

districts—the Small, Rural School Achievement Program (section 6212) and the Rural and Low-Income School Program (section 6221). Under the Small, Rural School Achievement Program, the Secretary awards grants directly to eligible local educational agencies (LEAs) on a formula basis. Under the Rural and Low-Income School Program, the Secretary awards formula grants to State educational agencies (SEAs), which in turn award subgrants to eligible LEAs either competitively or by formula. If a State chooses not to participate in the Rural and Low-Income School Program, the Secretary awards grants directly to eligible LEAs in that State.

The Department has prepared an Excel spreadsheet and instructions for SEAs to use in submitting the data needed to determine an LEA's eligibility for an award and allocations under the programs. These documents are available on the Department's Web site at <http://www.ed.gov/offices/OESE/reap.html>.

In this notice, the Department (1) announces that, for the first year of funding under the Small, Rural School Achievement Program and the Rural and Low-Income Program, it will accept alternative average daily attendance data that are consistent with the definition in section 6231(a) of the ESEA; and (2) establishes a deadline by which States may submit LEA eligibility data and allocation data for the programs.

Average Daily Attendance Data: An LEA's eligibility for funding under the Small, Rural School Achievement Program, as well as the amount of its grant award, is based, in part, on the number of students in average daily attendance (ADA) in the schools of the LEA. ADA data also affect an LEA's eligibility under the Rural and Low-Income Program because an LEA may not receive an award under that program if it is eligible for funding under the Small, Rural School Achievement Program. Furthermore, ADA data are used to determine the amount of each State's allocation under the Rural and Low-Income Program.

Section 6231(a) of the ESEA states that for purposes of the rural education programs, not later than December 1 of each year, an LEA must "conduct a census to determine the number of students in average daily attendance in kindergarten through grade 12 at the schools served by the agency." This provision further requires that the ADA data be submitted no later than March 1 of each year. Thus, an ADA submission for the first year of the rural education programs should be based on

a census conducted by December 1, 2001. The Secretary recognizes that not all SEAs or LEAs determine ADA on the basis of a census. Given that the legislation authorizing the rural education programs was enacted on January 8, 2002, a date after the period in which the initial census should have been conducted, for the purposes of determining FY 2002 eligibility and allocations under these programs the Department will accept alternative ADA data that are consistent with the statutorily required data (e.g., ADA data that are based on a percentage of enrollment).

Deadline for State Submission of ADA and Other Data: The legislation requires LEAs desiring a grant under either rural education program to submit ADA data to the Department by March 1 of each year (ESEA section 6231(a)(2)). A State must submit "such information as the Secretary may reasonably require" before receiving its allocation under the Rural and Low-Income Program (ESEA section 6223(a)). The Department is requesting that SEAs submit ADA data on behalf of their LEAs as well as other data needed to determine eligibility and to make allocations under the Small, Rural School Achievement Program and the Rural and Low-Income Program in order to (1) ensure maximum LEA participation in all States in both programs; (2) assist LEAs in demonstrating eligibility for funding and in providing data necessary to determine LEA and SEA allocations under the programs; (3) facilitate the process by which the Department makes awards; and (4) ensure that SEAs and LEAs receive their funds on a timely basis. SEAs should submit the data electronically on the Excel spreadsheet referenced above.

Although the legislation states that ADA data are to be submitted by March 1, given that this is the first year of the program and that the period of time between the date of enactment of the legislation and the ADA submission date is so short, the Department is extending the deadline for submission of ADA data for this year. The Department will permit States to submit, through April 1, 2002, ADA and other data that the Department needs to determine eligibility and allocations under the rural education programs. All of the relevant data are specified on the Excel spreadsheet and accompanying instructions. To avail itself of this extension, an SEA must notify the Department by March 1, 2002, that it cannot submit the applicable data by March 1, but that it will provide this information by April 1, 2002 or an earlier specified date.

FOR FURTHER INFORMATION CONTACT: Mr. Charles Lovett, Group Leader. Telephone: (202) 401-0039 or via Internet: charles.lovett@ed.gov.

If you use a telecommunications device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

Individuals with disabilities may obtain this notice in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed above.

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Program Authority: Sections 6201 through 6234 of the ESEA, as amended by the No Child Left Behind Act of 2001 (Pub. L. 107-110).

Dated: February 15, 2002.

Susan B. Neuman,

Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 02-4234 Filed 2-20-02; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. ER02-602-000, ER02-371-001, ER01-2658-000, ER01-2977-000 and ER01-2980-000]

American Electric Power Service Corporation; Notice of Initiation of Proceeding and Refund Effective Date

February 15, 2002.

Take notice that on February 14, 2002, the Commission issued an order in the above-indicated dockets initiating a proceeding in Docket No. ER02-371-001 under section 206 of the Federal Power Act.

