

Name: Special Emphasis Panel in Civil and Mechanical Systems (1205).

Date and Time: October 27, 1999, 8 am to 5 pm.

Place: NSF, 4201 Wilson Boulevard, Room 330, Arlington, Virginia 22230.

Type of Meeting: Closed.

Contact Person: Dr. Jorn Larsen-Basse, Program Director, Control, Materials and Mechanics Cluster, Division of Civil and Mechanical Systems, Room 545, (703) 306-1361.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate nominations for the FY'00 Control, Materials and Mechanics Career Panel proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c)(4) and (6) of the Government in the Sunshine Act.

Dated: October 13, 1999.

Karen J. York,

Committee Management Officer.

[FR Doc. 99-27206 Filed 10-18-99; 8:45 am]

BILLING CODE 7555-01-M

NATIONAL SCIENCE FOUNDATION

Earth Sciences Proposal Review Panel; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting.

Name: Earth Sciences Proposal Review Panel (1569).

Date and Time: November 8-10, 1999; 8:30 a.m. to 5 p.m.

Place: National Science Foundation, 4201 Wilson Blvd., Room 330, Arlington, VA 22230, Room 330.

Type of Meeting: Closed.

Contact Person: Dr. Leonard E. Johnson, Program Director, Continental Dynamics Program, Division of Earth Sciences, Room 785, National Science Foundation, 4201 Wilson Blvd., Arlington, VA (703) 306-1559.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate Continental Dynamics proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: October 13, 1999.

Karen J. York,

Committee Management Officer.

[FR Doc. 99-27203 Filed 10-18-99; 8:45 am]

BILLING CODE 7555-01-M

NATIONAL SCIENCE FOUNDATION

NSF 50th Anniversary Public Advisory Committee; Notice of Meeting

In accordance with Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting:

Name: NSF 50th Anniversary Public Advisory Committee (5213).

Date/Time: October 28, 1999; 10 a.m. to 2 p.m.

Place: National Science Foundation, Room 1235, 4201 Wilson Boulevard, Arlington, VA 22230.

Type of Meeting: Open.

Contact Person: Julia A. Moore, Director, Office of Legislative and Public Affairs, Room 1245, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. (703) 306-1070.

Purpose of Meeting: To provide advice and recommendations regarding NSF's 50th Anniversary Celebration.

Agenda: Review of programs and initiatives; finalizing of planning for year 2000 events and beyond.

Summary Minutes: May be obtained from the contact person listed above or from William Line, same address, same phone number.

Dated: October 13, 1999.

Karen J. York,

Committee Management Officer.

[FR Doc. 99-27204 Filed 10-18-99; 8:45 am]

BILLING CODE 7555-01-M

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel in Physics; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting.

Name: Special Emphasis Panel in Physics (1208).

Date and Time: November 9, 1999; 8:30 a.m.-5 p.m.

Place: National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230, Room 1015.

Type of Meeting: Closed.

Contact Person: Dr. Boris Kayser, Program Director for Theoretical Physics, Division of Physics, telephone (703) 306-1890.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to the Theoretical Physics Program at NSF for financial support.

Agenda: To review and evaluate proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; information on personnel and proprietary data for present and future subcontracts. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: October 13, 1999.

Karen J. York,

Committee Management Officer.

[FR Doc. 99-27205 Filed 10-18-99; 8:45 am]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. STN 50-528]

Arizona Public Service Company; Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-41 issued to Arizona Public Service Company for operation of the Palo Verde Nuclear Generating Station Unit 1 located in Maricopa County, Arizona.

The proposed amendment would revise Technical Specification (TS) Section 3.8.4, "DC Sources—Operating," to waive, on a one-time basis, the requirement to perform Surveillance Requirement (SR) 3.8.4.8 for Unit 1 channels A, B, and C.

Battery replacement in Unit 1 was scheduled to be completed during the current refueling outage (1R08, Fall 1999). Because of problems experienced by the vendor of the low specific gravity rectangular cell batteries, four acceptable batteries are not available and the planned battery replacement will not be completed as planned. Unit 1 will, therefore, need to operate for one more cycle with the high specific gravity round cell batteries.

