

The following pages are items from the Federal Register that relate to the Protected Areas designations. These pages were gathered June 7-8, 2007. We can not guarantee that this is a complete list of all relevant papers. There may also be extraneous items that don't actually relate to the Protected Areas designations.

These entries are from different dates and years. We have tried to separate the papers, but you should check the dates at the top of each page to be certain.

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Equal Employment Opportunity Commission

One Secretary (Stenography) to the Member, Office of the Chairman. Effective September 30, 1983.

Environmental Protection Agency

One External Affairs Specialist to the Administrator, Office of the Administrator. Effective September 8, 1983.

One Staff Assistant to the Executive Assistant to the Administrator, Office of the Administrator. Effective September 27, 1983.

Executive Office of the President

One Confidential Assistant to the General Counsel, U.S. Trade Representative. Effective September 8, 1983.

One Secretary to the Director, Office of Management and Budget Effective September 27, 1983.

One Secretary to the Deputy Director, Office of Management and Budget. Effective September 29, 1983.

Federal Emergency Management Agency

One Director, Office of Regional Operations. Effective September 19, 1983.

Federal Maritime Commission

One Secretary (Stenography) to the Commissioner, Office of the Commissioner. Effective September 1, 1983.

General Services Administration

One Confidential Assistant to the Director of Public Affairs, Office of Public Affairs. Effective September 15, 1983.

National Endowment for the Arts

One Special Assistant to the Chairman. Effective September 12, 1983.

National Endowment for the Humanities

One Confidential Assistant to the Director, Institute of Museum Services. Effective September 28, 1983.

Small Business Administration

One Confidential Assistant to the Associate Deputy Administrator for Special Programs, Office of the Administrator. Effective September 9, 1983.

One Special Assistant to the Regional Administrator in Bala Cynwyd, Pennsylvania. Effective September 19, 1983.

One Special Assistant to the Administrator, Office of the Administrator. Effective September 28, 1983.

U.S. Information Agency

One Special Assistant to the Deputy Director, Office of the Deputy Director. Effective September 23, 1983.

Office of Personnel Management.

Donald J. Devine,

Director.

[FR Doc. 83-29028 Filed 10-24-83; 8:45 am]

BILLING CODE 6325-01-M

• PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL

Establishment; Hydropower Assessment Steering Committee

AGENCY: Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council).

ACTION: Notice of establishment of Hydropower Assessment Steering Committee.

SUMMARY: On October 19, 1983 in a public meeting in Portland, Oregon, the Northwest Power Planning Council established a Hydropower Assessment Steering Committee (Committee) as an advisory committee to the Council. This notice describes the Committee, provides information on how to obtain notices of Committee meetings, and explains how to request copies of the Committee's advisory committee charter.

ADDRESSES: Individuals and entities wishing to receive notices of Committee meetings or copies of the Committee's advisory committee charter should contact Janie Percy by writing her at the Council's central office, Suite 200, 700 Southwest Taylor Street, Portland, Oregon 97205, or by calling her at (toll free) 1-800-222-3355, from Montana, Idaho, Washington and California; (toll free) 1-800-452-2324 in Oregon; or (503) 222-5161, from other states. The charter also is available for inspection and copying in the public reading room of the Council's central office, Suite 200, 700 Southwest Taylor Street, Portland, Oregon, on weekdays between 8:30 a.m. and 4:30 p.m.

FOR FURTHER INFORMATION CONTACT: Peter Paquet, Hydropower Coordinator at (toll free) 1-800-222-3355 from Montana, Idaho, Washington, and California; (toll free) 1-800-452-2324 in Oregon; or (503) 222-5161, from other states.

SUPPLEMENTARY INFORMATION: On November 15, 1982, the Pacific Northwest Electric Power and Conservation Planning Council ("Council") adopted a Columbia River

Basin Fish and Wildlife Program ("Program"), as required by the Pacific Northwest Power Planning and Conservation Act, Pub. L. 96-501, 16 U.S.C. 839 *et seq.* ("Act"). Section 1204(b)(2) of the Program called on the Bonneville Power Administration to fund a study (upon approval by the Council) to develop criteria and methods for assessing potential cumulative effects of hydroelectric development of fish and wildlife. Section 1204(c)(1) called on Bonneville to conduct an 18-month study (upon approval by the Council) of alternative means for classifying and designating certain streams and wildlife habitat to be protected from future hydroelectric development. Based on the results of that study, the Council will (pursuant to section 1204(c)(2) of the program) designate stream reaches and wildlife habitat areas to be protected from further hydroelectric development. On April 27, 1983, the Council adopted a Northwest Conservation and Electric Power Plan ("Plan") as required by the Act. Action item 14.2 of the Plan's two-year action plan stated that the Council will design a study to identify and rank potential hydropower sites in the region based on fish and wildlife concerns. Two-year action item 14.3 called on the Council to continue its efforts to refine the data base on existing and potential hydropower sites that are environmentally sound and cost-effective. Because the above hydropower-related measures from both the Plan and Program are closely related, the Steering Committee is to be formed to advise the Council on coordination of these measures. The Act authorizes the Council to establish such an advisory committee at section 4(c)(12), 16 U.S.C. 839b(c)(12). Under section 4(a)(4) of the Act, the terms of the Federal Advisory Committee Act, 5 U.S.C. Appendix I, §§ 1-14, apply "to the extent appropriate" to the Council's advisory committees. 16 U.S.C. 839b(a)(4).

The Council established the Hydropower Assessment Steering Committee in a public meeting on August 10, 1983, in Yakima, Washington. It named Committee members, selected a Committee chairman, and adopted a charter for the Committee in a public meeting on October 19, 1983 in Portland, Oregon. The charter describes the objectives and activities of the Committee, its authority, and related matters. It also contains rules for Committee procedures on meeting notices, public participation, minutes, records, conflicts of interest, and reimbursement of certain Committee

member expenses. Requests for copies of the charter or meeting notices and for additional information may be made as provided above in this notice.

Edward Sheets,
Executive Director.

[FR Doc. 83-28615 Filed 10-24-83; 8:45 am]

BILLING CODE 0000-00-M

SELECTIVE SERVICE SYSTEM

Organization and Sources of Information

AGENCY: Selective Service System.

ACTION: Notice.

SUMMARY: Pursuant to 5 U.S.C. 552(a)(1) the following description of the central and field organization of the Selective Service System, the established places at which the public may obtain information, and the general course and methods by which its functions are channeled and determined is published for the guidance of the public.

FOR FURTHER INFORMATION CONTACT:

Henry N. Williams, General Counsel,
Selective Service System, Washington,
D.C. 20435, Phone: 202-724-1167.

Dated: October 20, 1983.

Thomas K. Turnage,
Director of Selective Service.

Organization and Sources of Information

Creation and authority. The Selective Service System was established by the Military Selective Service Act (62 Stat. 604 as amended; 50 U.S.C. App. 451-471a).

The President by Executive Order 11623 has delegated to the Director of Selective Service authority, subject to certain restrictions, to issue regulations to carry out the Military Selective Service Act.

Purpose. The purpose of the Selective Service System is to supply the Armed Forces manpower adequate to insure the security of the United States, with concomitant regard for the maintenance of an effective national economy and to administer a program of Alternative Service in lieu of induction for eligible registrants.

Activities. The Military Selective Service Act, section 3 as implemented by Proclamation 4771 (3 CFR Part 82 (1980 Compilation); 45 FR 45247) requires most male citizens of the United States and other male persons who are in the United States and who were born on or after January 1, 1960 and have attained age 18 years to register with the Selective Service System. The principal places of registration in the United States are

classified post offices and at United States Embassies and Consulates outside the United States.

Registrants are not currently processed beyond induction. The President's authority to induct registrants into the Armed Forces has expired. Legislation would be required to restore that authority.

Organization and Functions, National Headquarters and Regions

1. The following organization of the National Headquarters and Regions, Selective Service System is effective October 1, 1983:

- a. Director (D).
- b. Deputy Director (DD).
- c. Chief of Staff (CS).
- d. Office of the General Counsel (GC).
- e. Office of the Inspector General (IG).
- f. Office of Government and Public Affairs (GP), Congressional Affairs (GPC), Public Affairs Division (GPP).
- g. Office of Management Services (MS), Controller Division (MSC), (Data Management Center (DMC), Information Systems Division (MSI), Logistics Division (MSL), Personnel Division (MSP).
- h. Office of Operations (OP), Plans and Programs Division (OPP), Registration Division (OPR), Test and Evaluation Division (OPE), Training Division (OPT).
- i. Regions (R):
RI—Philadelphia, PA
RII—Atlanta, GA
RIII—Chicago, IL
RIV—Dallas, TX
RV—San Francisco, CA
RVI—Denver, CO

2. The functions of the elements listed above shall be as follows:

a. **Director.** The Director directs and supervises the administration and operation of the Agency in accordance with law and the policies of the President.

b. **Deputy Director.** The Deputy Director performs duties prescribed by the Director. The Deputy Director performs all duties and functions of the Director when the Director is absent, as and when specified by the Director; performs all duties and functions of the Director when the Office of Director is vacant.

c. **Chief of Staff.** The Chief of Staff supervises the activities and functions of the staff; coordinates projects and operations and performs follow-up actions and reviews to insure that staff projects are in consonance with policy prior to their submission to the Director; and is responsible for scheduling and controlling visits, speaking engagements,

and conference attendance for the Director.

d. **Office of the General Counsel.** The General Counsel is the legal adviser to the Director and the chief law officer of the Agency. The Office of the General Counsel provides legal opinions, advice and services, and handles litigation of interest to the Agency; prepares and coordinates proposed legislation and assures the legality of Agency regulations; and manages the passive compliance program.

e. **Office of the Inspector General.** Office of the Inspector General performs the audit, inspection and investigative functions of the Agency. The Inspector General promotes economy, efficiency and effectiveness in the administration of programs and operations and prevents fraud and abuse in such programs and operations.

f. **Office of Government and Public Affairs.** The Office of Government and Public Affairs is responsible for developing public affairs policies and programs and coordinating these activities with the White House and other government agencies. The Office provides public affairs counsel in all Agency policy decisions. The Office participates in developing and implementing legislative programs while maintaining liaison with the White House and the Congress, and its Members, Committees and staffs. The Office prepares testimony and briefings for the Director, assists in analyzing the impact of proposed legislation upon the Agency, coordinates development of comments on Congressional inquiries, and is responsible for advancement of Agency and Administration positions on pertinent issues before the Legislative Branch.

g. **Office of Management Services.** The Office of Management Services is responsible for the formulation of Agency policies, standards, procedures and contingency plans in the areas of personnel management, financial management, logistics and information management and supervises these functions on a day-to-day basis to insure conformity with law, regulations and the policies of the Director. The office provides administrative services, real and personal property management and records management. It manages the Agency budget and provides purchasing, contracting, payroll and accounting services. It manages individual training programs for compensated personnel, and operates the equal opportunity program. It is responsible for formulation of Agency policies, standards, procedures and contingency plans for Agency information systems

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18 to a Full-Term Operating License for the R.E. Ginna Nuclear Power Plant located in Wayne County, New York. Notice of Consideration of Issuance of Full-Term Operating License was published in the **Federal Register** on December 8, 1972 (37 FR 26144).

The report is being referred to the Advisory Committee on Reactor Safeguards and is being made available at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20555, and at the Local Public Document Room, Rochester Public Library, 115 South Avenue, Rochester, New York 14604, for inspection and copying. The report (NUREG-0944) can also be purchased at current rates from the National Technical Information Service, Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161.

Dated at Bethesda, Maryland, this 14th day of October, 1983.

For the Nuclear Regulatory Commission,
Dennis M. Crutchfield,
*Chief, Operating Reactors Branch No. 5,
Division of Licensing.*

[FR Doc. 83-29258 Filed 10-26-83; 8:45 am]

BILLING CODE 7590-01-M

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

White House Science Council (WHSC); Meeting

The White House Science Council, the purpose of which is to advise the Director, Office of Science and Technology Policy (OSTP), will meet on November 17 and 18, 1983 in Room 5026, New Executive Office Building, Washington, D.C. The meeting will begin at 6:00 p.m. on November 17, recess and reconvene at 8:00 a.m. on November 18. Following is the proposed agenda for the meeting:

(1) Briefing of the Council, by the Assistant Directors of OSTP, on the current activities of OSTP.

(2) Briefing of the Council by OSTP personnel and personnel of other agencies on proposed, ongoing, and completed panel studies.

(3) Discussion of composition of panels to conduct studies. The November 17 session and a portion of the November 18 session will be closed to the public.

The briefing on some of the current activities of OSTP necessarily will involve discussion of material that is formally classified in the interest of national defense or for foreign reasons. This is also true for a portion of the briefing on panel studies. As well, a

portion of both of these briefings will require discussion of internal personnel procedures of the Executive Office of the President and information which, if prematurely disclosed, would significantly frustrate the implementation of decisions made requiring agency action. These portions of the meeting will be closed to the public pursuant to 5 U.S.C. 552b(c)(1), (2), and 9 (B).

A portion of the discussion of panel composition will necessitate the disclosure of information of a personal nature, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. Accordingly, this portion of the meeting will also be closed to the public, pursuant to 5 U.S.C. 552b(c)(6).

The portion of the meeting open to the public will begin at 10:00 a.m. Because of the security in the New Executive Office Building, persons wishing to attend the open portion of the meeting should contact Annie L. Boyd, Secretary, Which House Science Council at (202) 456-7740, prior to 3:00 p.m. on November 16. Ms. Boyd is also available to provide further information regarding this meeting.

Dated: October 21, 1983.

Jerry D. Jennings,
*Executive Director, Office of Science and
Technology Policy.*

[FR Doc. 83-29190 Filed 10-26-83; 8:45 am]

BILLING CODE 3170-01-M

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL

Hydropower Assessment Steering Committee; Meeting

AGENCY: Hydropower Assessment Steering Committee of the Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council).

