

**Collaboration:** We encourage collaboration in the development of these projects. For example, charter school resource centers may collaborate with successful charter schools to disseminate information about the charter school's program; authorized institutions of higher education may collaborate with authorized public chartering agencies to develop methods for assessing student achievement in charter schools; and charter schools may collaborate with each other to establish networks to address some of the implementation issues facing newly created charter schools.

**Selection Criteria:** The Secretary uses the selection criteria published in 34 CFR 75.210 to evaluate applications for grants under the field-initiated national activities competition for FY 2001. The application package includes the specific SELECTION CRITERIA and the points assigned to each criterion.

**Applicable Regulations and Statute:** The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 75, 76, 77, 79, 80, 81, 82, 85, 86, 97, and 99. Title X, part C, Elementary and Secondary Education Act of 1965 (ESEA), as amended, 20 U.S.C. 8061–8067.

The following definitions are taken from the PCSP authorizing statute, in title X, part C of the ESEA. They are being repeated in this application notice for the convenience of the applicant.

#### Definitions

The following definitions apply to this program:

(a) *Charter school* means a public school that

(1) In accordance with a specific State statute authorizing the granting of charters to schools, is exempted from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of this definition;

(2) Is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;

(3) Operates in pursuit of a specific set of educational objectives determined by the school's developer and agreed to by the authorized public chartering agency;

(4) Provides a program of elementary or secondary education, or both;

(5) Is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;

(6) Does not charge tuition;

(7) Complies with the Age Discrimination Act of 1975, title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, and part B of the Individuals With Disabilities Education Act;

(8) Is a school to which parents choose to send their children, and that admits students on the basis of a lottery, if more students apply for admission than can be accommodated;

(9) Agrees to comply with the same Federal and State audit requirements as do other elementary and secondary schools in the State, unless the requirements are specifically waived for the purposes of this program;

(10) Meets all applicable Federal, State, and local health and safety requirements;

(11) Operates in accordance with State law; and

(12) Has a written performance contract with the authorized public chartering agency in the State that includes a description of how student performance will be measured in charter schools pursuant to State assessments that are required of other schools and pursuant to any other assessments mutually agreeable to the authorized public chartering agency and the charter school.

(b) *Developer* means an individual or group of individuals (including a public or private nonprofit organization), which may include teachers, administrators and other school staff, parents, or other members of the local community in which a charter school project will be carried out.

(c) *Eligible applicant* means an authorized public chartering agency participating in a partnership with a developer to establish a charter school in accordance with title X, part C of the ESEA.

(d) *Authorized public chartering agency* means a State educational agency, local educational agency, or other public entity that has the authority under State law and is approved by the Secretary to authorize or approve a charter school.

**For Applications and Further Information Contact:** Donna M. Hoblit, U.S. Department of Education, 400 Maryland Avenue, SW., Room 3C148, Washington, DC 20202–6140. Telephone (202) 205–9178. Internet address: Donna.Hoblit@ed.gov

Individuals who use a telecommunications device for the deaf (TDD) 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) upon request to the contact person listed under *For Applications and Further Information Contact*. Individuals with disabilities may obtain a copy of the application package in an alternative format, also, by contacting that person. However, the Department is not able to reproduce in an alternative format the standard forms included in the application package.

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**Note:** The official version of a document is the document published in the **Federal Register**.

**Program Authority:** 20 U.S.C. 8061–8067.

Dated: May 24, 2001.

**Thomas M. Corwin,**

*Acting Deputy Assistant Secretary for Elementary and Secondary Education.*

[FR Doc. 01–13551 Filed 5–29–01; 8:45 am]

**BILLING CODE 4000–01–P**

#### DEPARTMENT OF EDUCATION

##### Arbitration Panel Decision Under the Randolph-Sheppard Act

**AGENCY:** Department of Education.

**ACTION:** Notice of arbitration panel decision under the Randolph-Sheppard Act.

**SUMMARY:** Notice is hereby given that on August 22, 2000, an arbitration panel rendered a decision in the matter of *Jack Bedikian v. California Department of Rehabilitation* (Docket No. R–S/98–6). This panel was convened by the U.S. Department of Education pursuant to 20 U.S.C. 107d–1(a) upon receipt of a complaint filed by petitioner, Jack Bedikian.

**FOR FURTHER INFORMATION CONTACT:** A copy of the full text of the arbitration panel decision may be obtained from George F. Arsnow, U.S. Department of Education, 400 Maryland Avenue, SW., room 3230, Mary E. Switzer Building, Washington, DC 20202–2738. Telephone: (202) 205–9317. If you use a

telecommunications device for the deaf (TDD), you may call the TDD number at (202) 205-8298.

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 in the preceding paragraph.

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To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

**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 termination of Mr. Jack Bedikian, a licensed blind vendor, from the Business Enterprise Program of the California Department of Rehabilitation, the State licensing agency (SLA).