Because the high specific gravity round cell batteries will remain in Unit 1 for an additional cycle, the licensee is required to perform a performance discharge test or a modified performance discharge test in accordance with TS SR 3.8.4.8. SR 3.8.4.8 requires that a performance discharge test be performed to verify battery capacity on a 60-month frequency. The specified frequency for this SR, including the additional time allowed by SR 3.0.2 (1.25 times the interval specified in the frequency), for

three of the Unit 1 batteries (channels A, B, and C) will be exceeded starting in December 1999. The channel D performance discharge test is not due until the next Unit 1 refueling outage (1R09, Spring 2001).

The licensee states that this condition could not be avoided since Palo Verde had planned to replace the batteries during the current Unit 1 refueling outage and the battery vendor was not able to provide four qualified batteries in time for the outage. As late as September 10, 1999, the vendor was still confident that it could provide the replacement batteries for Unit 1. Only two of the four replacement batteries have been received on site.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

Pursuant to 10 CFR 50.91(a)(6) for amendments to be granted under exigent circumstances, the NRC staff must determine that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

Standard 1—Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

No. The proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The DC power sources are required to ensure that sufficient power is available to supply safety-related equipment required for safe plant shutdown and the mitigation and control of accident conditions. Since the batteries are not accident initiators and are intended to mitigate the consequences of an accident, the delay of the performance discharge test does not involve a significant increase in the probability of an accident previously evaluated.

The purpose of SR 3.8.4.8 is to determine overall battery degradation due to age and usage. This information is then used to determine the expected service life of the battery and when the battery needs to be replaced. The last performance discharge test of the batteries showed that the Unit 1

batteries were capable of supplying over 100 percent of their rated capacity. The highest design basis load demand for these batteries is less than 50 percent of the actual rated capacity of the batteries. There is over 100 percent margin for these batteries. Therefore, the batteries currently have a high capacity and a large margin above the needed capacity.

Since the battery capacity has remained well over 100 percent for two performance discharge tests for channels A, B, and C and for a third performance discharge test for channel D, and the batteries have been installed for less than eight years, deferring the performance discharge test for 18 months will not result in overestimating the expected service life of the batteries.

Since the batteries will be replaced during the next (ninth) refueling outage the remaining installed life of these batteries is 18 months. To demonstrate design basis capability and operability for this period, the service test in SR 3.8.4.7, in addition to the other surveillance tests required by Technical Specification 3.8.4 and Technical Specification 3.8.6, "Battery Cell Parameters," will be performed in lieu of the performance discharge test.

The proposed change does not result in any hardware changes or changes to plant operating practices, nor does it affect plant operation. Therefore, since the batteries have high capacity and significant margin and will perform their design function as intended, this change does not involve a significant increase in the consequences of an accident previously evaluated.

Standard 2—Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

No. The proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

The DC power sources are required to ensure that sufficient power is available to supply safety-related equipment required for safe plant shutdown and the mitigation and control of accident conditions. The purpose of SR 3.8.4.8 is to determine overall battery degradation due to age and usage. This information is then used to determine the expected service life of the battery and when the battery needs to be replaced. The last performance discharge test of the batteries showed that the Unit 1 batteries were capable of supplying over 100 percent of their rated capacity. The highest design basis load demand for these batteries is less than 50 percent of the actual rated capacity of the batteries. There is over 100 percent margin for these batteries. Therefore, the batteries currently have a high capacity and a large margin above the needed capacity.

Since the battery capacity has remained well over 100 percent for two performance discharge tests for channels A, B, and C and for a third performance discharge test for channel D, and the batteries have been installed for less than eight years, deferring the performance discharge test for 18 months will not result in overestimating the expected service life of the batteries.

Since the batteries will be replaced during the next (ninth) refueling outage the

remaining installed life of these batteries is 18 months. To demonstrate design basis capability and operability for this period, the service test in SR 3.8.4.7, in addition to the other surveillance tests required by Technical Specification 3.8.4 and Technical Specification 3.8.6, "Battery Cell Parameters," will be performed in lieu of the performance discharge test.

The proposed change does not change the plant design or configuration (no new or different type of equipment will be installed), or change the method of operation of the plant. The batteries have high capacity and significant margin and will perform their design function as intended. Therefore, this change does not create the possibility of a new or different kind of accident from any previously evaluated.