ACTION: Notice of meeting to be held pursuant to the Federal Advisory Committee Act, 5 U.S.C. Appendix I, 1-4. Activities will include:

- Review of Hydropower Assessment Steering Committee's Charter.
- Discussion of BPA Procurement Process: Development of a Work Statement.
- Discussion of Section 1204(b)(2) of Council's Fish and Wildlife Program (Cumulative Effects).
- Discussion of Section 1204(c) of Council's Fish and Wildlife Program (Protected Areas).
- Discussion of Work Schedule.

- Formation of Subgroups.
 - Business.
 - Public Comment.
- Status: Open.

SUMMARY: The Northwest Power Planning Council hereby announces a forthcoming meeting of its Hydropower Assessment Steering Committee.

DATE: October 31, 1983, 9:00 a.m.

ADDRESS: The meeting will be held at the Council Hearing Room in Portland, Oregon.

FOR FURTHER INFORMATION CONTACT: Peter Paquet, (503) 222-5161.

Edward Sheets,
Executive Director.

[FR Doc. 83-29163 Filed 10-26-83; 8:45 am]

BILLING CODE 0000-00-M

SMALL BUSINESS ADMINISTRATION

Small Business Investment Company, Maximum Annual Cost of Money to Small Business Concerns

13 CFR 107.301(c) sets forth the SBA Regulations governing the maximum annual cost of money to small business concerns for Financing by small business investment companies.

Section 107.301(c)(2) requires that SBA publish from time to time in the **Federal Register** the current Federal Financing Bank (FFB) rate for use in computing the maximum annual cost of money pursuant to § 107.301(c)(1). It is anticipated that a rate notice will be published each month.

13 CFR 107.301(c) does not supersede or preempt any applicable law that imposes an interest ceiling lower than the ceiling imposed by that regulation. Attention is directed to new subsection 308(i) of the Small Business Investment Act, added by section 524 of Pub. L. 96-221, March 31, 1980 (94 Stat. 161), to that law's Federal override of State usury ceilings, and to its forfeiture and penalty provisions.

Effective November 1, 1983, and until further notice, the FFB rate to be used for purposes of computing the maximum cost of money pursuant to 13 CFR 107.301(c) is 11.615% per annum.

Dated: October 21, 1983.

Edwin T. Holloway,
*Associate Administrator for Finance and
Investment.*

[FR Doc. 83-29236 Filed 10-26-83; 8:45 am]

BILLING CODE 8025-01-M

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identification numbers will be processed against the CSR payment file.

If a payment record is matched, the gross amount, reduced by any apportionment, will be inserted into the VA extract record. Processing of the extract file against the CSR payment file will be completed after the records have been updated following each legislative increase. The VA will use the information to update the beneficiaries' master records and to adjust the VA benefits payments as prescribed by law. The matching operations will occur following the cost-of-living adjustment affecting CSR benefits, currently once yearly.

(b) Under the second exchange, the VA will furnish benefits data relating to OPM beneficiaries who are receiving payments under OPM's Guaranteed Minimum Annuity. OPM will prepare an extract file containing a record for each beneficiary who is receiving Guaranteed Minimum Annuity payments. The VA will process the extract file against their beneficiary file to obtain the VA identification number. Records identified as representing active VA Compensation and Pension cases will be entered in the OPM record. This operation will be completed annually.

(c) Under the third data exchange, OPM will receive VA death information and process it against its beneficiary files. VA will prepare an extract file containing the dates of death of former VA beneficiaries, sorted in Social Security number sequence. OPM will process the VA file against their Social Security index file to obtain the CSR identification number. Resulting identification numbers will be processed against the CSR file. The information obtained will be used to prevent payments to deceased CSR beneficiaries. This operation will be completed semiannually.

(d) Under the fourth data exchange, the VA will receive OPM information relating to deceased CSR beneficiaries (former annuitants and survivor annuitants). OPM will prepare an extract file containing the dates of death of annuitants and survivor annuitants, sorted in Social Security number sequence. The data will be processed against the VA's Compensation and Pension master file. This operation will be completed semiannually.

These data exchanges will help prevent erroneous payments of CSR annuity and VA benefits. The disclosures of data by each agency are made in accordance with the "routine use" concept of the Privacy Act of 1974, codified in section 552a(b)(3) of title 5, United States Code.

Personal records To Be Matched

The VA will match the MBR (system name: Master Beneficiary Record) (47 FR 372, January 5, 1982) which contains all data pertinent to the payment to recipients under the VA's Compensation and Pension master file to the OPM Annuity Master File (system name: OPM/CENTRAL-1) (48 FR 37116, August 16, 1983) which contains payment data on recipients of CSR benefits disbursed by OPM.

Dates

Data exchanges will begin during calendar year 1983 at a mutually agreeable time and will be an ongoing process until one of the parties to the agreement advises the other, by written request, that it proposes to re-evaluate and/or modify the agreement. The data exchanges described under paragraphs 2 (a) and (b) will occur annually, while the data exchanges described under paragraphs 2 (c) and (d) will occur approximately at six month intervals.

Privacy Safeguards and Security

The personal privacy of the individuals whose names are included in the tapes is protected by strict adherence to the provisions of the Privacy Act of 1974 (codified in 5 U.S.C. 552a) and the Office of Management and Budget's "Supplemental Guidance for Conducting Matching Programs" (47 FR 21656, May 19, 1982). Security safeguards include limiting access only to the extract files previously agreed to and only to agency personnel having a "need to know." The files will not be used to extract information concerning non-matched individuals for any purpose, nor will it be duplicated or disseminated within or outside the matching agency unless authorized in writing by the source agency. Generally, file areas are locked after normal duty hours and the offices and centers are protected from outside access by the Federal Protective Service or other security personnel.

Disposition of Source Records and Hits

The extract files will remain the property of the respective source agencies and all records, including those not containing matches, will be returned to the source agency for destruction. Records relating to matched individuals (frequently referred to as "hits") will be kept during such time as the administrative investigation is active and will be disposed of in accordance with the requirements of the Privacy Act and the Federal Record schedule. Specific data obtained from hits will be entered

in the claims file, subject to release only under the provisions of the Privacy Act.

[FR Doc. 83-32245 Filed 12-1-83; 8:45 am]

BILLING CODE 6325-01-M

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL

Hydropower Assessment Steering Committee; Meeting

AGENCY: Hydropower Assessment Steering Committee of the Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council).

ACTION: Notice of meeting held pursuant to the Federal Advisory Committee Act, 5 U.S.C. Appendix I, 1-4.

SUMMARY: Activities included:

- Discussion of members' comments on alternative proposals for cumulative effects and protected areas.
- Update on cumulative effects and critical habitat protection studies.
- Discussion of existing state fish and wildlife criteria.
- Discussion of candidate parameters for national hydropower survey update on FERC projects.
- Other.
- Public comment.

Status: Open.

The Northwest Power Planning Council hereby announces a meeting of its Hydropower Assessment Steering Committee. A notice and agenda of the meeting were mailed to the Council's fish and wildlife and steering committee mailing lists on November 16, 1983. Minutes of the meeting will be available for public review.

DATE: November 30, 1983, 9:30 a.m.

ADDRESS: The meeting was held at the Council Hearing Room in Portland, Oregon.

FOR FURTHER INFORMATION CONTACT: Peter Paquet, (503) 222-5161.

Edward Sheets,

Executive Director.

[FR Doc. 83-32207 Filed 12-1-83; 8:45 am]

BILLING CODE 0000-00-M

DEPARTMENT OF STATE

[Public Notice 886]

Magnuson Fishery Conservation and Management Act; Applications for Permits to Fish in the United States Fishery Conservation Zone

The Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*) requires all foreign vessels fishing

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Building, 211 South Court Street, Rockford, Illinois. The Conference is expected to continue on May 31. All parties or their counsel are directed to attend and to participate. The Board will consider arguments concerning the scope of an schedule for the reopened hearing, the issues to be heard, and any other necessary business. The reopened hearing will begin approximately 30 to 45 days following the prehearing conference.

Dated: Bethesda, Maryland May 22, 1984.

For the Atomic Safety and Licensing Board.

Ivan W. Smith,

Chairman, Administrative Law Judge.

[FR Doc. 84-14111 Filed 5-23-84; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-316]

**Indiana and Michigan Electric Co.,
Consideration of Issuance of
Amendment to Facility Operating
License and Proposed no Significant
Hazards Consideration Determination
and Opportunity for Hearing**

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-74, issued to Indiana and Michigan Electric Company (the licensee), for operation of the Donald C. Cook Nuclear Plant, Unit No. 2 located in Berrien County, Michigan.

The request for amendment was initially noticed April 11, 1984 (49 FR 14458). This notice includes requested changes subsequent to the March 1, 1984 submittal. These proposed changes as requested by letter dated May 21, 1984, involve changes to the Technical Specifications on nuclear enthalpy rise hot channel factor ($F^{\Delta}H$) and power level as a result of emergency core cooling system/loss of coolant accident analysis with up to 5% of the steam generator tubes plugged. The proposed change from the original request, due to the current state of the licensee's analysis, will include an $F^{\Delta}H$ which is flow dependent at various power levels and is limited by both loss of coolant accident (LOCA) and departure from nucleate boiling (DNB) considerations. The specific change is to limit $F^{\Delta}H$ due to LOCA concerns from power levels at 95 to 100%.

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.

The Commission has made a proposed determination 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.

The Commission has provided guidance for the application of these criteria by providing examples of amendments that are considered not likely to involve significant hazards considerations (48 FR 14870).

One example is (vi) a change which either may result in some increase to the probability or consequences of a previously-analyzed accident or may reduce some way a safety margin, but where the results of the change are clearly within all acceptable criteria with respect to the system or component specified in the Standard Review Plan. This change is like the example in that the proposed Technical Specification recognizes two limiting conditions, i.e., LOCA and DNB, on the nuclear enthalpy rise hot channel factor versus power; the previous limit was by DNB alone. This change is the result of a small refinement of a previously used calculational method and will assure that operation is limited within the bounds of the LOCA analysis.

Therefore, based on these considerations and the three criteria given above, the Commission has made a proposed determination that the amendment request involves no significant hazards consideration.

The Commission has determined that failure to act in a timely way would result in extending the current shutdown for refueling. Therefore, the Commission has insufficient time to issue its usual 30-day notice of the proposed action for public comment.

If the proposed determination becomes final, an opportunity for a hearing will be published in the Federal Register at a later date and any hearing request will not delay the effective date of the amendment.

If the Commission decides in its final determination that the amendment does involve a significant hazards consideration, a notice of opportunity for a prior hearing will be published in the Federal Register and, if a hearing is granted, it will be held before any amendment is issued.

The Commission is seeking public comments on this proposed determination of no significant hazards

consideration. Comments on the proposed determination may be telephoned to Steven A. Varga, Chief, Operating Reactors Branch No. 1, by collect call to 301-492-8035 or submitted in writing to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attn: Docketing and Service Branch. All comments received by June 7, 1984 will be considered in reaching a final determination. A copy of the application may be examined at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Maude Reston Palenske Memorial Library, 500 Market Street, St. Joseph, Michigan 49085.

Dated at Bethesda, Maryland, this 22nd day of May 1984.

For the Nuclear Regulatory Commission.

Steven A. Varga,

Chief, Operating Reactors Branch No. 1,
Division of Licensing.

[FR Doc. 84-14112 Filed 5-23-84; 8:45 am]

BILLING CODE 7590-01-M

**PACIFIC NORTHWEST ELECTRIC
POWER & CONSERVATION PLANNING
COUNCIL**

**Hydropower Assessment Steering
Committee; Meeting Notice**

AGENCY: Hydropower Assessment Steering Committee of the Pacific Northwest Electrical Power and Conservation Planning Council (Northwest Power Planning Council).

ACTION: Notice of meeting to be held pursuant to the Federal Advisory Committee Act, 5 U.S.C. Appendix I, 1-4. Activities will include:

- Role of river assessment task force.
- Cumulative impacts study work statement.
- Revised site ranking criteria.
- Ott data base update.
- Update on FERC activities.
- Work schedule.
- Other.
- Public comment.

Status: Open.

SUMMARY: The Northwest Power Planning Council hereby announces a forthcoming meeting of its Hydropower Assessment Steering Committee.

DATE: May 30, 1984. 9:00 a.m.

ADDRESS: The meeting will be held at the Council Hearing Room in Portland, Oregon.

FOR FURTHER INFORMATION CONTACT:
Peter Paquet, 503-222-5161.

Edward Sheets,
Executive Director.

[FR Doc. 84-13914 Filed 5-23-84; 8:45 am]
BILLING CODE 0000-00-M

RAILROAD RETIREMENT BOARD

Determination of Quarterly Rate of Excise Tax for Railroad Retirement Supplemental Annuity Program

In accordance with directions in Section 3221(c) of the Railroad Retirement Tax Act (26 U.S.C. 3221(c)), the Railroad Retirement Board has determined that the excise tax imposed by such Section 3221(c) on every employer, with respect to having individuals in his employ, for each work-hour for which compensation is paid by such employer for services rendered to him during the quarter beginning July 1, 1984, shall be at the rate of 20 cents.

In accordance with directions in Section 15(a) of the Railroad Retirement Act of 1974, the Railroad Retirement Board has determined that for the quarter beginning July 1, 1984, 25.0 percent of the taxes collected under Sections 3211(b) and 3221(c) of the Railroad Retirement Tax Act shall be credited to the Railroad Retirement Account and 75.0 percent of the taxes collected under such Sections 3211(b) and 3221(c) plus one hundred percent of the taxes collected under Section 3221(d) of the Railroad Retirement Tax Act shall be credited to the Railroad Retirement Supplemental Account.

Dated: May 16, 1984.

By authority of the Board.

Beatrice Ezerski,
Secretary to the Board.

