

appear before, or file statements with the Scientific Advisory Board at the time and in the manner permitted by the Board.

Dated: August 27, 2002.

**Patricia L. Toppings,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 02-22417 Filed 9-3-02; 8:45 am]

**BILLING CODE 5001-08-M**

## DEPARTMENT OF EDUCATION

### List of Approved "Ability-to-Benefit" Tests and Passing Scores

**AGENCY:** Department of Education.

**ACTION:** Notice to remove the American College Testing Assessment test from the list of approved "ability-to-benefit" tests.

**SUMMARY:** The Secretary gives notice that the American College Testing (ACT) Assessment: (English and Math) test is being withdrawn, at the request of the test publisher, from the list of approved "ability-to-benefit" (ATB) tests. The ACT Assessment test consists of a test of English and a test of Math.

With this notice, the Secretary is amending the list of approved ATB tests and passing scores that were published in the **Federal Register** on April 19, 2002, under the authority of section 484(d) of the Higher Education Act of 1965, as amended (HEA) and the regulations the Secretary promulgated to implement that section in 34 CFR part 668, subpart J, by removing the ACT Assessment test and its passing scores. An institution will no longer be permitted to use this test to determine if a student who does not have a high school diploma or its recognized equivalent, is eligible to receive funds under any title IV, HEA program. The title IV, HEA programs include the Federal Pell Grant, Federal Family Education Loan, William D. Ford Federal Direct Loan, Federal Perkins Loan, Federal Work-Study, Federal Supplemental Educational Opportunity Grant, and the Leveraging Educational Assistance Partnership (LEAP) programs.

#### Transition

Institutions are allowed to continue to make ATB eligibility determinations using the tests and passing scores that were listed in the April 19, 2002 **Federal Register**, including the American College Testing (ACT) Assessment: (English and Math) until January 2, 2003. After that date only the tests and passing scores included in this notice may be used.

#### FOR FURTHER INFORMATION CONTACT:

Lorraine Kennedy, U.S. Department of Education, 400 Maryland Avenue, SW., (830 Union Center Plaza), Washington, DC 20202-5345. Telephone: (202) 377-4050.

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 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**.

#### SUPPLEMENTARY INFORMATION:

On October 25, 1996, we published a notice in the **Federal Register** (61 FR 55542-55543) that provided a list of eight "ability-to-benefit" tests. These tests were approved under section 484(d) of the HEA and the regulations that were promulgated to implement that section in 34 CFR part 668, subpart J. The notice also included approved passing scores for each of the approved tests.

In a notice published in the **Federal Register** on October 27, 1998, (63 FR 57540-57541), we added the American College Testing (ACT) Assessment to the list of approved ability-to-benefit tests.

In a notice published in the **Federal Register** on May 5, 1999, (64 FR 24246-24247), we indicated that the nine approved ATB tests could be used for testing students with disabilities if the tests are given in a manner that is consistent with the applicable requirements of section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

In a notice on January 12, 2001 (66 FR 2892-2893), we approved the Combined English Language Skills Assessment (CELSA) test as an English as a Second Language (ESL) test under 34 CFR 668.153(a)(9) and (a)(4).

Additionally, in a notice published in the **Federal Register** on April 19, 2002, (67 FR 19430-19432), we extended the Secretary's approval of seven ATB tests for five years and at the request of the test publisher removed the Test of Adult Basic Education (TABE)—Forms 5 and 6, Level A as an approved ATB test.

*List of Approved Tests and Passing Scores:* For the convenience of all interested parties, we have listed the eight ATB tests and passing scores.

1. ASSET Program: Basic Skills Tests (Reading, Writing, and Numerical)—Forms B2, C2, D2 and E2.

*Passing Scores:* The approved passing scores on this test are as follows: Reading (35), Writing (35), and Numerical (33).

*Publisher:* The test publisher and the address, contact person, telephone, and fax number of the test publisher are: American College Testing (ACT), Placement Assessment Programs, 2201 North Dodge Street, P.O. Box 168, Iowa City, Iowa 52243.

Contact: Dr. John D. Roth. Telephone: (319) 337-1030. Fax: (319) 337-1790.

2. Career Programs Assessment (CPAT) Basic Skills Subtests (Language Usage, Reading and Numerical)—Forms B and C.

*Passing Scores:* The approved passing scores on this test are as follows: Language Usage (42), Reading (43), and Numerical (41).

*Publisher:* The test publisher and the address, contact person, telephone, and fax number of the test publisher are: American College Testing (ACT), Placement Assessment Programs, 2201 North Dodge Street, P.O. Box 168, Iowa City, Iowa 52243.

Contact: Dr. John D. Roth. Telephone: (319) 337-1030. Fax: (319) 337-1790.

3. COMPASS Subtests: Prealgebra/ Numerical Skills Placement, Reading Placement, and Writing Placement.

*Passing Scores:* The approved passing scores on this test are as follows: Prealgebra/Numerical (25), Reading (62), and Writing (32).

*Publisher:* The test publisher and the address, contact person, telephone, and fax number of the test publisher are: American College Testing (ACT), Placement Assessment Programs, 2201 North Dodge Street, P.O. Box 168, Iowa City, Iowa 52243.

Contact: Dr. John D. Roth. Telephone: (319) 337-1030. Fax: (319) 337-1790.

4. Combined English Language Skills Assessment (CELSA), Forms 1 and 2.

*Passing Scores:* The approved passing scores on this test are as follows: CELSA Form 1 (90) and CELSA Form 2 (90).

*Publisher:* The test publisher and the address, contact person, telephone, and fax number of the test publisher are: Association of Classroom Teacher Testers (ACTT), 1187 Coast Village Road, PMB 378, Montecito, California 93108-2794.

