

Background

This dispute arose as the result of the revocation of Mr. Robert Smith's vending license by the Michigan Commission for the Blind, the State licensing agency (SLA). The SLA alleged that Mr. Smith failed to comply with several vending facility program rules governing the operation and administration of the Michigan Business Enterprise Program.

Mr. Smith had operated facilities in the SLA's vending facility program since May, 1987. His most recent assignment was the Mason Building Cafeteria, which he operated from September 1993 until his license revocation, which was effective June 16, 1995.

The SLA alleged that Mr. Smith failed to—(1) Furnish reports in a proper manner; (2) pay set-aside fees in a timely fashion by the required due date; (3) operate the facility in accordance with applicable health laws and rules; (4) cooperate with commission representatives in the performance of official duties and responsibilities; and (5) pay food suppliers in a timely manner in accordance with applicable credit policies.

On June 23, 1995, Mr. Smith filed a request with the SLA for a full evidentiary hearing stating that he had complied with all applicable rules and regulations concerning the Mason Building Cafeteria. A State fair hearing was held on January 4, 1996.

On January 19, 1996, an Administrative Law Judge (ALJ) recommended that, based on the hearing testimony, Mr. Smith's license not be revoked and that the SLA continue to assist him with respect to the deficiencies relating to the management and operation of the Mason Building Cafeteria.

By letter dated March 6, 1996, Mr. Smith was informed that the Michigan Commission for the Blind Board of Directors on February 19, 1996, rejected the recommendation of the ALJ that complainant's license not be revoked. This decision constituted final agency action.

Mr. Smith sought review of this decision by a Federal arbitration panel. A hearing on this case was held on August 1, 1996.

Arbitration Panel Decision

The issues before the arbitration panel were—(1) Whether the SLA's action in revoking Mr. Smith's license to operate the Mason Building Cafeteria was in accordance with the Randolph-Sheppard Act (the Act), implementing regulations, and State rules and

regulations; and (2) whether the SLA engaged in undue harassment and caused injury to the complainant by his license revocation and the closing of the cafeteria.

A majority of the panel ruled that Mr. Smith was in violation of the Act, implementing regulations, and State rules and regulations by reason of his failure to furnish reports as required and to pay set-aside fees. In addition, the majority of the panel found that Mr. Smith did not operate the facility in accordance with health laws and rules. Not only was he in violation of the laws administered by the county health department, but he failed to meet the health and safety standards of the SLA. Mr. Smith also failed to follow specific instructions concerning sanitation and disposal of waste products and to pay for merchandise in accordance with the terms of credit of his suppliers.

Further, the majority of the arbitration panel stated that the allegation of harassment had been carefully examined and found to be without merit. There had been no showing through testimony or evidence that Mr. Smith was treated disparately or that the rules were applied to him in an arbitrary or capricious manner.

The majority of the panel concluded that the SLA's action in revoking Mr. Smith's license was in accordance with the Act, the implementing regulations, and State rules and regulations and that Mr. Smith was not subjected to undue harassment in the operation of his facility.

One panel member dissented.

The views and opinions expressed by the panel do not necessarily represent the views and opinions of the U.S. Department of Education.

Dated: July 23, 1997.

Judith E. Heumann,

Assistant Secretary for Special Education and Rehabilitative Services.

[FR Doc. 97-19866 Filed 7-28-97; 8:45 am]

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DEPARTMENT OF ENERGY

[FE Docket No. 97-36-NG]

Office of Fossil Energy; Coastal Gas Marketing Company; Order Granting Long-Term Authorization To Import Natural Gas From Canada

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of order.

SUMMARY: The Office of Fossil Energy of the Department of Energy gives notice that it has issued an order granting Coastal Gas Marketing Company (CGM)

long-term authorization to import up to 5 MMcf of natural gas of Canadian natural gas for a period of ten years, beginning on November 1, 1997, under the terms and conditions of a letter agreement dated February 20, 1997, with Ranger Oil Limited. This natural gas may be imported at Niagara Falls, New York, or at alternative border points with transportation facilities accessible by CGM.

This order is available for inspection and copying in the Office of Natural Gas & Petroleum Import and Export Activities docket room, 3F-056, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586-9478. The docket room is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, D.C., July 7, 1997.

Wayne E. Peters,

Manager, Natural Gas Regulation, Office of Natural Gas and Petroleum Import and Export Activities, Office of Fossil Energy.

[FR Doc. 97-19918 Filed 7-28-97; 8:45 am]

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DEPARTMENT OF ENERGY

[FE Docket No. 97-41-NG]

Office of Fossil Energy; Coenergy Trading Company; Order Granting Long-Term Authorization To Export Natural Gas To Canada For Subsequent Re-Import To The United States

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of order.

SUMMARY: The Office of Fossil Energy of the Department of Energy gives notice that it has issued DOE/FE Order No. 1280 on June 20, 1997, granting CoEnergy Trading Company a ten-year authorization to export up to 80,000 Mcf per day (29.2 Bcf annually) to Canada for re-import to the United States. The term of the authorization is for a period commencing November 1, 1998, through October 31, 2008. This gas may be exported from the United States at the existing interconnection of TransCanada PipeLines Limited and Great Lakes Gas Transmission Limited Partnership near St. Clair, Michigan, and re-imported into the United States at the interconnection of the Trans Quebec and Maritimes Pipeline and the proposed Portland Natural Gas Transmission System near Pittsburg, New Hampshire.