Standard 3—Does the proposed change involve a significant reduction in a margin of safety?

No. The proposed change does not involve a significant reduction in a margin of safety.

The proposed amendment would waive, on a one time basis, the requirement to perform SR 3.8.4.8 for Unit 1 channels A, B, and C. The surveillance requirement would be waived until the next refueling outage for Unit 1 (1R09 Spring 2001). The purpose of the battery performance test required by this surveillance requirement is to determine overall battery degradation due to age and usage. This information is then used to determine the expected service life of the battery and when the battery needs to be replaced. The last performance discharge test of the batteries showed that the Unit 1 batteries were capable of supplying over 100 percent of their capacity. The highest design basis load demand for these batteries is less than 50 percent of the actual rated capacity of the batteries. There is over 100 percent margin for these batteries. Therefore, the batteries currently have a high capacity and a large margin above the needed capacity.

Since the battery capacity has remained well over 100 percent for two performance discharge tests for channels A, B, and C and for a third performance discharge test for channel D, and the batteries have been installed for less than eight years, deferring the performance discharge test for 18 months will not result in overestimating the expected service life of the batteries.

Since the batteries will be replaced during the next (ninth) refueling outage the remaining installed life of these batteries is 18 months. To demonstrate design basis capability and operability for this period, the service test in SR 3.8.4.7, in addition to the other surveillance tests required by Technical Specification 3.8.4 and Technical Specification 3.8.6, "Battery Cell Parameters," will be performed in lieu of the performance discharge test.

The batteries have demonstrated that they have a high capacity, they have been installed for only a short duration of their expected service life, they have a large margin above the needed capacity, and will perform their design function as intended. Therefore, this proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 14 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 14-day notice period. However, should circumstances change during the notice period, such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 14-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the **Federal Register** a notice of issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to Room 6D59, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By November 18, 1999, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for

Domestic Licensing Proceedings" in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Phoenix Public Library, 1221 N. Central Avenue, Phoenix, Arizona 85004. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific

sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If the amendment is issued before the expiration of the 30-day hearing period, the Commission will make a final determination on the issue of no significant hazards consideration. If a hearing is requested, the final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by close of business on the above date. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to Nancy C. Loftin, Esq., Corporate Secretary and Counsel, Arizona Public Service Company, P.O. Box 53999, Mail Station 9068, Phoenix, Arizona 85072-3999, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests

for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated October 8, 1999, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room, located at the Phoenix Public Library, 1221 N. Central Avenue, Phoenix, Arizona 85004.

Dated at Rockville, Maryland, this 13th day of October, 1999.

For the Nuclear Regulatory Commission.

Nageswaran Kalyanam,

Project Manager, Section 2, Project Directorate IV & Decommissioning, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 99-27209 Filed 10-18-99; 8:45 am]

BILLING CODE 7590-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 35-27086]

Filings Under the Public Utility Holding Company Act of 1935, as Amended ("Act")

October 12, 1999.

Notice is hereby given that the following filing(s) has/have been made with the Commission pursuant to provisions of the Act and rules promulgated under the Act. All interested persons are referred to the applications(s) and/or declaration(s) for complete statements of the proposed transactions(s) summarized below. The application(s) and/or declarations(s) and any amendments is/are available for public inspection through the Commission's Branch of Public Reference.

Interested persons wishing to comment or request a hearing on the applications(s) and/or declaration(s) should submit their view in writing by November 12, 1999, to the Secretary, Securities and Exchange Commission, Washington, DC 20549-0609, and serve a copy on the relevant applicant(s) and/or declarant(s) at the address(es) specified below. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for hearing should identify specifically the issues of

facts or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in the matter. After November 12, 1999, the application(s) and/or declaration(s), as filed or as amended, may be granted and/or permitted to become effective.