Contact: Pablo Buckelew. Telephone: (805) 569-0734. Fax: (805) 569-0004.

5. Computerized Placement Tests (CPTs)/Accuplacer (Reading Comprehension, Sentence Skills, and Arithmetic).

*Passing Scores:* The approved passing scores on this test are as follows: Reading Comprehension (55), Sentence Skills (60), and Arithmetic (34).

*Publisher:* The test publisher and the address, contact person, telephone, and fax number of the test publisher are: The College Board, 45 Columbus Avenue, New York, New York 10023-6992.

Contact: Ms. Suzanne Murphy.  
Telephone: (405) 842-9891. Fax: (405) 842-9894.

6. Descriptive Tests: Descriptive Tests of Language Skills (DTLS) (Reading Comprehension, Sentence Structure and Conventions of Written English)—Forms M-K-3KDT and M-K-3LDT; and Descriptive Tests of Mathematical Skills (DTMS) (Arithmetic)—Forms M-K-3KDT and M-K-3LDT.

*Passing Scores:* The approved passing scores on this test are as follows: Reading Comprehension (108), Sentence Structure (9), Conventions of Written English (309), and Arithmetic (506).

*Publisher:* The test publisher and the address, contact person, telephone, and fax number of the test publisher are: The College Board, 45 Columbus Avenue, New York, New York 10023-6992.

Contact: Ms. Suzanne Murphy.  
Telephone: (405) 842-9891. Fax: (405) 842-9894.

7. Test of Adult Basic Education (TABE): (Reading, Total Mathematics, Language)—Forms 7 and 8, Level A, Complete Battery and Survey Versions.

*Passing Scores:* The approved passing scores on this test are as follows: Reading (559), Total Mathematics (562), Language (545).

*Publisher:* The test publisher and the address, contact person, telephone, and fax number of the test publisher are: CTB/McGraw-Hill, 20 Ryan Ranch Road, Monterey, California 93940-5703.

Contact: Ms. Veronika Guerrero.  
Telephone: (831) 393-6416. Fax: (831) 393-7128.

8. Wonderlic Basic Skills Test (WBST)—Verbal Forms VS-1 & VS-2, Quantitative Forms QS-1 & QS-2.

*Passing scores:* The approved passing scores on this test are as follows: Verbal (200) and Quantitative (210).

*Publisher:* The test publisher and the address, contact person, telephone, and fax number of the test publisher are: Wonderlic Personnel Test, Inc., 1795 N. Butterfield Road, Libertyville, IL 60048.

Contact: Mr. Victor S. Artese.  
Telephone: (800) 323-3742.

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**Program Authority:** 20 U.S.C. 1091(d).

Dated: August 28, 2002.

**Candace M. Kane,**

*Acting Chief Operating Officer, Federal Student Aid.*

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#### DEPARTMENT OF ENERGY

##### Federal Energy Regulatory Commission

[Docket No. ER02-1656-006 and EL01-68-021]

##### California Independent System Operator Corporation; Investigation of Wholesale Rates of Public Utility Sellers of Energy and Ancillary Services in the Western Systems Coordinating Council; Notice of Filing

August 27, 2002.

Take notice that on August 21, 2002, the California Independent System Operator Corporation (ISO) tendered for filing with the Federal Energy Regulatory Commission (Commission) a compliance filing pursuant to the Commission's July 17, 2002 Order, 100 FERC ¶ 61,060(2002).

Any person desiring to intervene or to protest this filing should file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, 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 motion to intervene. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. This filing is available for review at the Commission or may be viewed on the Commission's Web site at <http://www.ferc.gov>, using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number filed to access the document. For assistance, call (202) 502-8222 or TTY, (202) 208-1659. Protests and interventions may be filed electronically

via the Internet in lieu of paper; see 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site under the "e-Filing" link. The Commission strongly encourages electronic filings.

Comment Date: September 11, 2002.

**Linwood A. Watson, Jr.,**

*Deputy Secretary.*

[FR Doc. 02-22474 Filed 9-3-02; 8:45 am]

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#### DEPARTMENT OF ENERGY

##### Federal Energy Regulatory Commission

[Docket No. RP96-389-065]

##### Columbia Gulf Transmission Company; Notice of Compliance Filing

August 28, 2002.

Take notice that on August 22, 2002, Columbia Gulf Transmission Company (Columbia Gulf) tendered for filing as part of its FERC Gas Tariff, Second Revised Volume No. 1, the following revised tariff sheet:

Effective July 1, 2002:  
1st Revised Second Revised Sheet No. 316.

Effective July 5, 2002:  
Substitute Third Revised Sheet No. 316.  
Effective August 2, 2002:  
Substitute Fourth Revised Sheet No. 316.

Columbia Gulf states that on July 18, 2002, it made a filing with the Commission seeking approval of a Rate Schedule FTS-1 negotiated rate agreement with Conoco, Inc. (Conoco) in Docket No. RP96-389-058. Also, on July 19, 2002 and July 23, 2002, Columbia Gulf made similar filings with the Commission seeking approval of Rate Schedule FTS-1 negotiated rate agreements with Aquila Merchant Services (Aquila), and Reliant Energy Services (Reliant), in Docket Nos. RP96-389-059 and RP96-389-061, respectively. On August 12, 2002, the Commission issued orders approving the Conoco and Aquila service agreements effective July 1, 2002. On August 15, 2002, the Commission approved the Reliant service agreement with an effective date of July 1, 2002. In the orders, the Commission directed Columbia Gulf to file a tariff sheet identifying the agreements as non-conforming agreements in compliance with section 154.112(b) of the Commission's regulations. The instant filing is being made to comply with Section 154.112(b) and reference the non-conforming service agreements in its Volume No. 1 tariff. The Substitute