

applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department of Education (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

3. *Special Conditions:* Under 34 CFR 74.14 and 80.12, the Secretary may impose special conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 34 CFR parts 74 or 80, as applicable; has not fulfilled the conditions of a prior grant; or, is otherwise not responsible.

## VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN). We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

### 2. Administrative and National Policy Requirements:

We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Reporting:* (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to <http://www.ed.gov/fund/grant/apply/appforms/appforms.html>.

4. *Performance Measures:* The success of the EOC Program will be measured by the EOC Program participants' success in completing a secondary school diploma or its equivalent, completion of applications for student financial aid, submission of applications for postsecondary admission, and postsecondary enrollment. All EOC Program grantees will be required to submit an annual performance report.

5. *Continuation Awards:* In making a continuation award, the Secretary may consider, under 34 CFR 75.253, the extent to which a grantee has made "substantial progress toward meeting the objectives in its approved application." This consideration includes the review of a grantee's progress in meeting the targets and projected outcomes in its approved application, and whether the grantee has expended funds in a manner that is consistent with its approved application and budget. In making a continuation grant, the Secretary also considers whether the grantee is operating in compliance with the assurances in its approved application, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

## VII. Agency Contacts

### FOR FURTHER INFORMATION CONTACT:

Rachael Couch or Geraldine Smith, U.S. Department of Education, 1990 K Street, NW., room 7000, Washington, DC 20006-8510. Telephone: (202) 502-7600 or by e-mail: [TRIO@ed.gov](mailto:TRIO@ed.gov).

If you use a TDD, call the FRS, toll free, at 1-800-877-8339.

## VIII. Other Information

*Accessible Format:* Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (e.g., braille, large print, audiotope, or computer diskette) on request to one of the program contact persons listed under *For Further Information Contact* in section VII of this notice.

*Electronic Access to This Document:* You can view this document, as well as all other documents of this Department 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.

**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 via the Federal Digital System at: <http://www.gpo.gov/fdsys>.

Dated: March 31, 2011.

**Eduardo M. Ochoa,**  
*Assistant Secretary for Postsecondary Education.*

[FR Doc. 2011-8202 Filed 4-5-11; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

### Agency Information Collection Extension

**AGENCY:** Western Area Power Administration, Department of Energy.

**ACTION:** Notice and request for comments.

**SUMMARY:** Western Area Power Administration (Western), an agency of the Department of Energy (DOE), pursuant to the Paperwork Reduction Act of 1995, intends to extend for three years without change, an information collection request with the Office of Management and Budget (OMB). Western's current OMB control number 1910-5136 for its Applicant Profile Data form (APD) expires on September 30, 2011. Comments are invited on:

(1) Whether the extended collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including the use of automated electronic, mechanical or other collection techniques or other forms of information technology.

**DATES:** Comments regarding this proposed information collection must be received on or before the end of the comment period that closes on June 6, 2011. Western must receive comments by the end of the comment period to ensure consideration.

**ADDRESSES:** Written comments may be sent to Mr. Ronald Klinefelter, Corporate Service Office, Western Area Power Administration, 12155 W. Alameda Parkway, Lakewood, CO 80228 or by e-mail at [PRAComments@wapa.gov](mailto:PRAComments@wapa.gov). Please refer to "Paperwork Reduction Act Information Collection" as the subject of your comments.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ronald Klinefelter, Corporate Service Office, Western Area Power Administration, 12155 W. Alameda Parkway, Lakewood, CO 80228, telephone (720) 962-7010, or e-mail [PRAComments@wapa.gov](mailto:PRAComments@wapa.gov). Western's existing collection instrument, the Applicant Profile Data form (APD), can be viewed in the Invitation for Public Comments on Western's Web page <http://www.wapa.gov/documents/APDcomments.pdf>.

**SUPPLEMENTARY INFORMATION:** This information collection request relates to: (1) OMB No. 1910-5136; (2) Information Collection Request Title: Western Area Power Administration Applicant Profile Data; (3) Type of Review: Renewal; (4) Purpose: The proposed collection of information is necessary for the proper performance of Western's functions. Western markets a limited amount of Federal power. Western has discretion to determine who will receive an allocation of Federal power. Due to the high demand for Western's power and limited amount of available power under established marketing plans, Western needs to be able to collect information to evaluate who will receive an allocation of Federal power. As a result, the information Western collects is necessary and useful; (5) Annual Estimated Number of Respondents: 33.3; (6) Annual Estimated Number of Total Responses: 33.3; (7) Annual Estimated Number of Burden Hours: 266.7; (8) Annual Estimated Reporting and Recordkeeping Cost Burden: 0.