The National Grid Group plc, et al. (70-9519)

The National Grid Group plc ("National Grid"), a public limited company incorporated under the laws of England and Wales, located at National Grid House, Kirby Corner Road, Coventry CV4 8JY, United Kingdom; National Grid (US) Holdings Limited, National Grid (US) Investments, National Grid (Ireland) 1 Limited, National Grid (Ireland) 2 Limited, National Grid General Partnership, and NGG Holdings, Inc. ("Holdings"), also located at National Grid House, Kirby Corner Road, Coventry CV4 8JY, United Kingdom, each of which is a subsidiary of National Grid (except for National Grid, collectively "Intermediate Companies");¹ New England Electric System ("NEES"), a registered holding company; NEES' subsidiaries ("NEES Subsidiaries"), New England Power Company, Massachusetts Electric Company, The Narragansett Electric Company, Granite State Electric Company, Nantucket Electric Company, New England Electric Transmission Corporation, New England Hydro-Transmission Corporation, New England Hydro-Transmission Electric Company, Inc., Vermont Yankee Nuclear Power Corporation, New England Hydro Finance Company, Inc., NEES Global, Inc., NEES Energy, Inc., All Energy Marketing Company, L.L.C., Texas Liquids, L.L.C., Texas-Ohio Gas, Inc., Granite State Energy, Inc., New England Power Service Company, Metro West Realty, L.L.C., 25 Research Drive, L.L.C., New England Energy, Inc., and Nexus Energy Software, Inc all located at 25 Westborough Drive, Westborough, Massachusetts 01582, (collectively, "Applicants") have filed a joint application-declaration under sections 6(a), 7, 9(a), 10, 12(b), 12(c), 32 and 33 of the Act and rules 42, 43, 45, 46, and 54 under the Act.

National Grid, the Intermediate Companies, and NEES have filed an application-declaration (file no 70-9473) under the Act, requesting authority for the proposed acquisition by National Grid of all of the voting

securities of NEES, and NGG's consequent indirect acquisition of the voting securities of the NEES Subsidiaries ("Merger"), as well as for certain related transactions (the "Merger Filing").² As discussed more fully below, NEES and its subsidiaries, together with National Grid and the Intermediate Companies, now request authority to engage in a variety of financing transactions subsequent to the Merger.³ In summary, NEES and its subsidiaries seek authority to extend, through May 31, 2003 ("Authorization Period"), the existing authority granted in certain Commission financing orders more particularly described below. In addition, Applicants seek authority for the following transactions through the Authorization Period: (a) external financings by National Grid; (b) intrasystem financings by the Intermediate Companies, NEES and the NEES Subsidiaries ("U.S. Subsidiaries"); (c) the payment by the NEES Subsidiaries of dividends out of capital or unearned surplus; (d) increases in the number of shares authorized by any U.S. Subsidiary with respect to any capital security⁴ of the company, as well as alteration of the terms of any capital security, without further Commission authorization; (e) the formation of financing entities and the issuance by those entities of securities authorized to be issued and sold under the authority requested in this filing; and (f) the execution of a system tax allocation agreement.

Applicants state that the proceeds from the sale of securities in external financing transactions will be used for the acquisition, retirement or redemption of securities issued by National Grid or the U.S. Subsidiaries, without the need for prior Commission approval, and for necessary and urgent general and corporate purposes, including: (a) extension or renewal of Merger-Related Debt (as defined below),

² Immediately after the Merger, NEES will have been merged with and into NGG Holdings, LLC, with NEES as the surviving entity and then merged again into another to-be-formed LLC (which survives) which in turn will have been merged into NGG Holdings, Inc. with NGG Holdings, Inc. as the surviving entity. The term "NEES" refers to both NEES and NGG Holdings, Inc. as the surviving entity.

³ In addition, NEES and Eastern Utilities Associates ("EUA") have filed an application-declaration (file no. 70-9537) for NEES to acquire all of the outstanding common stock of EUA, including the indirect acquisition of EUA's utility and nonutility subsidiaries. The consummation of the merger between NEES and EUA ("NEES/EUA Merger") is not conditioned on, and is proceeding independently from, the closing of the Merger.

⁴ Capital securities includes common stock, preferred stock, other preferred securities, options and/or warrants convertible into common or preferred stock, rights, and similar securities.

¹ National Grid's other operations have been segregated under a newly-formed first-tier subsidiary company, National Grid Holdings Ltd., which will be a foreign utility company within the meaning of Section 33 of the Act.