[FR Doc. 84-13919 Filed 5-23-84; 8:45 am]
BILLING CODE 7905-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 13948; 812-5770]

Colorado Venture Capital Corp., Filing of Application Pursuant to Section 61(a)(3)(B) of the Act for an Order Approving Stock Option Plan and the Issuance of Certain Stock Options Thereunder

May 17, 1984.

Notice is hereby given that Colorado Venture Capital Corporation ("Applicant"), 885 Arapahoe Avenue, Boulder, Colorado, 80302, a business development company within the

meaning of the Investment Company Act of 1940 ("Act") which has elected to be treated as such, filed an application on February 14, 1984, and an amendment thereto on April 19, 1984, for an order, pursuant to section 61(a)(3)(B) of the Act approving a Non-Qualified Stock Option Plan and the automatic grant thereunder (a) on the date that is the later of the date of approval of such plan by Applicant's shareholders and the date of approval of such plan by order of the Commission (the "Plan Approval Date") of options to purchase shares of Applicant's common stock (1) to Charles S. Leavell, a director of Applicant who is neither an officer nor an employee of Applicant (a "non-employee director"), (2) to Dr. Michael L. Olson, a non-employee director of Applicant, (3) to Stanley R. Swanson, a non-employee director of Applicant, and (b) on or subsequent to the Plan Approval Date, as appropriate, to each non-employee director of Applicant who is elected or appointed to the Applicant's board of directors in the future. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below, and to the Act and the rules thereunder for the complete text of the provisions thereof which may be relevant to a consideration of the application.

Applicant states that its primary investment objective is to achieve long-term capital appreciation through investing in new and developing companies and in companies which are experiencing financial difficulties. According to the application, Applicant does not have an external "investment adviser" within the meaning of the Act; its investment decisions are made by its officers and directors; and it does not have a profit-sharing plan as described in Section 57(n) of the Act. Applicant further represents that it typically provides a substantial commitment of capital to its investees and furnishes them with significant managerial assistance, particularly in the early stages of development. Applicant asserts that its directors, in addition to overseeing the management of Applicant, devote substantial time and attention to matters relating to its investees, thus functioning more like the board of an operating company than the board of a traditional investment company. Accordingly, Applicant believes that the skill and experience of its management and directors are critical to its success.

Applicant states that in order to attract and retain qualified personnel, it proposes to provide its directors,

officers and employees with the opportunity to acquire equity securities of Applicant through a Non-Qualified Stock Option Plan and an Incentive Stock Option Plan (collectively, the "Stock Option Plans"). Applicant states that it has no warrants, options or rights to purchases its voting securities outstanding, other than those that will be granted to its directors, officers and employees pursuant to the Stock Option Plans.

According to the application, non-employee directors of Applicant will be eligible to receive grants of options only under the Non-Qualified Stock Option Plan, and such grants will be subject to the following limitations: (1) the grant of options will be limited to 50,000 shares of the Applicant's common stock to each non-employee director; (2) the exercise price of such options must be equal to the fair market value of Applicant's common stock on the date of grant, with fair market value defined as the average during the five preceding business days of the midpoint between the closing Bid and Asked prices for the Applicant's common stock traded on the over-the-counter market and as reported in the *Wall Street Journal*; provided, however, that if there is no established market for the common stock, the option price shall be the net asset value of the shares on the date of the grant; (3) the term of the options expires within ten years from the date of grant; (4) the options vest and thus become exercisable to the extent of 50% of the shares covered by the option on the first anniversary of the date of grant, and the balance of the shares covered by the option vest ratably and become exercisable over a twelve-month period commencing on the 13th month anniversary of the date of grant and on the next eleven monthly anniversary dates thereafter, and may be exercised thereafter any time prior to the tenth anniversary to the date of grant; (5) the options may not be assigned or transferred other than by will or the laws of descent and distribution; (6) if a non-employee director leaves Applicant for any reason other than death, the option will terminate in the manner described more fully in the application.

Applicant represents that the Non-Qualified Stock Option Plan and the stock options to be granted automatically to Mr. Leavell, Dr. Olson and Mr. Swanson and the stock options to be granted automatically to future non-employee directors of Applicant pursuant to such plan will meet all applicable requirements of the Act. Applicant further represents that shareholder approval of both Stock

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(a) Regulations governing Indian Education Programs (34 CFR Parts 250 and 251.)

(b) The Education Department General Administrative Regulations (EDGAR), 34 CFR Parts 74, 75, 77, 78, and 79.

Further Information: For further information contact Dr. O. Ray Warner, Indian Education Programs, U.S. Department of Education, Office of Elementary and Secondary Education, Room 2177, 400 Maryland Avenue, SW., Washington, D.C. 20202. Telephone: (202) 245-8238.

(20 U.S.C. 241aa-241ff)

(Catalog of Federal Domestic Assistance No. 84.060A; Formula Grants to Local Educational Agencies and Certain Tribal Schools)

Dated: July 20, 1984.

Lawrence F. Davenport,
Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 84-19704 Filed 7-27-84; 8:45 am]

BILLING CODE 4000-01-M

National Advisory Council on Indian Education; Meeting

AGENCY: National Advisory Council on Indian Education.

ACTION: Notice of meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the Annual Report Committee. Notice of this meeting is required under section 10(a)(2) of the Federal Advisory Committee Act. This document is intended to notify the general public of their opportunity to attend.

DATES: August 15-16, 1984, 9:00 a.m. until conclusion of business each day.

ADDRESS: National Advisory Council on Indian Education, 425 13th Street, NW., Suite 326, Washington, D.C. 20004, 202/376-8882.

FOR FURTHER INFORMATION CONTACT: Lincoln C. White, Executive Director, National Advisory Council on Indian Education, Pennsylvania Building, Suite 326, 425 13th Street, NW., Washington, D.C. 20004, (202) 376-8882.

SUPPLEMENTARY INFORMATION: The National Advisory Council on Indian Education is established under section 442 of the Indian Education Act (2) U.S.C. 1221g). The Council is established to assist the Secretary in carrying out responsibilities under section 441(a) of the Indian Education Act (Title IV of Pub. L. 92-318), through advising Congress, the Secretary of Education, the Under Secretary of Education and the Assistant Secretary of Elementary and Secondary Education with regard to

programs benefiting Indian children and adults.

The meeting will be open to the public. This meeting will be held at the office of National Advisory Council on Indian Education, 425 13th Street, NW., Suite 326, Washington, D.C. 20004, 202/376-8882.

The proposed agenda includes:

(1) Development of the 11th Annual Report

Records shall be kept of all Council proceedings and shall be available for public inspection at the office of the National Advisory Council on Indian Education located at 425 13th Street, NW., Suite 326, Washington, D.C. 20004.

Dated: July 25, 1984.

Signed at Washington, D.C.

Lincoln C. White,
Executive Director, National Advisory Council on Indian Education.

[FR Doc. 84-20038 Filed 7-27-84; 8:45 am]

BILLING CODE 4000-01-M

National Advisory Council on Indian Education; Meeting

AGENCY: National Advisory Council on Indian Education.

ACTION: Notice of meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the Government Programs Study Committee. Notice of this meeting is required under Section 10(a)(2) of the Federal Advisory Committee Act. This document is intended to notify the general public of their opportunity to attend.

DATES: August 21-22, 1984, 9:00 a.m. until conclusion of business each day.

ADDRESS: National Advisory Council on Indian Education, 425 13th Street, NW., Suite 326, Washington, D.C. 20004, 202/376-8882.

FOR FURTHER INFORMATION CONTACT: Lincoln C. White, Executive Director, National Advisory Council on Indian Education, Pennsylvania Building, Suite 326, 425 13th Street, NW., Washington, D.C. 20004, (202)/376-8882.

SUPPLEMENTARY INFORMATION: The National Advisory Council on Indian Education is established under Section 442 of the Indian Education Act (2) U.S.C. 1221g. The Council is established to assist the Secretary in carrying out responsibilities under Section 441(a) of the Indian Education Act (Title IV of Pub. L. 92-318), through advising Congress, the Secretary of Education, the Under Secretary of Education and the Assistant Secretary of Elementary and Secondary Education with regard to

programs benefiting Indian children and adults.

The meeting will be open to the public. This meeting will be held at the office of National Advisory Council on Indian Education, 425 13th Street, NW., Suite 326, Washington, D.C. 20004, 202/376-8882.

The proposed agenda includes:

(1) To coordinate communication between the NACIE Council, Congress, and other agencies that have related activities.

Records shall be kept of all Council proceedings and shall be available for public inspection at the office of the National Advisory Council on Indian Education located at 425 13th Street, NW., Suite 326, Washington, D.C. 20004.

Dated: July 25, 1984.

Signed at Washington, D.C.

Lincoln C. White,
Executive Director, National Advisory Council on Indian Education.

[FR Doc. 84-20041 Filed 7-27-84; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

Bonneville Power Administration

Near Term Pacific Northwest-Pacific Southwest Intertie Access Policy

AGENCY: Bonneville Power Administration (BPA), DOE.

ACTION: Proposal for near term intertie access policy, request for public comment and announcement of public information and comment forums.

SUMMARY: BPA has proposed a Near Term Intertie Access Policy to provide hour-by-hour allocations of the Pacific Northwest-Pacific Southwest Intertie for the marketing of currently dedicated Pacific Northwest resources. This proposal is envisioned as a means to improve the marketability of the Pacific Northwest firm and nonfirm surpluses by assuring transmission access in a predictable manner. This near term policy is anticipated to be implemented for a period of 2 years, while a long term Intertie Access Policy is being developed. BPA requests public comment on this proposed policy.

DATES: BPA will accept comments through August 13, 1984. Written comments should be postmarked by that date. Public Information and Comment Forums are scheduled for July 24 and 25, 1984, 9 a.m. to 4 p.m., Mt. Bachelor and Three Sisters Rooms, Red Lion Inn, Lloyd Center, Portland, Oregon.

ADDRESSES: Written comments should be submitted to the Public Involvement

Manager, Bonneville Power Administration, P.O. Box 12999, Portland, Oregon 97212.

Responsible official

The official responsible for development of the Intertie Access Policy is James L. Jones, Deputy Power Manager.

FOR FURTHER INFORMATION CONTACT:

Ms. Donna L. Geiger, Public Involvement Office, at the address listed above, 503-230-3478. Oregon callers may use 800-452-8429; callers in California, Idaho, Montana, Nevada, Utah, Washington, and Wyoming may use 800-547-6048. Information may also be obtained from:

Mr. George Gwinnutt, Lower Columbia Area Manager, Suite 288, 1500 Plaza Building, 1500 NE, Irving Street, Portland, Oregon 97232, 503-230-4551.

Mr. Ladd Sutton, Eugene District Manager, Room 206, 211 East Seventh Avenue, Eugene, Oregon 97401, 503-687-6952.

Mr. Ronald H. Wilkerson, Upper Columbia Area Manager, Room 561, West 920 Riverside Avenue, Spokane, Washington 99201, 509-456-2518.

Mr. George E. Eskridge, Montana District Manager, 800 Kensington, Missoula, Montana 59801, 406-329-3060.

Mr. Ronald K. Rodewald, Wenatchee District Manager, P.O. Box 741, Wenatchee, Washington 98801, 509-662-4377, extension 379.

Mr. Richard D. Casad, Puget Sound Area Manager, 415 First Avenue North, Room 250, Seattle, Washington 98109, 206-442-4130.

Mr. Thomas Wagenhoffer, Snake River Area Manager, West 101 Poplar, Walla Walla, Washington 99362, 509-522-6226, extension 701.

Mr. Robert N. Laffel, Idaho Falls District Manager, 531 Lomax Street, Idaho Falls, Idaho 83401, 208-523-2706.

Mr. Frederic D. Rettenmund, Boise District Manager, Owyhee Plaza, Suite 245, 1109 Main Street, Boise, Idaho 83707, 208-334-9138.

SUPPLEMENTARY INFORMATION:

I. Discussion

A. Reason for Action

Congress authorized construction of the Pacific Northwest-Pacific Southwest Intertie in order to prevent waste of electric resources, to provide the lowest possible rates to Pacific Northwest consumers of Federal power, and to conserve energy resources in the Pacific Northwest and the Pacific Southwest. The Intertie allows the nation to capture the benefits that would be lost if large amounts of water from the Pacific Northwest Federal hydroelectric projects flowed unused to the sea. Consequently, the Intertie permits the sale by the Bonneville Power Administration (BPA) of power, that is surplus to Pacific Northwest needs, to Southwest markets that otherwise would be served with expensive fossil-

fuel fired generation. Sale of this power provides revenue to pay the cost of the Federal investment in the Federal Columbia River Power System (FCRPS). Pacific Northwest consumers benefit by having some costs recovered from sales that otherwise could not be made, and Southwest consumers benefit from the savings that results when lower cost Pacific Northwest energy is substituted for higher cost thermal generation.

When Congress considered the construction of the Intertie, it anticipated that the benefits of the Intertie would be allocated approximately equally between the Pacific Northwest and Southwest. House Report, No. 1822, 88th Cong., 2d Sess. (1964), p. 7 At that time, Pacific Northwest benefits were forecast to be \$1 billion in 1964 dollars over the life of the Intertie, while the Southwest benefits were forecast to be only slightly less, \$0.869 billion in 1964 dollars. The Intertie currently facilitates transactions between the Pacific Northwest and the Southwest that are annually worth a large part of the original estimate. In FY 1983, BPA's portion of sales to Southwest utilities was worth about \$1.0 billion to those utilities (in 1983 dollars). From these sales BPA received only about \$0.2 billion of revenues. Thus, Southwest utilities received benefits of about \$0.8 billion more than their payments to BPA. Hence, comparative benefits between regions heavily favored the Southwest, by a ratio of about 4 to 1. (See Appendix B.)