This order is available for inspection and copying in the Office of Natural Gas & Petroleum Import and Export

Activities Docket Room, 3F-056, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585-0350, (202) 586-9478. The docket room is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, D.C., June 11, 1997.

Wayne E. Peters,

Manager, Natural Gas Regulation, Office of Natural Gas and Petroleum Import and Export Activities, Office of Fossil Energy.

[FR Doc. 97-19919 Filed 7-28-97; 8:45 am]

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DEPARTMENT OF ENERGY

Bonneville Power Administration

Pacific Northwest Coordination Agreement (PNCA)

AGENCY: Bonneville Power Administration (BPA), Department of Energy (DOE).

ACTION: Notice of Availability of Record of Decision (ROD).

SUMMARY: The Administrator and Chief Executive Officer (CEO) of BPA, acting for BPA, and, as Chairman of the United States Entity (the Administrator of BPA and the Division Engineer, North Pacific Division of the United States Army Corps of Engineers (Corps)), acting on behalf of the United States Entity, has decided that the 1964 Pacific Northwest Coordination Agreement (PNCA) should be revised and retained.

To facilitate the implementation of the 1997 PNCA, BPA, the Regional Director of the Pacific Northwest Regional Office of the Bureau of Reclamation (Reclamation), and the Division Engineer of the Northwestern Division (formerly the North Pacific Division) of the United States Army Corps of Engineers (Corps) have decided to clarify each agency's role and responsibility under the 1997 PNCA in a Memorandum of Agreement.

This decision is consistent with the Columbia River System Operation Review (SOR) Final Environmental Impact Statement (EIS) (DOE/EIS-0170, November 1995) which evaluated the potential impacts of five alternatives for regional coordination.

ADDRESSES: Copies of the SOR Final EIS, Appendix R of the EIS (which presents the environmental review for the PNCA), and complete copies of this ROD are available from BPA's Communications Office, P.O. Box 12999, Portland, Oregon 97212. Copies of the documents may also be obtained by calling BPA's toll-free document request line at: 1-800-622-4520.

FOR FURTHER INFORMATION CONTACT: Mr. Phil Mesa—PGPL-DITT2, Bonneville Power Administration, P.O. Box 3621, Portland, Oregon, 97208-3621, phone number (360) 418-2152.

SUPPLEMENTARY INFORMATION: The current PNCA was executed in 1964 as an important component of regional plans to maximize the Northwest's hydro resource capability. Maximization also included the development of three storage projects on the Columbia River in Canada pursuant to the terms of the 1964 Columbia River Treaty between Canada and the United States (Treaty). These storage dams provide regulated streamflows that enable Federal and non-Federal hydroelectric projects downstream in the United States to produce additional power benefits. The Treaty requires the United States to deliver to Canada one-half of these downstream power benefits (known as the Canadian Entitlement). The non-Federal utilities of the region committed to provide a portion of the share of Treaty benefits required to be delivered to Canada. In return, the United States Government agreed to participate in coordinated operation. The Federal and non-Federal allocation was the subject of a separate ROD; the Canadian Entitlement Allocation Extension Agreement (CEAEA) ROD was issued on April 29, 1997.

The 1964 PNCA expires in 2003. The region's obligation to return Columbia River Treaty benefits continues, at a minimum, until 2024. The 1997 PNCA, which revises the 1964 PNCA, extends through 2024.

Issued in Portland, Oregon, on July 18, 1997.

Randall W. Hardy,

Administrator and CEO, Bonneville Power Administration, and Chairman, United States Entity.

[FR Doc. 97-19921 Filed 7-28-97; 8:45 am]

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DEPARTMENT OF ENERGY

Energy Information Administration

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Energy Information Administration, DOE.

ACTION: Agency information collection activities: Proposed collection; comment request.

SUMMARY: The Energy Information Administration (EIA) is soliciting comments concerning the proposed

modifications and extensions of the following Electric Power Forms:

- EIA-411, "Coordinated Bulk Power Supply Program Report,"
- EIA-412, "Annual Report of Public Electric Utilities,"
- NN-417R, "Electric Power Systems Emergency Report,"
- EIA-759, "Monthly Power Plant Report,"
- EIA-826, "Monthly Electric Utility Sales and Revenue Report with State Distributions,"
- EIA-860, "Annual Electric Generator Report,"
- EIA-861, "Annual Electric Utility Report,"
- EIA-867, "Annual Nonutility Power Producer Report," and
- EIA-900, "Monthly Nonutility Sales for Resale Report."

EIA is also requesting comments on a proposed new Form EIA-417A, "Annual Summary of Emergency Occurrences."

DATES: Written comments must be submitted on or before September 29, 1997. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the DOE contact listed below of your intention to do so as soon as possible.

ADDRESSES: Send comments to John G. Colligan, Energy Information Administration, Coal and Electric Data and Renewables Division, EI-524, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585-0650; telephone (202) 426-1174; e-mail jcolliga@eia.doe.gov; and FAX (202) 426-1311.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of forms and instruction sets should be directed to John Colligan at the address listed above.

SUPPLEMENTARY INFORMATION:

- I. Background
- II. Current Actions
- III. Request for Comments

I. Background

In order to fulfill its responsibilities under the Federal Energy Administration Act of 1974 (Pub. L. 93-275) and the Department of Energy Organization Act (Pub. L. 95-91), the EIA is obliged to carry out a central, comprehensive, and unified energy data and information program. As part of this program, EIA collects, evaluates, assembles, analyzes, and disseminates data and information related to energy resource reserves, production, demand,