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**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 on GPO Access at: <http://www.access.gpo.gov/nara/index.html>.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Randolph-Sheppard Act (20 U.S.C. 107d-2(c)) (the Act), the Secretary publishes in the **Federal Register** a synopsis of each arbitration panel decision affecting the administration of vending facilities on Federal and other property.

### Background

This dispute concerns the alleged improper denial of Mr. David J. Stewart's request to bid on a vending location at Fort McClellan, Anniston, Alabama by the Alabama Department of Rehabilitation Services, the State licensing agency (SLA). A summary of the facts is as follows: In May 1994, the United States Army through the Directorate of Contracting issued a solicitation for bids to provide food services at Fort McClellan, Anniston, Alabama. The advertised solicitation merely referred to the provision of food services. There was no mention that the facility was to be operated as a cafeteria-type operation, nor were there any restrictions limiting applicants to only persons with cafeteria training or experience.

The SLA issued a memorandum to licensed blind vendors and licensees informing them that a bid proposal for the food services contract at Fort McClellan, Anniston, Alabama was available. The successful bidder would be involved in a joint venture with KCA, a private food service company that would be responsible for the operation of three 1,000-personnel dining facilities serving three meals per day, seven days per week, and one 500-personnel dining facility serving three meals a day, Monday through Friday. The SLA listed the operation of a food service facility as required experience.

The complainant, David J. Stewart, submitted his bid application along with 12 other applicants. The complainant, who operated a vending route, did not have any prior experience at that time in operating a cafeteria. However, in 1990 Mr. Stewart and five other blind licensees completed a cafeteria training program conducted by

the E. H. Gentry Technical Facility under the auspices of the SLA.

Following the close of the bidding process, the selection committee, which included SLA staff and members of the Committee of Blind Vendors, reviewed the applicants' eligibility, qualifications, and experience. In addition, each applicant was given points for vendor appraisals and seniority. The selection committee awarded the Fort McClellan cafeteria food service to the vendor who had received the highest total number of points.

Mr. Stewart requested and received a State evidentiary fair hearing on this matter on February 7, 1997. In April 1997, the Hearing Officer affirmed the SLA's decision to award the Fort McClellan facility to another vendor. The SLA adopted the Hearing Officer's decision as final agency action, and it is this decision that Mr. Stewart sought to have reviewed by a Federal arbitration panel. A Federal arbitration hearing on this matter was held on July 30, 1998.

### Arbitration Panel Decision

The issue before the arbitration panel was whether the Alabama Department of Rehabilitation Services violated its policies and procedures governing the Business Enterprise Program of Alabama during the advertisement and selection of a vendor/manager for the Fort McClellan facility.

The majority of the panel found that there was no evidence to support the complainant's allegations. Specifically, the panel found that the SLA's announcement of the bid opening at the Fort McClellan facility tracked the language of the United States Army's solicitation for food service and could not be construed as misleading. The panel found that it was not within the SLA's authority to unilaterally alter the terms of the solicitation or set aside its own job qualifications. The majority also found that the selection of the members to serve on the selection committee was consistent with and conducted in accordance with existing procedures and practices that had been in effect for years without any showing of prejudice to the complainant. Further, the panel found that the successful applicant, who had the highest total number of points among the applicants considered and was unanimously selected as the manager of the Fort McClellan facility, had food service experience as advertised in the United States Army's solicitation. The selection committee fully considered Mr. Stewart's completion of a cafeteria training program, which was a factor, but was not an employment guarantee as complainant's position implied.

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: December 10, 1999.

**Judith E. Heumann,**

*Assistant Secretary for Special Education and Rehabilitative Services.*

[FR Doc. 99-32669 Filed 12-15-99; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

### Notice of Program Interest for Medical Research Using Isotopes

**AGENCY:** Department of Energy (DOE).

**ACTION:** Notice of program interest.

**SUMMARY:** The Office of Isotope Programs, Office of Nuclear Energy (NE) solicits responses for research programs for new and innovative uses of isotopes, including alpha emitting isotopes in the diagnosis and therapy of cancer, HIV and other infectious diseases or other innovative medical applications. The diagnosis and therapy of many diseases with the use of isotopes will be the subject of a high risk/high impact research program the Department calls the Advanced Nuclear Medicine Initiative (ANMI). The Department wishes to encourage research in these areas by providing resources for the required research.

**DATES:** Opening date: December 10, 1999, and closing date: January 28, 2000.

**ADDRESSES:** Complete details, instructions on how to apply, and the forms may be obtained from the DOE NE home page on the internet at: <http://www.ne.doe.gov>. The formal solicitation document will be disseminated electronically as solicitation number DE-PS01-00NE22740 through the Department's Industry Interactive Procurement System (IIPS) Homepage located at <http://doe-iips.pr.doe.gov>.