BPA presently has resources surplus to its existing loads and most Pacific Northwest utilities are in a similar surplus condition. Thus, there is more demand for use of the Intertie than ever before, and much more energy available than Intertie capacity. BPA has not granted firm Intertie transmission since the Exportable Energy Agreement was signed in 1969. All subsequent Intertie transmission contracts provided for displacement by Exportable Energy. Several Pacific Northwest and extraregional utilities recently have asked BPA for firm or nonfirm contractual access to BPA's portion of the Intertie.

The Pacific Northwest Electric Power Planning and Conservation Act (Regional Act), section 9(i)(1), authorizes BPA to assist in the disposal of surplus power of its customers. The Intertie Access Policy can provide the means for disposing of firm or nonfirm surplus by assuring transmission access in a predictable manner. In addition, the Intertie Access Policy must be consistent with statutory mandates that such access be fair and nondiscriminatory, and should avoid

monopolization by limited groups. BPA is now proposing an Intertie Access Policy that will serve the needs of BPA's own power marketing program and the needs of Pacific Northwest utilities.

B. Authority for Action

BPA is authorized to market surplus Federal power outside of the Pacific Northwest region. (16 U.S.C. 837a-c, 839f(f) and 839(c).) Surplus Federal power is defined to be that power for which there is no market in the Pacific Northwest at the rates established for such power. (16 U.S.C. 837 and 839(c).) Such power must first be offered within the Pacific Northwest at applicable rates before it can be offered outside of the region. (16 U.S.C. 837a.)

BPA markets such power outside the region in order to generate additional revenues from power that would otherwise be wasted for lack of a market at the offered price. These additional revenues aid in recovering the costs of operating the Federal system in the Pacific Northwest and in repaying the Federal investment in the FCRPS. As a self-financed agency of the United States Government, BPA is required to raise sufficient revenues to pay all of its costs, including the amortization of the large Federal investment in the Federal system. (16 U.S.C. 832f; 838g, and 839e(a)(1).) Revenues from such extraregional sales serve to pay BPA's system costs that would otherwise be borne solely by BPA's Pacific Northwest customers. In this way, BPA implements its statutory directive to provide the lowest possible rates to consumers consistent with sound business principles. (16 U.S.C. 838g, 839, and 839e(a)(1).)

Congress authorized the construction of the Intertie lines in 1964 at the same time that it established the Northwest's priority to Federal power generated at Pacific Northwest Federal hydroelectric facilities. Congress directed the Administrator to utilize as much of the Federal Intertie capacity as the Administrator determines is needed to transmit Federal energy to the Southwest. (16 U.S.C. 837e.) Federal capacity not needed for this purpose is available for the transmission of other electric energy.

Section 6 of Pub. L. 88-552, 16 U.S.C. 837e, provides:

Any capacity in Federal transmission lines connecting, either by themselves or with non-Federal lines, a generating plant in the Northwest or Canada with the other area or with any other area outside the Pacific Northwest, which is not required for the transmission of Federal energy or the energy described in section 9, shall be made

available as a carrier for transmission of other electric energy between such areas.

During periods when applications for use of the Intertie do not exceed the capacity of the Intertie, BPA has interpreted this directive as requiring that all requests for use of the Intertie be satisfied. However, during periods in which requests for use of the Intertie exceeded the capacity of the Intertie, Pub. L. 88-552 did not provide express directives regarding the allocation of the limited Intertie capacity among the competing requests. In this circumstance, the Federal requirements were first satisfied fully, pursuant to the statute. Thereafter, the Administrator had broad authority to allocate administratively the remaining capacity among the competing users. The authority of the Administrator in this regard was similar to the authority of the Administrator to allocate power among customers. The Bonneville Project Act required that the Administrator give preference and priority in power sales to public bodies and cooperatives, but the Administrator had the authority to allocate the Federal power among these customers in any reasonable manner. He had the authority to deny power to some and meet the full requirements of others. *City of Santa Clara v. Andrus*, 572 F.2d 660 (9th Cir., 1978).

Similarly, the Administrator allocated access to the Intertie when requests for access exceeded the capacity of the Intertie. The Administrator selected the Exportable Agreement (Contract No. 14-03-73155) as a vehicle for this allocation. The Exportable Agreement was executed on January 13, 1969, soon after the energization of the Intertie lines. The Exportable Agreement allocates capacity on the Intertie among the parties to the agreement. Only utilities with service areas in the Pacific Northwest are parties to the Exportable Agreement and, therefore, have an allocation of Intertie capacity. Thus, the Exportable Agreement reflects the Administrator's allocation decision that the benefits of the Intertie should be shared by Pacific Northwest utilities in times when the available Pacific Northwest supply is greater than the potential Southwest market. This excludes utilities outside of the Pacific Northwest. The legislative history of Pub. L. 88-552 referred to the Administrator's discretion to decide whether to transmit power from Canada. (House Report, No 590, 88th Cong., 2d Sess. (1984), p. 9.) The legislative history of the Federal Columbia River Transmission System Act refers to the directives and policies to distribute

electric power "in and from the Pacific Northwest" (House Report No. 93-1030, 93rd Cong., 2d Sess. (1974, p. 9) and the directive not to discriminate "among classes of customers." (*id.* at p. 10.)

The Exportable Agreement allocates capacity on the Intertie only for the purpose of transmitting "Exportable Energy." For BPA, this is defined as Federal energy that would be wasted in the Pacific Northwest for lack of a market. For other utilities, it is defined as surplus energy available "on a nonfirm basis." The Administrator's authority to provide transmission for other purposes or types of energy is not limited by the terms of the Exportable Agreement. Allocation of Intertie capacity for Exportable Energy under the terms of the Exportable Agreement can, pursuant to the Administrator's discretion, be subordinate to the allocation of capacity for firm transmission service.

Pub. L. 88-552 required that first priority for use of the Intertie be for the transmission of Federal power. However, the Act also states that contracts for the transmission of non-Federal energy "on a firm basis" shall not "be affected by any increase, subsequent to the execution of such contract, in the requirements for transmission of Federal energy * * *". Therefore, the Administrator was not precluded from executing contracts for firm transmission service.

The Federal Columbia River Transmission System Act (16 U.S.C. 838) restated the Administrator's obligation to make transmission capacity available.

The Administrator shall make available to all utilities on a fair and nondiscriminatory basis, any capacity in the Federal transmission system which he determines to be in excess of the capacity required to transmit electric power generated or acquired by the United States.

This Act does not affect the Administrator's exercise of discretion to allocate capacity when facilities are not sufficient to meet all requests for transmission service. The Administrator has broad authority to allocate insufficient transmission capacity on a reasonable basis among competing users.

The Regional Act (16 U.S.C. 839 *et seq.*), added a specific directive to provide transmission capacity and a directive to deny transmission service. The directive to allocate capacity on the Intertie is in section 9(i)(3) and requires the Administrator, in making transmission services available, to give priority to power from resources "under construction" on the date of the

Regional Act, if the capability from such resources has been offered to BPA and the offer has not been accepted within 1 year. At present, no resources fall within this directive.

The Regional Act's directives to deny transmission service are part of its general admonitions "to furnish services including transmission." Section 9(i)(3) (16 U.S.C. 839(f)(i)(3)), directs the Administrator to furnish transmission services to his customers within the Pacific Northwest "unless he determines such services cannot be furnished without substantial interference with his power marketing program, applicable operating limitations or existing contractual obligations." Section 9(d) (16 U.S.C. 839f(d)) directs the Administrator to provide access to available transmission capacity for his Pacific Northwest customers if such transmission does not interfere with the Administrator's contractual obligations or any other obligations under existing law. Section 9(i)(1)(B) (16 U.S.C. 839(i)(1)(B)) authorizes the Administrator to aid in the disposition of Pacific Northwest surplus if he determines that "such disposition is not in conflict with the Administrator's other marketing obligations and the policies of this Act and other applicable laws." The Regional Act clearly grants the Administrator broad authority to operate the Federal Intertie capacity in a manner that protects his power marketing program and implements his environmental responsibilities, including fish and wildlife concerns.

C. Major Provisions

1. Relationship to the Administrator's power marketing program.

The proposed policy will provide the instrument to insure that Pacific Northwest utilities are provided fair and equitable access to the Intertie without significant adverse impact on BPA's power marketing program.

The allocation of Intertie capacity to Pacific Northwest utilities at times when the Exportable Agreement is not in effect, will insure BPA a continuing pro rata share of the Intertie. This will allow BPA to make sales of economy energy to the Southwest at fair, cost-based rates.

BPA will continue to market surplus firm energy and power to the Southwest at established rates. However, the need for firm energy and power in the Southwest appears to be limited. This proposed policy will insure that BPA has access to a portion of its own Intertie capacity on a continuing basis. BPA then can offer economy energy at reasonable prices without the prospect

of being forced into spill and Spill rate sales.

If BPA can have a reasonable expectation of selling its firm surplus and nonfirm energy for established cost-based rates, its power marketing program will experience minimal interference.

2. Assured delivery for qualifying existing and new firm contracts.

The proposed policy will provide assured delivery for existing and new firm contracts. Section II C below, sets forth criteria for qualifying firm contracts. These criteria are intended to limit the availability of assured delivery to those sales that are not merely advance arrangements to purchase economy energy and that do not adversely impact the Administrator's obligation to operate in a prudent utility manner. Some comments received in response to BPA's February 15, 1984, Discussion Paper, indicated that regional nonfirm energy should receive priority access over firm sales. Other comments urged that firm sales should never be subordinated to nonfirm sales. The proposal balances these concerns by providing assured delivery only for true firm sales of surplus power or energy and providing allocated shares for nonfirm sales not made under a firm contract.

3. Treatment of extraregional resources.

This Near Term Intertie Access Policy provides priority Intertie access to utilities in the Pacific Northwest. Several reasons support this determination.

Pacific Northwest utilities carry legal and moral obligations to plan, construct, and operate the transmission system and resources of the Pacific Northwest as a coordinated system. Those Pacific Northwest utilities that are parties to the Coordination Agreement commit to the coordinated operation of their resources as if they were part of a single utility.

The Coordination Agreement arose out of the fact that operation of the hydroelectric resources located on the Columbia River and its tributaries, regardless of their ownership, may impose detrimental impacts on other hydroelectric resources located on the same river system. It provides for resource operation which minimizes adverse impact on other utilities from operation of such resources. It provides for mutual back-up in emergencies, establishes sound levels of integrated operation, and insures that each utility will obtain an assured capability from its resources.

Extraregional utilities do not participate in the Pacific Northwest Coordination Agreement. Their only

interest in the Pacific Northwest power system is as a temporary conduit to markets in the Southwest. With approximately half of the region's loads and 80 percent of the region's transmission, BPA has a substantial and appropriate interest in assuring that the Intertie capacity will not be used by these utilities to operate their systems in a manner that jeopardizes BPA's responsibilities for the efficient and reliable operation of the Pacific Northwest power system.

One of the most significant obligations upon BPA's customers is their ultimate responsibility to pay all costs necessary to produce, transmit, and conserve resources to meet the region's electric power requirements, including amortization on a current basis of the Federal investment in the Federal Columbia River Power System. This is the mechanism employed by Congress to assure that BPA's customers and not the nation's taxpayers underwrite the cost associated with the construction and operation of BPA's ownership in the Pacific Northwest-Pacific Southwest Interties. The benefits of the Federal transmission system in the Pacific Northwest accordingly are intended primarily for utilities in the Pacific Northwest.

Congress called upon BPA to construct Federal transmission facilities in the region if they were needed to serve the region's needs to integrate resources under the "one utility" planning concept, to integrate the Pacific Northwest and Pacific Southwest through diversity and peak/exchange transaction and to transmit the region's surplus power and energy to other regions, particularly the Southwest.

Federal transmission facilities were constructed, on the basis of general Pacific Northwest utility consensus, in order to avoid the costly facility duplication which would result if all utilities in the region were to construct their own facilities. If extraregional utilities were given access to these facilities it would result in less capacity being available for regional utilities. The original purpose of the Federal facilities would be lost. Consequent detrimental effects would be felt by those regional utilities which might otherwise have originally built their own facilities, but relied upon the cooperative planning and construction approach. Congress therefore authorized, but did not direct, that BPA afford transmission access to extraregional utilities. BPA may use its authority to provide priority access to itself and Pacific Northwest utilities.

For these reasons, during periods when Interties capacity is insufficient to meet all Pacific Northwest requests for

capacity, the Intertie will be allocated to the Pacific Northwest utilities. During periods when the capacity of the Intertie is greater than the requests from Pacific Northwest utilities, Intertie capacity in excess of that need to serve Pacific Northwest utilities will be made available to transmit energy from extraregional resources.

4. Fish and wildlife concerns.

The fish and wildlife provisions contained in the Near Term Intertie Access Policy are intended to assure that the Policy will not enable or encourage resource construction or operation that would decrease the effectiveness of or increase the need for additional expenditures or other actions by the Administrator to protect, mitigate and enhance fish and wildlife. In developing this policy, BPA is relying on its fish and wildlife authorities including the Regional Act and its obligation thereunder to exercise its responsibilities taking into account in decisionmaking to the fullest extent practicable, the Fish and Wildlife Program adopted by the Pacific Northwest Power Planning Council, and BPA's obligation not to undertake any major Federal action that might significantly affect the environment without preparing an environmental impact statement.

BPA, pursuant to the Regional Act and to other applicable law, is engaged in a significant and expensive effort to restore an anadromous fishery and otherwise mitigate fish and wildlife losses caused by the construction of the Federal hydroelectric system in the Columbia River and its tributaries. BPA is obligated to repay the United States Treasury over \$500 million for capital construction designed to mitigate fish and wildlife losses. Annually, BPA also reimburses the Treasury for operation and maintenance costs associated with fish and wildlife mitigation incurred at these facilities by the Corps of Engineers, Bureau of Reclamation and U.S. Fish and Wildlife Service. BPA has estimated that in 1985 these costs will be approximately \$15 million. In addition, under the Regional Act, BPA has assumed a major share of the costs of implementing the Fish and Wildlife Program developed by the Pacific Northwest Power Planning Council, and sustains a revenue loss resulting from implementing a Water Budget at a cost of \$58 million annually in an average water year. Implementation costs in addition to the Water Budget will amount to about \$35 million in 1985.