### I. Statutory Authority

Reclamation Laws are a series of laws arising from the Desert Land Act of 1872 and include but are not limited to: The Desert Land Act of 1872, Reclamation Act of 1902, Reclamation Project Act of 1939, and the Acts authorizing each individual project such as the Central Valley Project Authorizing Act of 1937.<sup>1</sup> The Reclamation Act of 1902 established the Federal reclamation program.<sup>2</sup> The basic principle of the Reclamation Act of 1902 was that the United States, through the Secretary of the Interior, would build and operate irrigation works from the proceeds of public land sales in the sixteen arid Western states (a seventeenth was later added). The Reclamation Project Act of 1939 expanded the purposes of the reclamation program and specified

certain terms for contracts that the Secretary of the Interior enters into to furnish water and power.<sup>3</sup> Congress enacted the Reclamation Laws for purposes that include enhancing navigation, protection from floods, reclaiming the arid lands in the Western United States, and for fish and wildlife.<sup>4</sup> Congress intended the production of power would be a supplemental feature of the multi-purpose water projects authorized under the Reclamation Laws.<sup>5</sup> No contract entered into by the United States for power may impair the efficiency of the project for irrigation purposes.<sup>6</sup> Section 5 of the Flood Control Act of 1944 is read *in pari materia* with Reclamation Laws.<sup>7</sup> In 1977 the Department of Energy Organization Act transferred the power marketing functions of the Department of the Interior to Western.<sup>8</sup> Pursuant to this authority, Western markets Federal hydropower. As part of Western's marketing authority, Western needs to obtain information from interested entities who desire an allocation of Federal power. The Paperwork Reduction Act of 1995 requires Western to obtain a clearance from OMB before collecting this information.<sup>9</sup>

### II. This Process Determines the Format of the APD and Is Not a Call for Applications

This public process and the associated **Federal Register** Notice only determine the information that Western will collect from an entity desiring to apply for a Federal power allocation. It is a legal requirement with which Western must comply before Western can request information from potential preference customers. This public process is not the process whereby interested parties request an allocation of Federal power. The actual allocation of power is outside the scope of this proceeding. Please do not submit a request for Federal power in this process. At a later time, through a separate process, Western will issue a call for applications, as part of its project-specific marketing plans. When Western issues a call for applications, the information Western proposes to collect is voluntary. Western will use the information collected, in conjunction with its project-specific

<sup>3</sup> See, Ch. 418, 53 Stat. 1187 (1939), as amended and supplemented.

<sup>4</sup> See, e.g., ch. 832, 50 Stat. 844, 850 (1937), as amended and supplemented.

<sup>5</sup> *Id.*

<sup>6</sup> See, 43 U.S.C. 485h(c).

<sup>7</sup> See Act of December 22, 1944, ch. 665, 58 Stat. 887, as amended and supplemented.

<sup>8</sup> See, 42 U.S.C. 7152(a)(1)(E).

<sup>9</sup> See, 44 U.S.C. 3501, *et seq.*

marketing plans, to determine an entity's eligibility and ultimately who will receive an allocation of Federal power.

### III. Purpose of Proposed Collection

Western proposes to continue to collect the information in its existing APD. Western's current OMB control number 1910-5136 for its APD will expire on September 30, 2011. There will be no changes in the content, format, and directions. There are some ministerial errors that have been corrected on the APD; however, such corrections have no impact on the content, format, directions or paperwork burden. The content, format, directions and paperwork burden for the existing APD are discussed in more detail in that **Federal Register** Notice.<sup>10</sup> This information also is included as part of the administrative record for this proceeding. In that process, Western identified what it believes is the minimum amount of collective information, as well as the need for collecting this information and the burden it creates. Western stated due to the variations that may be developed in each of Western's Regions, each Region through its project-specific marketing plans may determine that it does not need all of the information. Each Region will identify the subset of the data that it will require in its application through its call for applications. The APD, as well as administrative record for the proposal justifying its continued use, is available for inspection and copying at Western's Corporate Service Office and the ministerial changes as well as the invitation for comments may be viewed at <http://www.wapa.gov/documents/APDcomments.pdf>. As part of this process, Western has updated the annual cost burdens. From 2008 to 2011, Western has increased its estimate of the cost burden for preparing the APD from \$100 to \$104 per hour and for recordkeeping from \$50 to \$52 per hour.

### IV. Invitation for Comments

Western invites public comment on its existing collection of information as set forth above. Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be

<sup>10</sup> 73 FR 5555 (2008), 73 FR 31463 (2008).

<sup>1</sup> See, Ch. 107, 19 Stat. 377 (1872), Ch. 1093, 32 Stat. 388 (1902), Ch. 418, 53 Stat. 1187 (1939), ch. 832, 50 Stat. 844, 850 (1937), all as amended and supplemented.

<sup>2</sup> See, Ch. 1093, 32 Stat. 388, as amended and supplemented.

collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated, electronic, mechanical or other collection techniques or other forms of information technology. As required under the Paperwork Reduction Act, after evaluating comments, Western will make a final determination on this information collection extension and publish a second notice in the **Federal Register**.

Dated: March 28, 2011.

**Timothy J. Meeks,**  
*Administrator.*

[FR Doc. 2011-8159 Filed 4-5-11; 8:45 am]

BILLING CODE 6450-01-P

## DEPARTMENT OF ENERGY

[OE Docket No. EA-209-C]

### Application to Export Electric Energy; Cargill Power Markets, LLC

**AGENCY:** Office of Electricity Delivery and Energy Reliability, DOE.

**ACTION:** Notice of application.

**SUMMARY:** Cargill Power Markets, LLC (CPM) has applied to renew its authority to transmit electric energy from the United States to Canada pursuant to section 202(e) of the Federal Power Act (FPA).