A summary of the facts is as follows: Mr. Bedekian (complainant) was a licensed manager under the SLA's Randolph-Sheppard vending facility program. Beginning in 1991, complainant operated a cafeteria and vending machine service at the Worldway Postal Center (Worldway).

The SLA alleged that, starting in 1993, it received complaints from Worldway concerning health and service issues. Specifically, in 1995 the Safety Specialist of the Office of Safety and Health at Worldway, who had the responsibility for investigating health and safety complaints from its employees, requested that the SLA terminate Mr. Bedikian's agreement to operate the facility based on complaints from its employees.

Subsequently, the SLA issued a formal reprimand to complainant allowing 30 days for corrective action. During this time, the SLA alleged that it provided assistance to help complainant correct deficiencies and meet the needs of the customers. The SLA noted some improvement in the cafeteria operation. However, problems concerning bug infestation of food and drink and moldy bread were still being reported to the Safety Specialist.

In September 1997, the SLA and the Safety Specialist from Worldway met again to review the complaints of the employees concerning the freshness of food from both the cafeteria and the vending machines, pricing, and rudeness of staff. Staff of the SLA's Business Enterprise Program subsequently conducted an on-site review of complainant's facility.

On December 11, 1997, the Los Angeles County Health Department requested that complainant close his facility as the result of violations in 17 categories, including unsafe food temperature, handling and storage of food, rodent and insect problems, and improper storage of cooking equipment and supplies. Other physical and structural problems were identified that were the responsibility of Worldway, which initiated corrective action to resolve these problems.

On December 16, 1997, the Los Angeles County Health Department gave complainant conditional approval to reopen the cafeteria and vending machine service serving packaged foods only. Complainant allegedly disregarded this restriction and attempted to serve hot food although hot water for utensil cleaning and hand washing was unavailable. On December 17th, the SLA issued a termination notice to complainant, which was later rescinded upon the SLA's learning of the conditional approval received by complainant to reopen the facility.

The SLA alleged that it continued to receive complaints from Worldway in January 1998. On January 26, 1998, staff of the SLA performed an inspection of complainant's facility and found 24 sanitation deficiencies. Subsequently, on February 5, 1998, complainant was notified of his license termination, removal from the Worldway Postal Center, and his appeal rights.

Complainant requested a full evidentiary hearing on this matter, which was held on March 27, 1998. In a decision dated April 16, 1998, the Administrative Law Judge affirmed the SLA's decision to terminate complainant's license and remove him from the Worldway Postal Center cafeteria and vending machine service.

It was this decision that complainant sought to have reviewed by a Federal arbitration panel. An arbitration hearing on this matter was held on August 20, 1999, and a second hearing was held on December 14, 1999.

#### Arbitration Panel Decision

The central issue before the arbitration panel was whether the actions taken by the California Department of Rehabilitation to terminate the vending license of Mr. Bedikian and remove him from managing the Worldway cafeteria and vending machine service were in accordance with the Act (20 U.S.C. 107 *et seq.*), the implementing regulations (34 CFR part 395), and applicable State rules and regulations.

The panel ruled that complainant was essentially terminated for poor performance in the operation of the Worldway cafeteria and vending machine service.

Based upon the evidence presented, the panel determined that, while complainant was not one of the more successful managers, there was no demonstrable effort by the SLA, other than structural repairs, to assist complainant in correcting problems and keeping the Worldway cafeteria and vending machine service operating. Further, according to the evidence received in the record, the panel determined that the SLA and the postal facility cooperated in the removal of the complainant.

Therefore, the panel ruled that the actions taken by the California Department of Rehabilitation to remove Mr. Bedikian from managing the Worldway cafeteria and vending machine service were not in accordance with the Act, implementing regulations, and State rules and regulations. The law specifically requires the SLA to assist the vendor in all reasonable ways to overcome the problems cited by the Federal facility. The obligation on the SLA is an affirmative obligation, which requires the State to do something affirmatively.

Additionally, the panel agreed that complainant was entitled to compensatory damages for the loss of net profits from his business in 1995 and 1996, as well as attorney's fees and costs totaling \$59,570.44. The panel directed the SLA to place the complainant in the next available facility that was likely to generate approximately the same income.

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

Dated: May 23, 2001.

**Francis V. Corrigan,**

*Deputy Director, National Institute on Disability and Rehabilitation Research.*

[FR Doc. 01-13468 Filed 5-29-01; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

### Environmental Management Site-Specific Advisory Board, Paducah

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

**ACTION:** Notice of open meeting.

**SUMMARY:** This notice announces a meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB), Paducah. The Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770) requires that public notice of these meetings be announced in the **Federal Register**.