In light of this substantial investment, BPA believes it is appropriate, in present and future Intertie Access

Policies, to exercise all its authorities to insure that its actions do not enable other entities to impair the effectiveness of BPA's fish and wildlife efforts, or increase the need for additional expenditures or other actions to protect, mitigate and enhance fish and wildlife. In this Near Term Intertie Access Policy, the provisions of section II C address this concern as follows:

a. Access to the Intertie will not be provided for power from resources not yet licensed or constructed, which would negatively impact BPA's fish and wildlife expenditures and other actions, nor will access be provided for licensed or constructed resources that are not being constructed or operated in a manner consistent with applicable permits, licenses and other provisions of applicable state or Federal law.

b. Access to the Intertie will be provided for existing resources that are operated in a manner consistent with applicable permit, licenses and law, based on the presumption that such operation will not negatively impact BPA's Fish and Wildlife Program. However, if it is demonstrated that operation of a resource may negatively impact BPA's program, the Administrator will determine whether that impact is substantial. If so, in order to gain access, the owner, operator, or scheduling utility of the resource must modify its operation, arrange for a comparable expenditure or take other actions to mitigate what would otherwise result in a decrease in the effectiveness of the Administrator's Fish and Wildlife Program or would require increased expenditures or other actions by the Administrator to protect, mitigate, or enhance fish and wildlife.

II. Near Term Intertie Access Policy

BPA will provide near term Intertie access on a fair and nondiscriminatory basis without incurring substantial interference with BPA's Power Marketing Program. This will be accomplished by providing for assured delivery for qualifying firm sales by BPA or other Pacific Northwest utilities and by allocating access to remaining Intertie capacity among BPA and other Pacific Northwest utilities when regional supply exceeds the Southwest market. Firm power sales contracts for disposition of power generated in the Pacific Northwest, both existing and new, may qualify for assured delivery sufficient to supply the firm obligation. BPA and Pacific Northwest utilities will share remaining available Intertie capacity based on their relative amounts of surplus. Nonfirm Intertie access may be provided for extraregional resources and utilities.

A. Definitions

1. "Existing Pacific Northwest resources" means the resources of Pacific Northwest utilities which are in operation or dedicated to regional load in recognized regional resource planning documents, and which have not been terminated, prior to the effective date of this policy.

2. "Intertie capacity" means capacity on the Pacific Northwest-Pacific Southwest Intertie controlled by BPA through ownership or contract right and increased by the amount of obligation energy deliveries under capacity and capacity/exchange contracts with the Southwest.

3. "Pacific Northwest" means, as defined in the Regional Act, Pub. L. 96-501, section 3(14)(A), "the area consisting of the States of Oregon, Washington, and Idaho, the portion of the State of Montana west of the Continental Divide, and such portion of the States of Nevada, Utah, and Wyoming as are within the Columbia River Drainage Basin."

B. Term

BPA will adopt a Near Term Intertie Access Policy soon after the close of the comment period. Upon notice, or notice and comment, as appropriate, BPA may modify the Near Term Intertie Access Policy. Significant revisions of the Near Term Intertie Policy may be made after BPA has provided an opportunity to comment on proposed changes. The Near Term Intertie Access Policy will be in effect for approximately 2 years. At the end of that time, BPA expects to adopt a Long Term Intertie Access Policy. Additional opportunities for review and comment will be provided before BPA adopts a Long Term Intertie Access Policy.

C. Conditions for Intertie Access

1. The Administrator will allocate available Intertie capacity on a fair and nondiscriminatory basis to Pacific Northwest scheduling utilities pursuant to the procedures for scheduling and allocations set forth in this policy.

2. Access to the Intertie will be provided only for power from existing Pacific Northwest resources that would not:

a. Create substantial interference with:

(1) the Administrator's power marketing program; or
(2) The operating limitations of the Federal system; or

b. Be in conflict with:

(1) The Administrator's existing contractual obligations; or

(2) Any other obligations of the Administrator under existing law; or

c. Substantially decrease the effectiveness of or substantially increase the need for expenditures or other actions by the Administrator to protect, mitigate, or enhance fish and wildlife, or otherwise substantially interfere with the obligations of the Administrator to protect, mitigate, or enhance fish and wildlife as provided in subsection 6b-e, below.

3. For purposes of this policy, elements of the Administrator's power marketing program include:

a. Arrangements to meet the requirements of existing or future customers of the Administrator pursuant to section 5 of the Regional Act (16 U.S.C. 839C), including transmission and acquisition arrangements;

b. Other power sales to meet existing or future contractual obligations of the Administrator to supply energy or power;

c. Sales of nonfirm energy;

d. Acquisition of power pursuant to section 9(i)(1)(A) of the Regional Act (16 U.S.C. 839f(i)(1)(B));

e. Disposition of power pursuant to section 9(i)(1)(B) of the Regional Act (16 U.S.C. 839f(i)(1)(B));

f. Actions taken to acquire conservation and to encourage efficiency and conservation in the use of electric power, to develop renewable resources, and to assure the Pacific Northwest of an adequate, efficient, economical, and reliable power supply;

g. Policies adopted by the Administrator respecting various elements of the BPA's power marketing program; and

h. Sales or exchanges for use outside the Pacific Northwest in conformance with Pub. L. 88-552 and section 9(c) of the Regional Act (16 U.S.C. 839f(c)).

4. For purposes of this policy, operating limitations applicable to the Administrator include:

a. The Administrator's obligation to reserve capacity on the Intertie to transmit Federal energy, including electric power generated or acquired by the United States, or the energy described in section 9 of Pub. L. 88-552;

b. The Administrator's obligation to provide, construct, operate, maintain, and improve electric transmission lines and substations, and associated facilities in a manner to prevent the monopolization thereof by limited groups. The applicable operating limitations include, but are not limited to:

(1) The BPA Reliability Criteria and Standards;

(2) Western System's Coordinating Council (WSCC) minimum Operating Reliability Criteria; and

(3) North American Electric Reliability Council-Operating Committee Minimum Criteria for Operating Reliability.

c. The Administrator's obligations under the National Environmental Policy Act (NEPA) and associated regulations and procedures; and

d. The Administrator's coordination with other Federal agencies regarding river operations.

5. For purposes of this policy the Administrator's existing contractual obligations, other marketing obligations, and the obligations and policies of applicable law, include but are not limited to:

a. Provisions that such service shall not discriminate against any utility or group of utilities on the basis of independent development of an existing resource;

b. Provision that capacity must be available on the Federal transmission system, which shall be determined as set forth in section II C below;

c. The policies of Pub. L. 96-501 and NEPA; and

d. Current contracts numbered 14-03-73155, 14-03-55063, 14-03-56379, 14-03-79101, DE-MS79-81BP0185, DE-MS79-884BP91627, 14-03-54132, 14-03-53290, 14-03-53295, 14-03-50323, 14-03-54134, 14-03-53297, 14-03-58638, 14-03-54126. Section II C below describes how BPA will implement its allocation procedures to avoid conflict with these and future contracts.

6. Special provisions relating to fish and wildlife.

a. In the future, access to the Intertie will not be provided for power resources not licensed or constructed on the initial effective date of this policy, the construction, or operation of which would substantially decrease the effectiveness of or substantially increase the need for expenditures or other actions by the Administrator to protect, mitigate, or enhance fish and wildlife, or otherwise substantially interfere with the obligations of the Administrator to protect, mitigate, and enhance fish and wildlife.

b. The Administrator will provide access to the Intertie for Pacific Northwest resources licensed or constructed on the effective date of this policy, that are operated, or are being constructed and will be operated in a manner consistent with applicable licenses, permits, and other applicable provisions of state and Federal law. This policy presumes, unless it is demonstrated to the Administrator otherwise by an interested person, that the operation of such resources will not

substantially decrease the effectiveness of or substantially increase the need for expenditures or other actions by the Administrator to protect, mitigate, or enhance fish and wildlife, or otherwise substantially interfere with his obligation to protect, mitigate, or enhance fish and wildlife, including the Administrator's obligation under the Regional Act to take into account at each relevant stage of decisionmaking processes, to the fullest extent practicable, the fish and wildlife program adopted by the Northwest Power Planning Council.

c. Upon the demonstration provided in paragraph b above, if the Administrator determines that providing access to any resource licensed or constructed on the effective date of this policy will substantially decrease the effectiveness of or substantially increase the need for expenditures or other actions by the Administrator to protect, mitigate, or enhance fish and wildlife, or otherwise substantially interfere with the Administrator's obligation to protect, mitigate or enhance fish and wildlife, such access will not be provided unless:

(1) The owner or operator of the resource agrees in advance to modify the operation of the resource in a manner to assure that the operation of the resource will not have a determined effect; or

(2) The owner or operator of the resource agrees in advance to make expenditures or take other actions to protect, mitigate, or enhance fish and wildlife to fully offset the decrease in effectiveness or the increase in need for expenditures or other actions by the Administrator, caused by the operation of the subject resource.

d. The Administrator will not agree to provide access to the Intertie for resources that are operated, or are being constructed and will be operated, the operation of which will decrease the effectiveness of or increase the need for expenditures or other actions by the Administrator to protect, mitigate, or enhance fish and wildlife or otherwise interfere with the obligations of the Administrator to protect, mitigate, and enhance fish and wildlife and which are not being constructed or operated on compliance with applicable licenses or permits and other applicable state or Federal law.

e. "Substantially decrease, increase, or interfere," as used in section 6, means a change is significant, and measurable or identifiable.

D. Firm Contracts and Formula Allocation Methods for Intertie Access

1. Assured Delivery for Firm Contracts.

a. Except as provided in section II. C. 2, above, scheduling utilities in the Pacific Northwest shall be provided capacity each hour for deliveries under existing or new firm sales contracts at the time when, or so long as, such contracts meet certain eligibility criteria described below. Capacity shall not be allocated for transmission of surplus firm energy or surplus firm capacity that is not sold pursuant to a firm sales contract meeting the criteria.

b. New firm sales contracts are contracts that:

(1) Provide for the delivery of power from specified resources for a term of not less than 1 operating year;

(2) Obligate the Pacific Northwest party to deliver power on a particular hour and obligate the Southwest party to take the power or to pay for the power if it is not taken;

(3) Do not make the delivery of power subject to displacement by the purchaser with other power;

(4) Provide, as determined pursuant to the Pacific Northwest Coordination Agreement or pursuant to similar planning criteria, for the sale of firm resources in excess of the Pacific Northwest supplier's other firm obligations; and

(5) Provide, with respect to replacement of firm capacity or deliveries of exchange energy, that replacement or return energy will be delivered to the point of interconnection on BPA's system either at the California-Oregon border or the Nevada-Oregon border.

c. Firm hourly schedules must be established by the Pacific Northwest and Southwest parties, and be made available to BPA prior to allocation of Intertie capacity.

d. When BPA firm deliveries and requests by other utilities for firm deliveries exceed the available Intertie capacity, the Pacific Northwest and Southwest parties will establish schedules for such delivery.

e. Existing obligations granted assured Intertie capacity are:

(1) Portland General Electric's Intertie annual priority access rights as described in Contract No. 14-03-55063;

(2) Pacific Power & Light Intertie annual priority access rights as described in Contract No. 14-03-56379;

(3) Washington Water Power's firm transmission to facilitate its sale to San Diego Gas & Electric Company (SDG&E) as described in Contract No. 14-03-79101;

(4) Washington Water Power's rights to schedule energy to Southern California Edison (SCE) as described in Contract No. DE-MS79-81BP90185;

(5) Western Area Power Administration's purchase of surplus firm power from BPA and transmission of power purchased from the Basin Electric Power Cooperative as described in Contract No. DE-MS79-84B91627;

(6) BPA's sale of seasonal surplus capacity to Pacific Gas & Electric (PG&E) as described in Contract No. 14-03-54132;

(7) BPA's Capacity/Energy Exchange Agreements as listed below and described in the referenced contracts:

Utility	Contract No. (14-03-)
(a) Burbank	53290
(b) Glendale	53295
(c) Los Angeles	50323
(d) Pasadena	53297
(e) PG&E	54134
(f) SDG&E	58638
(g) SCE	54126

2. Formula Sharing Method.

Intertie capacity available in excess of requirements for transmission capacity pursuant to subsection 1, Assured Delivery for Firm Contracts, shall be allocated according to the formula described herein.

a. When Intertie capacity and Southwest market conditions trigger the Exportable Agreement, available Intertie capacity shall be allocated pursuant to that agreement. An example of this allocation formula is described as Condition 1 of Appendix A.

b. During periods when (i) available capacity on the Intertie exceeds the requirements for transmission capacity pursuant to subsection 1, Assured Delivery for Firm Contracts, and (ii) the Intertie capacity and Southwest market conditions have not triggered the Exportable Agreement, then capacity on the Intertie to serve the Southwest market shall be allocated pursuant to the following procedure:

(1) On any day the scheduling utilities observe as a normal workday, each Pacific Northwest supplier shall submit to BPA its hourly declarations of the amount of energy and capacity it has available for sale to the Southwest through the next normal workday at any available rate.

(2) Hourly allocations among Pacific Northwest suppliers will be determined by the ratio of each party's declaration to the sum of all declarations on that hour multiplied by the available capacity of the Intertie.