**DATES:** Comments, protests, or requests to intervene must be submitted to DOE and received on or before May 6, 2011.

**ADDRESSES:** Comments, protests, or requests to intervene should be addressed to: Christopher Lawrence, Office of Electricity Delivery and Energy Reliability, Mail Code: OE-20, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0350. Because of delays in handling conventional mail, it is recommended that documents be transmitted by overnight mail, by electronic mail to [Christopher.Lawrence@hq.doe.gov](mailto:Christopher.Lawrence@hq.doe.gov), or by facsimile to 202-586-8008.

**FOR FURTHER INFORMATION CONTACT:** Christopher Lawrence (Program Office) 202-586-5260.

**SUPPLEMENTARY INFORMATION:** Exports of electricity from the United States to a foreign country are regulated by the Department of Energy (DOE) pursuant to sections 301(b) and 402(f) of the Department of Energy Organization Act (42 U.S.C. 7151(b), 7172(f)) and require authorization under section 202(e) of the FPA (16 U.S.C. 824a(e)).

On June 24, 1999, the Department of Energy (DOE) issued Order No. EA-209,

which authorized CPM to transmit electric energy from the United States to Canada as a power marketer for a two-year term using existing international transmission facilities. DOE renewed the CPM export authorization two additional times: On July 3, 2001 in Order No. EA-209-A and on May 31, 2006 in Order No. EA-209-B. Order No. EA-209-B will expire on May 31, 2011. On February 14, 2011, CPM filed an application with DOE for renewal of the export authority contained in Order No. EA-209-B for an additional five-year term.

The electric energy that CPM proposes to export to Canada would be surplus energy purchased from electric utilities, Federal power marketing agencies, and other entities within the United States. The existing international transmission facilities to be utilized by CPM have previously been authorized by Presidential permits issued pursuant to Executive Order 10485, as amended, and are appropriate for open access transmission by third parties.

*Procedural Matters:* Any person desiring to become a party to these proceedings 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 Federal Energy Regulatory Commission's Rules of Practice and Procedures (18 CFR 385.211, 385.214). Fifteen copies of each petition and protest should be filed with DOE and must be received on or before the date listed above.

Comments on the CPM application to export electric energy to Canada should be clearly marked with OE Docket No. 290-B. An additional copy is to be filed directly with Eugene J. Becker, Vice President, Cargill Power Markets, LLC, 9350 Excelsior Blvd., MS 150, Hopkins, MN 55343. A final decision will be made on this application after the environmental impacts have been evaluated pursuant to DOE's National Environmental Policy Act Implementing Procedures (10 CFR Part 1021) and after a determination is made by DOE that the proposed action will not have an adverse 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, by accessing the program Web site at [http://www.oe.energy.gov/permits\\_pending.htm](http://www.oe.energy.gov/permits_pending.htm), or by e-mailing Odessa Hopkins at [Odessa.Hopkins@hq.doe.gov](mailto:Odessa.Hopkins@hq.doe.gov).

Issued in Washington, DC, on March 30, 2011.

**Anthony J. Como,**

*Director, Permitting and Siting, Office of Electricity Delivery and Energy Reliability.*

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BILLING CODE 6450-01-P

## DEPARTMENT OF ENERGY

### Office of Energy Efficiency and Renewable Energy

[Case No. CAC-029]

#### Petition for Waiver From DaikinAC (Americas) Inc. and Granting of the Interim Waiver From the Department of Energy Commercial Package Air Conditioner and Heat Pump Test Procedure

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy.

**ACTION:** Notice of petition for waiver, granting of application for interim waiver, and request for comments.

**SUMMARY:** This notice announces receipt of and publishes a petition for waiver from DaikinAC (Americas) Inc. (Daikin). The petition for waiver (hereafter "petition") requests a waiver from the U.S. Department of Energy (DOE) test procedure applicable to commercial package air-source central air conditioners and heat pumps. The petition is specific to the Daikin variable capacity VRV III-PB variable refrigerant flow (VRF) commercial multi-split heat pumps ("VRV III-PB multi-split heat pumps"). Through this document, DOE solicits comments, data, and information with respect to the Daikin petition; and announces the grant of an interim waiver to Daikin from the existing DOE test procedure for the subject commercial multi-split heat pumps.

**DATES:** DOE will accept comments, data, and information with respect to the Daikin petition until, but no later than May 6, 2011.

**ADDRESSES:** You may submit comments, identified by case number "CAC-029," by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *E-mail:* [AS\\_Waiver\\_Requests@ee.doe.gov](mailto:AS_Waiver_Requests@ee.doe.gov). Include the case number [CAC-029] in the subject line of the message.

- *Mail:* Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Program, Mailstop EE-2/ 1000 Independence Avenue, SW.,