The refund effective date in Docket No. ER02-371-001 will be 60 days after

publication of this notice in the **Federal Register**.

Magalie R. Salas,

Secretary.

[FR Doc. 02-4165 Filed 2-20-02; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER01-919-001, et al.]

Engage Energy America LLC, et al.; Electric Rate and Corporate Regulation Filings

February 13, 2002.

Take notice that the following filings have been made with the Commission. Any comments should be submitted in accordance with Standard Paragraph E at the end of this notice.

1. Engage Energy America LLC

[Docket No. ER01-919-001]

Take notice that on February 8, 2002, Engage Energy America LLC (Engage America) filed a notice of change of status and a Code of Conduct respecting Engage America's pending affiliation with Duke Energy Corporation.

Comment Date: March 1, 2002.

2. Cinergy Services, Inc.

[Docket No. ER01-3022-002]

Take notice that on February 8, 2002, Cinergy Services, Inc. (Cinergy) tendered for filing a Substitute First Revised page 3 and a Substitute First Revised Attachment A of an unexecuted Interconnection Agreement filed January 25, 2002 in this docket. The Substitute First Revised page 3 and Substitute First Revised Attachment A corrects a corporate name mistakenly referenced in the originally filed version.

Consistent with the Commission's October 26, 2001 Order in this Docket, Cinergy requests an effective date of September 8, 2001 for the Substitute First Revised page 3 and Substitute First Revised Attachment A.

Cinergy states that it has served a copy of its filing upon the Indiana Utility Regulatory Commission and Sugar Creek Energy, LLC.

Comment Date: March 1, 2002.

3. Duquesne Light Company

[Docket No. ER02-995-000]

Take notice that on February 11, 2002 Duquesne Light Company (DLC) filed a Service Agreement dated February 8, 2002 with NRG Power Marketing, Inc. under DLC's Open Access Transmission

Tariff (Tariff). The Service Agreement adds NRG Power Marketing, Inc. as a customer under the Tariff.

DLC requests an effective date of February 8, 2002 for the Service Agreement.

Comment Date: March 4, 2002.

4. Duquesne Light Company

[Docket No. ER02-996-000]

Take notice that on February 11, 2002, Duquesne Light Company (DLC) filed a Service Agreement dated February 8, 2002 with NRG Power Marketing, Inc. under DLC's Open Access Transmission Tariff (Tariff). The Service Agreement adds NRG Power Marketing, Inc. as a customer under the Tariff.

DLC requests an effective date of February 8, 2002 for the Service Agreement.

Comment Date: March 4, 2002.

5. Southern Indiana Gas & Electric Company

[Docket No. ER02-997-000]

Take notice that on February 11, 2002, Southern Indiana Gas & Electric Company (SIGECO), tendered for filing an unexecuted Service Agreement for Generator-Related Ancillary Services between SIGECO and Midwest Independent Transmission System Operator, Inc. (Midwest ISO) under SIGECO's FERC Electric Tariff, Second Revised Volume No. 3.

SIGECO respectfully requests that the Service Agreement become effective on February 1, 2002, the date service commenced. Copies of the filing were served upon the above-mentioned company and the Indiana Utility Regulatory Commission.

Comment Date: March 4, 2002.

6. Central Power and Light Company Public Service Company of Oklahoma Southwestern Electric Power Company West Texas Utilities Company

[Docket Nos. OA97-24-007, ER97-881-004, ER98-4609-004 and ER98-4611-005]

Take notice that on February 8, 2002, Central Power and Light Company, Public Service Company of Oklahoma, Southwestern Electric Power Company and West Texas Utilities Company (collectively, the Companies) submitted for filing with the Federal Energy Regulatory Commission (Commission) revised pages to their open access transmission service tariff in compliance with the Commission's November 8, 2001 order in the above-captioned proceedings.

The Companies state that a copy of the filing has been served on all parties to this proceeding, all customers under the tariff and the Public Utility

Commission of Texas, the Louisiana Public Service Commission, the Arkansas Public Service Commission and the Oklahoma Corporation Commission.

Comment Date: March 1, 2002.

Standard Paragraph:

E. Any person desiring to be heard or to protest such filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. 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 proceeding. 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. This filing may also be viewed on the Web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance). Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link.

Magalie R. Salas,

Secretary.

[FR Doc. 02-4164 Filed 2-20-02; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[Regional Docket Nos. II-2000-01, 02, 03; FRL-7148-6]

Clean Air Act Operating Permit Program; Petitions for Objection to State Operating Permits for the Albert Einstein College of Medicine at Yeshiva University; Action Packaging Corporation; and Kings Plaza Total Energy Plant

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final orders on petitions to object to three State operating permits.

SUMMARY: This document announces that the EPA Administrator has responded to several citizen petitions asking EPA to object to operating permits issued to three facilities by the