(3) Because of the variable nature of the obligation deliveries in capacity or capacity/exchange contracts, the potential Intertie capacity may not be scheduled by Southwest utilities on any given hour. Even though a Pacific

Northwest party receives an allocation of the potential Intertie capacity, in this condition all offers to sell may not result in transactions. An example of this allocation formula is described as Condition 2 in Appendix A.

c. If the declarations are less than the capacity of the Intertie, each party's allocation will be equal to its declaration. No prorated allocation is necessary in this condition. An example of this market condition is described as Condition 3 in Appendix A.

d. In either Condition 2 or 3, if a Southwest purchaser cannot purchase power because the Pacific Northwest power available to it is priced at a level that would not allow the purchaser to displace the highest cost thermal resources it would otherwise operate, and there are no other Southwest utilities that are able to accept the offer, then if the Pacific Northwest utility is unwilling to lower the price to an economic level, the Pacific Northwest utility would lose the allocated share of the Intertie to other Pacific Northwest suppliers.

E. Extraregional Access

BPA seeks comments on the following proposals concerning Intertie access for extraregional resources.

1. Under Condition 1, potential users of Intertie capacity that are not parties to the Exportable Agreement will not receive a formula allocation of Intertie capacity.

2. BPA is willing to consider giving extraregional utilities some limited access to Intertie capacity under Condition 2. This limited access might provide extraregional utilities with

sufficient Intertie access to market amounts of nonfirm energy that would approximate their sales over the Intertie in recent years, under BPA's past Intertie practices. Such access, however, would be conditioned on such utilities' participation in the Pacific Northwest's coordinated planning and operation to a greater extent than in the past.

3. Under Conditions 3, extraregional utilities will be able to use Intertie capacity to the extent that capacity is available in excess to the declaration of Pacific Northwest utilities.

4. Extraregional utilities also may be granted access on the Intertie under Condition 2 and 3 as described in section II, C, 2, d, above if Pacific Northwest utilities offer energy at a price which is not economic for any Southwest party.

Issued in Portland, Oregon on July 20, 1984.
Robert E. Ratcliffe,
Acting Administrator.

Appendix A—Example of Formula Allocation Under Condition 1

Assumptions used in this example:

1. There is sufficient energy to load the potential Intertie capacity at 18.5 mills/kWh or less.
2. Declarations of available energy are hourly.
3. Some utilities have firm contracts.
4. Some utilities have priorities.
5. Potential Intertie capacity equals 5,800 MW.
6. Extraregional utilities are not able to declare or receive an allocation in this condition.

Example of an hourly declaration and allocation:

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Firm	NF declaration	NF allocation	Total allocation	Restore	NF allocation	Final allocation
BPA	500	3,000	2,635	3,135		2,635	3,135
IOU ₁	200	1,000	878	1,078	-878×60	851	1,051
					1,985		
IOU ₂	40	860	843	883	-843×60	810	858
					1,985		
PGE ₂		500	440	440	+60	500	500
PA ₁	0	100	88	88	-88×60	85	85
					1,985		
PA ₂	0	200	176	176	-176×60	171	171
					1,985		
	740	5,760	5,060	5,800			5,800

Description:

Column 1=Utility that is declaring energy for the allocation procedure.
Column 2=The amount of firm energy each utility will deliver, as specified prior to allocation of nonfirm energy.
Column 3=Each utility's total hourly nonfirm energy declaration.
Column 4=The initial allocation of the potential nonfirm Intertie capacity.
Column 5=The initial total allocation of Intertie capacity (5,800 MW).
Column 6=The reallocation that is required because of Portland General Electric's priority to the Intertie. NOTE: BPA does not share in these pro rata reductions necessitated by enactment of priority rights.
Column 7=The final nonfirm allocation of the potential nonfirm Intertie capacity.
Column 8=The final total allocation of the potential Intertie capacity (5,800 MW).
After the final allocation for each hour of the preschedule day or days is determined, Pacific Northwest utilities would be informed of their allocation and would either negotiate sales at other than the 18.5 mills/kWh price or be combined with BPA's allocation at 18.5 mills/kWh and receive a pro rata share of BPA sales.

Example of Formula Allocation Under Condition 2*Assumptions used in this example:*

1. Hourly energy available at 18.5 mills/kWh or less within the region is not sufficient to cover the potential

Intertie capacity.

2. The hourly energy available at any price is more than sufficient to cover the potential Intertie capacity.

3. Utah has other transmission paths and, therefore, will not participate.

4. Some utilities have firm contracts.

5. Potential Intertie capacity equals 5,800 MW.

6. No utility has a priority.

Example of the hourly declaration and allocation:

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Firm	NF Declaration	NF allocation	Total allocation	Economics	NF reallocated allocation	Total
BPA	500	2,000	1,350	1,851	Yes	1,690	2,190
IOU ₁	200	1,300	677	1,077	No	0	200
IOU ₂	40	1,600	1,323	1,333	Yes	1,636	1,636
IOU ₃	700	0	0	700	Yes	0	700
PA ₁	0	100	67	67	Yes	65	65
PA ₂	0	200	135	135	Yes	163	163
IOU ₄	0	600	607	607	Yes	760	760
	0	6,400	4,050	5,800		5,800	

Description:

Column 1=Utility that is declaring energy for the allocation procedure.

Column 2=The amount of firm energy each utility will deliver, as specified prior to allocation of nonfirm energy.

Column 3=Each utility's nonfirm energy declaration.

Column 4=The initial allocation of the potential nonfirm Intertie capacity.

Column 5=Total allocation (nonfirm + firm) of the 5,800 MW potential Intertie capacity.

Column 6=The Southwest utilities have convinced BPA that the energy offered by utility IOU₁ is not economic.

Column 7=The reallocation of the potential nonfirm Intertie capacity necessitated by economics.

Column 8=The final allocation of the 5,800 MW potential Southwest market.

After the final allocation for each hour of the preschedule day or days is determined, the Pacific Northwest utilities would be informed of their allocation and would be free to negotiate sales at any price.

Example of Formula Allocation Under Condition 3*Assumptions used in this example:*

1. Energy available within or without

the region at any price is not sufficient to load the potential Intertie capacity.

2. The potential Intertie capacity equals 5,800 MW.

3. Some utilities have firm contracts.**4. No intertie priorities remain.**

An example is unnecessary because the allocations of each utility will be equal to the declarations.

APPENDIX B—PACIFIC SOUTHWEST ANALYSIS

(Fiscal Year 1983)

Utility	Purchases from BPA ¹⁴			Other purchases			Range of rates (m/kWh)	BPA as percent of total purchases	Purchased Pwr benefits (\$000) ¹²	Average alternate fuel cost (m/kWh)	Fuel cost benefits (\$000) ¹³	Economy energy sales rate (m/kWh)
	(MWh)	(\$000)	Average rate (m/kWh) ¹	(MWh)	(\$000)	Average rate (m/kWh)						
	A	B	C	D	E	F	G	H	I	J	K	L
PG&E	5,993,795	54,727	9.13	1,693,850	42,908	25.5 ²	9-61 ⁶	78.1	93,118	55.1 ¹	275,535	33.7 ¹²
SCE	5,724,594	52,623	9.19	11,843,200	285,260	24.1 ³	7-52 ³	32.6	25,354	56.9 ⁴	273,120	36.0 ³
LADWP, et al.	4,664,201	42,629	9.14	2,218,655	52,280	23.6 ⁴	8-55 ⁴	67.8	67,444	49.6 ⁵	183,714	33.4 ⁴
SDG&E	770,618	7,036	9.13	1,362,677	53,151	50.0 ⁵	9-57 ⁴	39.1	23,018	60.1 ¹⁰	33,278	33.5 ⁵
Total	17,153,208	157,015	9.15	17,108,382	433,597	25.3	7-61	50.1	273,934		776,647	
Exportable agreement ¹	-1,651,299	-14,862	9.00	1,651,299	14,862	9.0						
Net BPA	15,501,909	142,153	9.17	18,759,681	448,459	23.9						

¹ "Intertie Operations, Special Accounts" Division of Power Supply (BPA).

² August 15, 1983, PH&E response to BPA Data Request, Exhibit E.

³ November 2, 1983, SCE response to BPA Data Request. *This data is under protective order.*

⁴ November 3, 1983, LADWP et al., response to BPA Data Request. *This data is under protective order.*

⁵ November 3, 1983, SDG&E response to BPA Data Request. *This data is under protective order.*

⁶ November 9, 1983 PG&E response to BPA Data Request. *This data is under protective order.*

⁷ "Reasonableness of Operations" report, dated January 1, 1983, p. 3-12, and FERC Form 1 dated December 1982.

⁸ August 5, 1983 response to DIS et al. Data Request, att. B.

⁹ August 9, 1983 Data response, att. 2.

¹⁰ November 1, 1982 Reasonableness of Operations Report, p. 38.

¹¹ November 7, 1983 PG&E response to BPA data request. *This data is under protective order.*

¹² Cost benefits from nonfirm energy purchases from BPA, calculated based on the average rate paid for other purchases. A (F-C).

¹³ Cost benefits from nonfirm energy purchases from BPA, calculated based on the average fuel costs. A * (J-C).

¹⁴ Includes Exportable Agreement purchases and revenues.

[FR Doc. 84-20059 Filed 7-26-84; 8:45 am]

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PLACE: 1325 K Street, NW., Washington, D.C. (Fifth floor.)

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED:

Setting of dates of future meetings
Correction and approval of minutes
Eligibility for candidates to receive Presidential primary matching funds
Staff proposal for reorganization of the information division

Request to make oral presentation submitted by the friends of George McGovern
1985 Legislative recommendations
Routine administrative matters

PERSON TO CONTACT FOR INFORMATION:

Mr. Fred Eiland, Information Officer,
202-523-4065.

Mary W. Dove,

Administrative Assistant.

[FR Doc. 85-7560 Filed 3-26-85; 2:54 pm]

BILLING CODE 6715-01-M

13

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL MEETING

STATUS: Open.

TIME AND DATE: 9:00 a.m., April 3-4, 1985.

PLACE: Sheraton Missoula Hotel, Bousard, Jenkins & Dolack Meeting Rooms, 200 South Pattee Street, Missoula, Montana.

MATTERS TO BE CONSIDERED:

April 3, 1985

- Council Decision on Analysis of Conservation Availability and Cost (Conservation Supply Function Issue Paper).
- Staff Presentation on Draft Resource Portfolio.

- Staff Presentation on Out-of-Region Imports Issue Paper.
- Staff Presentation on Two-Year Action Evaluation Issue Paper.
- Staff Presentation on Research, Development and Demonstration of Promising Resources.
- Presentation on Bonneville Power Administration's Proposed Model Conservation Standards Alternatives and Surcharge Policy.
- Council Business.

April 4, 1985

- Status Report on Spill Plan at Bonneville Dam, Second Powerhouse.
- Public Comment on Analysis of Forecast Loads Staff Report.
- Public Comment on Critical Water Planning Issue Paper.
- Public Comment on Combustion Turbine Cost-Effectiveness Issue Paper.
- Public Comment on Proposed Council Intertie Access Policy Issue Paper.
- Staff Presentation and Public Comment on Re-Evaluation of the Model Conservation Standards Issue Paper.
- Public Comment on Cost and Availability of Resources Issue Paper.
- Council Decision on Columbia River Basin Fish and Wildlife Program Goals Workplan.

Public comment will follow each item.

FOR FURTHER INFORMATION CONTACT:

Ms. Bess Wong, (503) 222-5161.

Edward Sheets,

Executive Director.

[FR Doc. 85-7474 Filed 3-26-85; 11:01 am]

BILLING CODE 0000-00-M

14

SECURITIES AND EXCHANGE COMMISSION

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the

Securities and Exchange Commission will hold the following meeting during the week of April 1, 1985.

A closed meeting will be held on Tuesday, April 2, 1985, at 3:15 p.m.

The Commissioners, Counsel to the Commissioners, the Secretary of the Commission, and recording secretaries will attend the closed meeting. Certain staff members who are responsible for the calendared matters may be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, the items to be considered at the closed meeting may be considered pursuant to one or more of the exemptions set forth in 5 U.S.C. 552(c) (4), (8), (9)(A) and (10) and 17 CFR 200.402(a)(4), (8), (9)(i) and (10).

Commissioner Marinaccio, as duty officer, voted to consider the items listed for the closed meeting in closed session.

The subject matter of the closed meeting scheduled for Tuesday, April 2, 1985, at 3:15 p.m., will be:

Formal orders of investigation.

Report of investigation.

Institution of injunctive actions.

Institution of administrative proceeding of an enforcement nature.

Chapter 11 proceeding.

At times changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: Barry Mehlman at (202) 272-2648.

John Wheeler,

Secretary.

March 25, 1985.

[FR Doc. 85-7572 Filed 3-26-85; 3:55 pm]

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NATIONAL SCIENCE FOUNDATION**Advisory Committee for Astronomical Sciences; Meeting**

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

Name: Subcommittee on Large Optical/Infrared Telescopes.

Date and time: July 25, 9:00 AM-5:00 PM—July 26, 9:00 AM-12:00 Noon.

Place: Room 543, National Science Foundation, 1800 G Street, NW., Washington, D.C.

Type of meeting: Open.

Contact person: Dr. Laura P. Bautz, Director, Division of Astronomical Sciences, Room 615, National Science Foundation, Washington, D.C. 20550 202/357-9488.

Summary minutes: May be obtained from the contact person at the above address.

Purpose of subcommittee: In the light of recent technological advances and large telescopes being planned in the U.S. and elsewhere, the subcommittee is asked to examine the scientific rationale and current plans and to advise on appropriate future directions for the Foundation's support of technology development and planning for a large optical/infrared telescope for the remainder of the decade.

Agenda:

Thursday, July 25

9:00 AM-5:00 PM: Discussion of charge to subcommittee, scope of subcommittee activities, and time scale for subcommittee actions.

