Officer: Department of Education, Office of Management and Budget, 725 17th Street, N.W., Room 10235, New Executive Office Building, Washington, D.C. 20503. Comments regarding the regular clearance and requests for copies of the proposed information collection request should be addressed to Patrick J. Sherrill, Department of Education, 400 Maryland Avenue, S.W., 5624, Regional Office Building 3, Washington, D.C. 20202–4651, or should be electronically mailed to the internet address *Pat.Sherrill@ed.gov*, or should be faxed to 202–708–9346.

**FOR FURTHER INFORMATION CONTACT:**

Patrick J. Sherrill (202) 708–8196. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Director of OMB provide interested Federal agencies and the public an early opportunity to comment on information collection requests. The Office of Management and Budget (OMB) may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purposes of the information collection,

violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Acting Leader, Information Management Group, Office of the Chief Information Officer, publishes this notice containing proposed information collection requests at the beginning of the Departmental review of the information collection. 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. ED invites public comment at the address specified above. Copies of the requests are available from Patrick J. Sherrill at the address specified above.

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 respondents, including through the use of information technology.

Dated: April 5, 1999.

**William E. Burrow,**

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

*Office of Postsecondary Education.*

*Type of Review:* New.

*Title:* Application for Grants Under the Developing Hispanic-Serving Institutions Program.

**Abstract:** This information is required of institutions of higher education designated eligible to apply for grants as Hispanic-Serving Institutions under Title V, Part A of the Higher Education Act of 1965, as amended. This information will be used in the evaluation process to determine whether proposed activities are consistent with legislated activities, and to determine the dollar share of the Congressional appropriation.

**Additional information:** The Higher Education Amendments of 1998 made significant changes to the statutory authorization for Title III, Part A. Title V was created to replace Part A, section 316 of Title II and was named the

Developing Hispanic-Serving Institutions Program.

*Frequency:* Annually.

*Affected Public:* Not-for-profit institutions; State, local or Tribal Gov't, SEAs or LEAs.

*Reporting and Recordkeeping Burden:*

Responses: 100

Burden Hours: 850

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## DEPARTMENT OF ENERGY

### Office of Arms Control and Nonproliferation Policy; Proposed Subsequent Arrangement

**AGENCY:** Department of Energy.

**ACTION:** Subsequent Arrangement.

**SUMMARY:** The Department is providing a notice of a proposed "subsequent arrangement" under the Agreement for Cooperation in the Peaceful Uses of Nuclear Energy Between the United States of America and the European Atomic Energy Community (EURATOM) and the Agreement for Cooperation Between the Government of the United States of America and the Government of Canada Concerning the Civil Uses of Atomic Energy. This notice is being issued under the authority of section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160).

The subsequent arrangement concerns approval of RTD/CA(EU)-1 involving the return of 25,000 grams of fuel fabrication scrap, containing 23,280 grams of the isotope U-235 (93.15 percent enrichment) from UKAEA in Dounreay, United Kingdom, to, AECL in Chalk River, Canada. The material was originally transferred to the United Kingdom for the recovery of HEU under RTD/EU(CA)-15, which was implemented on October 28, 1997. The recovery process has now been completed and is ready for retransfer to Canada for use as target material for the production of Molybdenum 99.

In accordance with section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that this subsequent arrangement will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this notice.

Dated: April 2, 1999.

For the Department of Energy.

**Ed Fei,**

*Deputy Director, International Policy and Analysis Division, Office of Arms Control and Nonproliferation.*

[FR Doc. 99-8757 Filed 4-7-99; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. ER99-473-001, ER99-418-001 and EL99-47-000]

### California Independent System Operator Corporation and Pacific Gas and Electric Company; Notice of Initiation of Proceeding and Refund Effective Date

April 5, 1999.

Take notice that on April 2, 1999, the Commission issued an order in the above-indicated dockets initiating a proceeding in Docket No. EL99-47-000 under section 206 of the Federal Power Act.

The refund effective date in Docket No. EL99-47-000 will be 60 days after publication of this notice in the **Federal Register**.

**David P. Boergers,**

*Secretary.*

[FR Doc 99-8747 Filed 4-7-99; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. IN99-2-000]

### Communications of Market Information Between Affiliates; Declaratory Order

Issued April 1, 1999.

Before Commissioners: James J. Hoecker, Chairman; William L. Massey, Linda Breathitt, and Curt Hébert, Jr.

The Enforcement section, Office of the General Counsel (Enforcement), received a complaint on the Enforcement Hotline that a public utility informed its affiliate by phone to look the next day on the public utility's Internet website for an offer to sell energy. The following day, the public utility advertised discounted energy on its website for only a half-hour. The affiliate and another non-affiliated entity arranged to purchase the discounted energy from the public utility based on the posting. Three weeks later, another non-affiliate requested the same discount terms. The public utility refused to sell energy to

that non-affiliate on the same terms at that time.

This scenario raises an issue of whether the public utility gave its affiliate an undue preference by telling the affiliate in advance to look on the public utility's website for information about an offer to sell energy. To provide guidance and eliminate any future uncertainty, the Commission clarifies that a public utility must not alert its affiliate to check for an electronic posting. Such a tip is market information that a utility cannot selectively disclose to an affiliate.

### Background

The Hotline learned that a public utility was called by its power marketing affiliate which sought inexpensive energy for a specified term. Several days later, the public utility told its affiliate that the public utility would post on its web page an offer for energy sales with price information the following day.

The next day, the public utility posted on its website an offer to sell a certain quantity of megawatts of installed capacity and energy for a specified term at a particular price. The public utility posted the offer for 30 minutes.

On the day the offer was posted, the affiliate requested all of the megawatts posted. Later the same day, a non-affiliated entity requested a quantity of energy under the same terms given to the affiliate. The public utility agreed to that request as well.

Three weeks later, a second non-affiliated entity requested energy on the same terms that the public utility had given the affiliate and the first non-affiliated entity. The public utility responded that it could only offer capacity and energy on a month-to-month basis and at a different price than it had given the affiliate. When the second non-affiliated entity asked about the sales that the public utility had made to its affiliate and the first non-affiliated entity, the public utility replied that that offering was posted on its website on one day, and that the price had to go up after that day because the public utility faced new environmental requirements and other restrictions.

### Discussion

This sale raises the issue of whether the public utility provided an undue preference to its affiliate by telling the affiliate to look for an offer prior to posting the offer on its website.<sup>1</sup> The

<sup>1</sup> There are several problems with this communication: the public utility gave advance notice of the posting to the affiliate—shortly after