**DATE:** Thursday, June 21, 2001—5:30 p.m.—9:00 p.m.

**ADDRESSES:** Paducah Information Age Park Resource Center, 2000 McCracken Boulevard, Paducah, Kentucky.

**FOR FURTHER INFORMATION CONTACT:** W. Don Seaborg, Deputy Designated Federal Officer, Department of Energy Paducah Site Office, Post Office Box 1410, MS-103, Paducah, Kentucky 42001, (270) 441-6806.

#### SUPPLEMENTARY INFORMATION:

*Purpose of the Board:* The purpose of the Board is to make recommendations to DOE and its regulators in the areas of environmental restoration and waste management activities.

#### *Tentative Agenda:*

5:30 p.m. Informal Discussion  
6:00 p.m. Call to Order  
6:10 p.m. Approve Minutes  
6:20 p.m. Presentations, Board Response, Public Comments  
8:00 p.m. Subcommittee Reports, Board Response, Public Comments  
8:30 p.m. Administrative Issues  
9:00 p.m. Adjourn

Copies of the final agenda will be available at the meeting.

*Public Participation:* The meeting is open to the public. Written statements may be filed with the Committee either before or after the meeting. Individuals who wish to make oral statements pertaining to agenda items should contact Pat J. Halsey at the address or telephone number listed above. Requests must be received five days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly

conduct of business. Each individual wishing to make public comment will be provided a maximum of five minutes to present their comments as the first item of the meeting agenda.

*Minutes:* The minutes of this meeting will be available for public review and copying at the Freedom of Information Public Reading Room, 1E-190, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585 between 9 a.m. and 4 p.m., Monday-Friday, except Federal holidays. Minutes will also be available at the Department of Energy's Environmental Information Center and Reading Room at 175 Freedom Boulevard, Highway 60, Kevil, Kentucky between 8 a.m. and 5 p.m. on Monday thru Friday or by writing to Pat J. Halsey, Department of Energy Paducah Site Office, Post Office Box 1410, MS-103, Paducah, Kentucky 42001 or by calling her at (270) 441-6802.

Issued at Washington, DC on May 23, 2001.

**Rachel M. Samuel,**

*Deputy Advisory Committee Management Officer.*

[FR Doc. 01-13499 Filed 5-29-01; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Office of Energy Efficiency and Renewable Energy

#### Notice of Intent To Establish the Advisory Board on Electricity

Pursuant to section 9(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), and in accordance with title 41 of the Code of Federal Regulations, section 101-6.1015(a), this is notice of intent to establish the Advisory Board on Electricity. This intent to establish follows consultation with the Committee Management Secretariat of the General Services Administration, pursuant to 41 CFR subpart 101-6.10.

The purpose of the Board is to provide the Secretary of Energy and his designee(s) with advice, information, and recommendations on issues, policies, and programs related to the electric utility sector. The Board will: (1) Provide advice to the Department of Energy on electricity policy issues of concern to the Department; (2) advise the Department on supply and delivery systems (generation, transmission, and distribution) issues; (3) provide advice on market structure and barriers to construction of new generation and transmission facilities and make recommendations on policy and Department initiatives with respect to issues identified; (4) advise the

Department on coordination of electricity supply and reliability issues and initiatives with appropriate private sector, state, and regional officials, and other stakeholders; and (5) advise the Department on coordinated response in the event of electricity supply emergencies.

Board members will be chosen to ensure an appropriately balanced membership to bring into account a diversity of viewpoints, including electric power generators, transmitters, and distributors; state policy officials and regulators; consumers; the environmental community; and others who may significantly contribute to the deliberations of the Board. Advance notice of all meetings of the Board will be published in the **Federal Register**.

The establishment of the Advisory Board on Electricity is essential to the conduct of Department of Energy business and is in the public interest.

Further information regarding this board may be obtained from Lawrence Mansueti, Office of Power Technologies, Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy, Washington, DC 20585, phone (202) 586-9275.

Issued in Washington, D.C. on May 24, 2001

**James N. Solit,**

*Advisory Committee Management Officer.*

[FR Doc. 01-13516 Filed 5-29-01; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP01-423-000]

#### Columbia Gas Transmission Corporation; Notice of Proposed Changes in FERC Gas Tariff

May 23, 2001.

Take notice that on May 18, 2001, Columbia Gas Transmission Corporation (Columbia) tendered for filing as part of its FERC Gas Tariff, Second Revised Volume No. 1, the following revised tariff sheets bearing a proposed effective date of June 15, 2001:

Eighth Revised Sheet No. 2  
Second Revised Sheet No. 500B

Columbia states that it is submitting NTS Service Agreement No. 2001-05-10-0002, which is an agreement for firm transportation service to be provided by Columbia to DPL Energy (DPL Agreement). Service under the DPL Agreement is to commence on June 15, 2001 and continue for a twenty-year term, unless earlier terminated pursuant