Friday, July 26

9:00 AM-12:00 Noon: Planning for future meetings, assignment of action items.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 85-16221 Filed 7-8-85; 8:45 am]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION**Advisory Panel for the Decontamination of Three Mile Island Unit 2**

Notice is hereby given pursuant to the Federal Advisory Committee Act that the Advisory Panel for the Decontamination of Three Mile Island Unit 2 (TMI-2) will be meeting on July 18, 1985 from 7:00 p.m. to 10:00 p.m. at the Lancaster Council Chambers, Public Safety Building, 201 N. Duke Street, Lancaster, PA 17603. The meeting will be open to the public.

At this meeting the Panel will receive a general update on the progress of the cleanup from General Public Utilities

Nuclear Corporation, the licensee. The licensee will also provide a detailed discussion of the reactor pressure vessel defueling program. The staff of the U.S. Nuclear Regulatory Commission will provide the Panel with the results of a recent staff review of health effects studies conducted in the vicinity of TMI-2 since the March 28, 1979 accident. The U.S. Department of Energy will discuss the shipment of fuel from the TMI-2 site. The Panel will also hold a planning session to identify and schedule future topics for Panel discussion.

Further information on the meeting may be obtained from Dr. Michael T. Masnik, Three Mile Island Program Office, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone 301/492-7466.

Dated: July 2, 1985.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 85-16306 Filed 7-8-85; 8:45 am]

BILLING CODE 7590-01-M

OFFICE OF PERSONNEL MANAGEMENT**SES Performance Review Board Members**

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: Notice is given of the names of members of the reconstituted Performance Review Board for OPM.

DATE: July 9, 1985.

FOR FURTHER INFORMATION CONTACT:

Jerry Burchard, Administration Group, Office of Personnel Management, 1900 E Street, NW., Washington, DC 20415, (202) 632-9402.

SUPPLEMENTARY INFORMATION: Section 4314(c) (1) through (5) of title 5, United States Code, requires each agency to establish, in accordance with our regulations, one or more Senior Executive Service performance review boards. The board(s) will review and evaluate the initial appraisal of a senior executive's performance by the supervisor and make recommendations to the appointing authority relating to the performance of these executives.

U.S. Office of Personnel Management.

Loretta Cornelius,

Acting Director.

Members of the reconstituted Performance Review Board for OPM are—

1. John W. Fossum [Chairman], Assistant Director for Performance

Management, Workforce Effectiveness and Development Group.

2. Steven R. Cohen [Vice-Chairman], Regional Director, Chicago Region.

3. Jean M. Barber, Assistant Director for Pay and Benefits Policy, Compensation Group.

4. Carlos F. Esparza, Assistant Director for Washington Area Examining Operations, Staffing Group.

5. William E. Flynn, III, Regional Director, Atlanta Region.

6. William B. Davidson, Jr., Chairman, Federal Prevailing Rate Advisory Committee.

7. Edward T. Rhodes, Deputy Associate Director, Administration Group.

8. Hohn J. Lafferty, Regional Director, New York Region.

9. William M. Hunt, Associate Director, Administration Group.

10. Claudia Cooley [ad hoc member], Deputy Associate Director, Compensation Group.

11. Raymond J. Sumser ad hoc member], Director of Civilian Personnel, Department of the Army.

[FR Doc. 85-16210 Filed 7-8-85; 8:45 am]

BILLING CODE 6325-01-M

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL**Recommendations for Amendment of the Columbia River Basin Fish and Wildlife Program; Opportunity To Comment**

AGENCY: Pacific Northwest Electric Power and Conservation Planning Council.

ACTION: Columbia River Basin Fish and Wildlife Program: Request for Recommendations for Amendment.

SUMMARY: In this notice, the Pacific Northwest Electric Power and Conservation Planning Council ("the Council") requests submission of recommendations for amendment of its Columbia River Basin Fish and Wildlife Program, announces the availability an application form, and seeks comment on amendment processes.

DATES: Comments on amendment processes must be received in the Council's central office by 5 p.m. Tuesday, September 3, 1985. Recommendations for amendment must be received in the Council's central office by 5 p.m. Monday, December 16, 1985. Recommendations not received by that time will not be accepted.

ADDRESS: 850 Southwest Broadway, Suite 1100, Portland, Oregon 97205.

FOR FURTHER INFORMATION CONTACT: Janie Percy, for copies of application forms; Janis Chrisman, Director of the Division of Fish and Wildlife with questions; both at 850 Southwest Broadway, Suite 1100, Portland, Oregon 97205, (503) 222-5161.

SUPPLEMENTARY INFORMATION: On November 15, 1982, the Council adopted a program designed to protect, mitigate and enhance fish and wildlife affected by the development and operation of hydroelectric projects in the Columbia River Basin. It adopted the program in accordance with its authority under the Pacific Northwest Electric Power Planning and Conservation Act, 16 U.S.C. 839 *et seq.* ("The Northwest Power Act"). The Council amended the Program on October 10, 1984. It has indicated that it would receive applications for further amendment of the program on December 16, 1985, and will act on those applications by December 16, 1986.

The Council hereby requests submission of recommendations for further amendment of the program. Such recommendations must be received in the Council's central office, 850 Southwest Broadway, Suite 1100, Portland, Oregon 97205, by 5 p.m. on Monday, December 16, 1985. The Council will not consider recommendations unless they are received by that date and submitted on the Council's amendment application form.

Recommendations may be submitted by Indian tribes, federal and state fish and wildlife agencies, water and land management agencies, electric power producing agencies and their customers, and members of the public. To be accepted for consideration by the Council, the recommendations must meet the standards established by the Northwest Power Act. Section 4(h)(2) of that Act states that recommendations must be for:

1. Measures which can be expected to be implemented by the Bonneville Power Administration and other Federal agencies to protect, mitigate, and enhance fish and wildlife, including related spawning grounds and habitat, affected by the development and operation of any hydroelectric project on the Columbia River and its tributaries.

2. Objectives for the development and operation of hydroelectric projects on the Columbia River and its tributaries in a manner designed to protect, mitigate and enhance fish and wildlife; and

3. Fish and wildlife management coordination and research and development (including funding) which, among other things, will assist protection, mitigation, and enhancement of anadromous fish at, and between, the Pacific Northwest's hydroelectric dams.

Section 4(h)(3) of the Act further provides that "[a]ll recommendations shall be accompanied by detailed information and data in support of the recommendations."

To be adopted by the Council, the Act requires that recommendations: (1) Protect, mitigate and enhance fish and wildlife affected by the development, operation and management of hydroelectric facilities on the Columbia River and its tributaries, while assuring the Pacific Northwest an adequate, efficient, economical and reliable power supply (section 4(h)(5)); (2) complement the existing and future activities of the Federal and the region's State fish and wildlife agencies and appropriate Indian tribes (section 4(h)(6)(A)); (3) be based on, and supported by, the best available scientific knowledge (section 4(h)(6)(B)); (4) utilize, where equally effective alternative means of achieving the same sound biological objective exist, the alternative with the minimum economic cost (section 4(h)(6)(C)); (5) be consistent with the legal rights of appropriate Indian tribes in the region (section 4(h)(6)(D)); and (6) in the case of anadromous fish—

- Provide for improved survival of such fish at hydroelectric facilities located on the Columbia River system, (Section 4(h)(6)(E)(i)); and
- Provide flows of sufficient quality and quantity between such facilities to improve production, migration, and survival of such fish as necessary to meet sound biological objectives (section 4(h)(6)(E)(ii)).

1. Council Concerns

The Council is concerned that submission of a large number of amendment applications may divert energies away from important implementation and planning activities. The Council's Columbia River Basin Fish and Wildlife Program already contains approximately 150 action items to be implemented by the end of fiscal year 1989. The Program five-year action plan (in effect through the end of 1989) contains a detailed schedule for implementation of top-priority projects, including major capital construction efforts. Moreover, the total program is expected to cost an estimated \$650-\$740 million over a 20-year period. In addition, the Program has been amended fairly recently. Further, the

Council, major fish and wildlife managers and other interested parties currently are involved in several major planning activities related to site ranking, designation of protected areas and development of goals and objectives for anadromous fish mitigation and enhancement. Past experience has shown that the Program amendment process requires an extensive commitment of time and energy, both by the Council and by those proposing amendments.

As a result, the Council prefers that any amendment application focus on refining high-priority measures and action items already in the program rather than development of new projects.

2. Instruction on Applications

To focus the application process, applicants should prepare their amendment applications with the following in mind:

1. The Council's existing program addresses a great variety of fish and wildlife concerns. Applicants should carefully review the program and determine if existing measures address the applicant's concerns. If so, applicants must explain how their proposal would be more effective than existing measures, or why their proposal would not duplicate existing measures.

2. In the past, several applicants have failed to demonstrate that their proposals addressed the effects of hydroelectric development or operations. This requirement is imposed by statute, and applicants must take care to address it expressly, and in detail.

3. Past applications have been rejected because they were not shown to be supported by the best available scientific knowledge. Applicants must take particular care to address this statutory requirement. In doing so, applicants need not submit copies of scientific studies or reports, but should summarize such studies and explain specifically how they support the applicant's proposal. Applicants also should provide appropriate bibliographical references and indicate where copies of such references can be obtained if needed.

4. Applications will be evaluated in part on their potential to complement the Council's ongoing planning and implementation activities. The enclosed form lists materials relating to those activities. Applicants who wish to receive copies of relevant materials should complete and return the enclosed form.

5. Applicants will be considered through a series of consultations, public hearings throughout the region, public comment at Council meetings, written comment, and analysis by the Council and its staff. Applicants should be aware that they will need to invest substantial time and energy to justify applications throughout this process.

Additional instructions are contained in the amendment application form. Amendment application forms and materials described on the enclosed list may be requested by writing to Janie Percy at the Council's address provided above or by calling her at 503-222-5161 (toll-free 1-800-222-3355 from Idaho, Montana and Washington; toll-free 1-800-452-2324 from Oregon). Prospective applicants should consult with members of the Council's fish and wildlife staff prior to submitting an application.

3. Amendment Processes

Once amendment applications are received, copies of the completed applications will be distributed and public comment will be taken. The Council staff will prepare papers analyzing significant issues raised in the applications, and those "issue papers" will be distributed. The Council will conduct consultations with fish and wildlife agencies, Indian tribes, federal agencies responsible for managing, operating or regulating Columbia River Basin hydroelectric facilities, and customers or other electric utilities that own or operate such facilities. Public hearings will also be conducted. Following these consultations and hearing, the Council will develop and circulate a draft amendment document. Further consultations, public hearings and written comments will occur regarding the draft document. After the close of the comment period, the Council will deliberate in public meetings and make its decisions.

Any comments and suggestions on amendment processes must be submitted to Janis Chrisman, the Council's Fish and Wildlife Director, at the address given above, by no later than 5 p.m. Tuesday, September 3, 1985.

Edward Sheets,
Executive Director.

Order Form for Materials Related to Amendment Process

General

— Columbia River Fish and Wildlife Program (1984).

— Appendices to Columbia River Basin Fish and Wildlife Program (1984) [contains explanation of rejections of prior amendment applications and

responses to comments on prior draft amendments.)

— Amendment application form (1985).

Salmon and Steelhead

— Program Section 201 and Action Item 36, as amended on February 21, 1985.

— Work Plan for Development of a Program Framework (Losses, Goals, Production Objectives and Measuring Techniques) (April 1985).

— System Planning Issue Paper. (What kind of goals and production objectives will best ensure a systemwide program? What passage mortality and harvest considerations should be taken into account?)

— Accounting/Modeling Issue Paper. (Accounting: How should the Council account for the successes and failures in achieving goals and objectives? What accounting principles and techniques should be adopted to help promote fiscal responsibility, locate sources of successes and failures, address biological uncertainty and statistical fluctuations which affect predictive capability and help identify needs for adjustments? Modeling: To what extent could a computer simulation model assist in development, evaluation and refinement of the Council's program? Could such a model also be used to assess losses attributable to hydroelectric development and operations? For what other program purposes might a computer simulation model be useful? What models are being used already to evaluate fishery management strategies in the Columbia River Basin? How could a Council modeling effort be integrated with existing planning, harvest and project operation models?)

— Production Potential Issue Paper. (Which method should be used for estimating production potential for the purpose of ranking sites, designating protected areas, and setting production objectives for the Council's program? What methods are being used by the fishery managers in other settings?) Available in late July 1985.

— Stock Selection Policy Issue Paper. (What is the status of existing wild, natural and hatchery stocks within the Columbia River Basin? What guidelines should be used for deciding the extent and nature of any hatchery supplementation of wild and natural stocks under the Council's program? How should harvest considerations be taken into account in developing such guidelines? Is it possible for natural and wild production to be a primary goal given the demands of harvest? What

gene conservation policies are needed?) Available in August 1985.

— Resident Fish Substitutions Policy Issue Paper. (To what extent should resident fish production be used to mitigate losses of salmon and steelhead production in the Basin? Where are appropriate "substitution areas" for resident fish production?) Available in August 1985

— Contributions Issue Paper. (What are the relative contributions of hydropower and nonhydropower factors to salmon and steelhead losses in the Columbia River Basin?) Available in late October 1985.

— Basis Issue Paper. (What method should be used to set goals? Should hydropower-related losses, current production potential, harvest agreements, a combination of all three, or some other factors form the basis for goals?) Available in November 1985.

— Terms and Responsibilities Issue Paper. (In what terms should goals be set? For example, how specific should goals be? Should goals be set in terms of species, stocks, or some other measure? In terms of smolts produced, fish harvested, escapement, spawning adults, all of these, or some other? What period of time should be covered? What are the general responsibilities of the hydropower project operators and regulators in relation to those of the resource managers (Indian tribes, fishery agencies, land and water managers) in achieving goals and objectives?) Available in November 1985.

— Production Objectives Issue Paper. (What process should be used for setting production objectives? How should production objectives set in the Council's program complement production objectives set by the fishery managers in other settings? What production area divisions should be used? What are appropriate components of production objectives?) Available in November 1985.

— Systemwide Passage and Flows Issue Paper. (What are appropriate systemwide program objectives with respect to mainstem passage and flows?) Available in January 1986.