**FOR FURTHER INFORMATION CONTACT:** John Pantaleo, Program Manager at 301-903-2525 and Richard G. Lewis, Contracting Officer at 202-426-0066.

**SUPPLEMENTARY INFORMATION:** This program is not intended to support human clinical trials. Researchers with innovative ideas in the use of isotopes for diagnosis and therapy of many diseases have had difficulty obtaining funding for areas of research that are not closely tied to specific isotopes, means of delivery and disease. The purpose of the ANMI is to support broad-based research on new uses of isotopes, including alpha emitters for the

diagnosis and therapy of life threatening disease or other innovative medical applications. The Department is looking for applications in these areas with the view toward providing funding or the required isotopes as part of a research program. Effective October 1st, 1999, the IIPS system became the primary way for the Office of Headquarters Procurement Services to conduct competitive acquisitions and financial assistance transactions. IIPS provides the medium for disseminating solicitations, receiving financial assistance applications and proposals, evaluating, and awarding various instruments in a paperless environment. To get more information about IIPS and to register your organization, go to <http://doe-iips.pr.doe.gov>. Follow the link on the IIPS home page to the Secure Services Page. Registration is a prerequisite to the submission of an application, and applicants are encouraged to register as soon as possible. When registering, all applicants should use the same North American Industry Classification System number 325412. A help document, which describes how IIPS works, can be found at the bottom of the Secure Services Page.

Issued in Washington, DC on December 10, 1999.

**Richard G. Lewis,**

*Contracting Officer, Program Services Division.*

[FR Doc. 99-32636 Filed 12-15-99; 8:45 am]

BILLING CODE 6450-01-D

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP00-133-000]

#### Algonquin Gas Transmission Company; Notice of Tariff Filing

December 10, 1999.

Take notice that on December 7, 1999 Algonquin Gas Transmission Company (Algonquin) tendered for filing as part of its FERC Gas Tariff, Fourth Revised Volume No. 1 and Original Volume No. 2, the revised tariff sheets listed on Appendix A to the filing, to become effective January 1, 2000.

Algonquin states that the purpose of this filing is to revised the Gas Research Institute (GRI) surcharges to be effective January 1, 2000, in compliance with the January 21, 1998, Stipulation and Agreement Concerning GRI Funding approved by the Commission in Gas Research Institute, 83 FERC ¶ 61,093 (1998), order on reh'g, 83 FERC ¶ 61,331 (1998).

Specifically, Algonquin states that the filing complies with the surcharges set forth in Appendix A to the Stipulation and Agreement as follows: (1) a GRI volumetric surcharge of 0.72 cents per dekatherm will be charged on all non-discounted firm commodity and interruptible transportation services; (2) a 1.6 cents per dekatherm surcharge will be charged on all non-discounted firm commodity units delivered to small customers qualifying for service under Algonquin's Rate Schedules AFT-1S and AFT-ES; (3) a reservation surcharge of 20.0 cents per dekatherm per month will be charged on non-discounted firm high load factor customers, *i.e.*, greater than 50% load factor; and (4) a reservation surcharge of 12.3 cents per dekatherm per month will be charged on non-discounted firm low load factor customers, *i.e.*, less than or equal to 50% load factor.

Algonquin states that copies of the filing were mailed to all affected customers of Algonquin and interested state commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with Sections 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed in accordance with Section 154.210 of the Commission's Regulations. 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 proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room. This filing may be viewed on the web at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

**David P. Boergers,**

*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP00-131-000]

#### Eastern Shore Natural Gas Company; Notice of Proposed Changes in FERC Gas Tariff

December 10, 1999.

Take notice that on December 7, 1999 Eastern Shore Natural Gas Company (ESNG) tendered for filing as part of its FERC Gas Tariff, Second Revised Volume No. 1, certain revised tariff sheets in the above captioned docket bear a proposed effective date of January 1, 2000.

ESNG states that the purpose of this instant filing is to track rate changes attributable to a storage service purchased from Columbia Gas Transmission Corporation (Columbia) under its Rate Schedule FSS and SST. The costs of the above referenced storage service comprise the rates and charges payable under ESNG's Rate Schedule CFSS. This tracking filing is being made pursuant to Section 3 of ESNG's Rate Schedule CFSS.

ESNG states that copies of the filing have been served upon its jurisdictional customers and interested State Commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with Sections 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed in accordance with section 154.210 of the Commission's Regulations. 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 proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room. This filing may be viewed on the web at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

**David P. Boergers,**

*Secretary.*

[FR Doc. 99-32540 Filed 12-15-99; 8:45 am]

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