— Goals Package Issue Paper. (Given the conclusions reached on the issue papers on system planning, basis, terms and responsibilities, stock selections, and resident fish substitutions, what is an appropriate statement of program goals?) Available in February 1986.

— Notice of Losses and Goals Advisory Committee meetings.

—— Minutes of Losses and Goals Advisory Committee meetings.
 —— Notices of Production Planning Advisory Committee meetings.
 —— Minutes of Production Planning Advisory Committee meetings.
 —— Notices of Resident Fish Substitutions Advisory Committee meetings.
 —— Minutes of Resident Fish Substitution Advisory Committee meeting.
 —— Notices of Mainstem Passage Advisory Committee meetings (to be formed in summer 1985).
 —— Minutes of Mainstem Passage Advisory Committee meetings (to begin in summer 1985).
 Also see Research, below.

Resident Fish

See "Resident Fish Substitutions" Issue Paper and Advisory Committee Notices and Minutes, listed under SALMON AND STEELHEAD, above. Also see Program sections 800-804 and 1503.

Research

—— Issue Paper on Salmon and Steelhead Research Objectives. Available in late 1985 or early 1986.

Wildlife

See Program Sections 1000-1004, 1503, 1504 and (Action Items 40-40.8, explaining mitigation planning processes in existing wildlife program).

New Hydroelectric Development

—— Pacific Northwest Hydro Assessment Study Work Plan. (August 1984.)

—— Issue Paper on Protected Areas. Available in January 1986.

—— Issue Paper on Site Ranking. Available spring 1986.

—— Notices of Hydro Assessment Steering Committee meetings.

—— Minutes of Hydro Assessment Steering Committee meetings.

Hydroelectric Project Operations

See Issue Paper on Systemwide Passage and Flows and Notices and Minutes for Mainstem Passage Advisory Committee, listed under SALMON AND STEELHEAD, above.

Name _____
 Organization _____
 Address _____

Please mail this order form to Janice Percy, Northwest Power Planning Council, Suite 1100, 850 S. W. Broadway, Portland, Oregon 97205.

[FR Doc. 85-16206 Filed 7-8-85; 8:45 am]

BILLING CODE 0000-00-M

SMALL BUSINESS ADMINISTRATION

Action Subject to Intergovernmental Review

AGENCY: Small Business Administration.

ACTION: Notice of Action Subject to Intergovernmental Review Under Executive Order 12373.

SUMMARY: This notice provides for public awareness of SBA's intention to fund for the first time an additional Small Business Development Center (SBDC) in North Dakota during fiscal year 1985. Currently, there are 40 SBDC's in existence. This notice also provides a description of the SBDC program by setting forth a condensed version of the program announcement which has been furnished to the proposal developer for the SBDC to be funded. This publication is being made to provide the State single point of contact, designated pursuant to Executive Order 12372, and other interested State and local entities, the opportunity to comment on the proposed funding in accord with the Executive Order and SBA's regulations found at 13 CFR Part 135.

DATE: Comments will be accepted through September 9, 1985.

ADDRESS: Comments should be addressed to Mrs. Johnnie L. Albertson, Deputy Associate Administrator for SBDC Programs, U.S. Small Business Administration, 1441 L Street, NW., Washington, D.C. 20416.

FOR FURTHER INFORMATION CONTACT: Same as above.

Action Subject to Intergovernmental Review

SBA is bound by the provisions of Executive Order 12372, "Intergovernmental Review of Federal Programs." SBA has promulgated regulations spelling out its obligations under that Executive Order. See 13 CFR Part 135, effective September 30, 1983.

In accord with these regulations, specifically § 135.4, SBA is publishing this notice to provide public awareness of the pending application for funding of the proposed Small Business Development Center (SBDC). Also, published herewith is an annotated program announcement describing the SBDC program in detail.

The proposed SBDC will be funded at the earliest practicable date following the 60-day comment period. However, no funding will occur unless all comments have been considered. Relevant information identifying this SBDC and providing the mailing address of the proposal developer is provided below. In addition to this publication, a

copy of this notice is being simultaneously furnished to the affected State single point of contact which has been established under the Executive Order.

The State single point of contact and other interested State and local entities are expected to advise the relevant proposal developer of their comments regarding the proposed funding in writing as soon as possible. Copies of such written comments must also be furnished to Mrs. Johnnie L. Albertson, Deputy Associate Administrator for SBDC Programs, U.S. Small Business Administration, 1441 L Street NW., Washington, D.C. 20416. Comments will be accepted by the relevant proposal developer and SBA for a period of two months (60 days) from the date of publication of this notice. The proposal developer will make every effort to accommodate these comments during the 60-day period. If the comments cannot be accommodated by the proposal developer, SBA will, prior to funding the proposed SBDC, either attain accommodation of any comments or furnish an explanation to the commenter of why accommodation cannot be attained prior to funding the SBDC.

Description of the SBDC Program

The Small Business Development Center Program is a major management assistance delivery program of the U.S. Small Business Administration. SBDC's are authorized under section 21 of the Small Business Act (15 U.S.C. 648). SBDC's operate pursuant to the provisions of section 21, a Notice of Award (Cooperative Agreement) issued by SBA, and a Program Announcement. The Program represents a partnership between SBA and the State-endorsed organization receiving Federal assistance for its operation. SBDC's operate on the basis of a State plan which provides small business assistance throughout the State. As a condition to any financial award made to an applicant, an additional amount equal to the amount of assistance provided by SBA must be provided to the SBDC from sources other than the Federal Government.

Purpose of Scope

The SBDC Program has been designed to meet the specialized and complex management and technical assistance needs of the small business community. SBDC's focus on providing indepth quality assistance to small businesses in all areas which promote growth, expansion, innovation, increased productivity and management

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B. Occupational Radiological Aspects of UHI Removal

By letters dated October 29, 1985 and December 23, 1985, the licensee described the construction changes and activities associated with UHI removal. The principal tasks involve (1) replacing or reboring four cold leg accumulator flow element orifice plates, (2) cutting of the reactor vessel head penetrations and welding on caps, followed by hydrotesting, (3) removing UHI piping, valves, support/restraints and instrumentation, (4) capping various UHI piping interfaces with other systems, (5) capping two 12-inch containment penetrations, (6) relocating the level transmitters on the cold leg accumulators and (7) capping accumulator lines at the accumulator. The submittals compared the dose incurred from task performance (144 person-Rem for the two units) with dose avoided through reduced maintenance, inspection and operational requirements (420 person-Rem for the two units), and found a net exposure savings of 276 person-Rem over plant life due to UHI removal. The Commission has evaluated the radiological aspects of the proposed changes against the criteria of Chapter 12 of the Standard Review Plan (NUREG-0800) and Regulatory Guide 8.8, "Information Relevant to Ensuring that Occupational Radiation Exposures at Nuclear Power Stations will be as Low as it is Reasonably Achievable," and has concluded that the radiological aspects of UHI removal have been fully considered, and that the radiation protection measures planned for the tasks are acceptable to protect the workers, and will result in doses that are as low as is reasonably achievable.

C. Waste

Removal of the UHI related components and associated tasks is estimated by the licensee to generate about 807 cubic feet of contaminated components for each McGuire unit, mostly comprised of various-diameter pipe, valves, hangers, Grayloc disconnectors and thermal sleeves. About 94% of this component volume is estimated to contain low or medium radiation and contamination levels for a total waste activity of about 1.4 curies; and the other 6% (about 55 cubic feet) from near the reactor vessel head area is estimated to contain high radiation and contamination levels for a total waste activity of about 5.2 curies. The total estimated radioactivity associated with these components is, therefore, 6.6 curies. The components will either be decontaminated and scrapped or

transported to Barnwell, South Carolina for burial as low-level waste. The licensee estimates that using the decontamination option would reduce the waste volume for disposal to about one cubic foot. The total estimated activity of 6.6 curies represents only approximately 3.0% of the total activity shipped from McGuire in solid waste in 1985. Disposal and shipment of radioactive materials will be performed in accordance with applicable regulatory requirements.

D. Conclusion

Plant radiological and non-radiological releases during normal operation or after an accident will not be increased by the proposed action. Disposal of system components would add only a small fraction to the radioactivity normally shipped from the site in solid waste. The radiological exposure of construction workers during UHI removal will be as low as is reasonably achievable, and will be less than the dose which would, otherwise, result to personnel observing and maintaining the UHI system for the remainder of plant life. Accordingly, we conclude that this proposed action would result in no significant adverse environmental impact.

Alternative to the Proposed Actions: Since we have concluded that the environmental effects of the proposed action are negligible, any alternatives with equal or greater environmental impact need not be evaluated.

The principal alternative would be to deny the requested amendments. That alternative, in effect, is the same as the "no action" alternative. Neither alternative would reduce environmental impacts of plant operation but would result in increased personnel radiation exposure during plant life.

Alternative Use of Resources: This action does not involve the use of resources not previously considered in connection with the Nuclear Regulatory Commission's Final Environmental Statement dated April 1976 or its addendum dated January 1981 related to this facility.

Agencies and Persons Consulted: The NRC staff reviewed the licensee's requests of May 9, October 2 and 14, December 17 and 23, 1985, and January 14, March 17 and April 8, 1986. The NRC staff discussed this action with the ACRS Subcommittee on ECCS on February 21, 1985, and March 26, 1986, and with the ACRS Full Committee on April 10, 1986.

Finding of No Significant Impact: The Commission has determined not to prepare an environmental impact

statement for the proposed license amendments.

Based upon this environmental assessment, we conclude that the proposed action will not have a significant effect on the quality of the human environment.

For further details with respect to this action, see the request for amendment dated May 9, 1985, and its supplements dated October 2 and 14, December 17 and 23, 1985, January 14, March 17, and April 8, 1986; the Final Environmental Statement related to operation of William B. McGuire Nuclear Station, Units 1 and 2 (NUREG-0063) dated April 1976, including its addendum dated January 1981; and ACRS Transcripts dated February 21, 1985, March 26 and April 10, 1986 which are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, DC, and at the Atkins Library, University of North Carolina, Charlotte (UNCC Station), North Carolina 28242.

Dated at Bethesda, Maryland, this 16th day of April 1986.

For the Nuclear Regulatory Commission.

Darl S. Hood,

Acting Director, PWR Project Directorate No. 4, Office of Nuclear Reactor Regulation.

[FR Doc. 86-8869 Filed 4-18-86; 8:45 am]

BILLING CODE 7590-01-M

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL
Hydropower Assessment Steering Committee; Meeting

AGENCY: The Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council).

ACTION: Notice of meeting.

Status: Open.

SUMMARY: The Northwest Power Planning Council hereby announces a forthcoming meeting of its Hydropower Assessment Steering Committee to be held pursuant to the Federal Advisory Committee Act, 5 U.S.C. Appendix I, 1-4. Activities will include:

- Hydro assessment: Rivers study, anadromous fish;
- Protected areas designation consultation;
- FERC update;
- Other; and
- Public comment.

DATE: April 24, 1986. 9:30 a.m.

ADDRESS: The meeting will be held in the Council's meeting room, 850 SW. Broadway, Suite 1100, Portland, Oregon.

FOR FURTHER INFORMATION CONTACT:

Peter Paquet, 503-222-5161.

Edward Sheets,

Executive Director.

[FR Doc. 86-8820 Filed 4-18-86; 8:45 am]

BILLING CODE 0000-00-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. IC-15052; File Nos. 812-6103 and 3-6578]

E.F. Hutton & Co. Inc. and The E.F. Hutton Group Inc.; Application for Exemption From Section 9(a) of the Investment Company Act of 1940—Notice of Filing of Consultants' Reports and Deadlines for Submitting Participation Requests and Written Submissions

April 15, 1986.

Notice is hereby given that Nelson S. Kibler and Frederick M. Werblow, the independent consultants selected by E.F. Hutton & Company Inc. ("Hutton") and The E.F. Hutton Group Inc. (collectively, "Applicants"), and accepted by the Commission, to examine, respectively, Hutton's policies and practices regarding the handling of customer securities and monies and its investment company operations, have filed their reports and recommendations. See Investment Company Act Release No. 14774 (Oct. 29, 1985), Securities Exchange Act Release No. 22949 (Feb. 25, 1986) and Investment Advisers Act Release No. 1014 (Feb. 25, 1986). The reports are available for public inspection in the Commission's Public Reference Branches at its Headquarters Office in Washington, DC and Regional Offices in Chicago and New York.

Notice is hereby further given that interested persons wishing to be heard or otherwise participate in the hearing on Applicants' request for permanent relief from section 9(a) of the Investment Company Act of 1940 have 30 days from the date hereof in which to file a request to do so; and parties to the matter, and interested persons allowed to participate in the matter, will have 60 days from the date hereof in which to file written submissions with the Commission on the issues to be considered in the hearing. Interested persons should refer to Investment Company Act Release No. 14774, cited above, for the procedure by which they

may seek to participate in the hearing, the issues to be considered in the hearing, and the type of written submissions which may be made to the Commission in this matter.

By the Commission.

John Wheeler,

Secretary.

[FR Doc. 86-8822 Filed 4-18-86; 8:45 am]

BILLING CODE 8010-01-M

Self-Regulatory Organizations; Applications for Unlisted Trading Privileges and of Opportunity for Hearing; Philadelphia Stock Exchange, Incorporated

April 16, 1986.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the following securities:

Kaneb Energy Partners, Ltd.

Depository Units representing Limited Partnership Interests (File No. 7-8906)

Zenith Laboratories, Inc.

Common Stock, \$0.09 Par Value (File No. 7-8907)

These securities are listed and registered on one or more other national securities exchange and are reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before May 7, 1986, written data, views and arguments concerning the above-referenced application. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, DC 20549. Following this opportunity for hearing, the Commission will approve the application if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulations, pursuant to delegated authority.

John Wheeler,

Secretary.

[FR Doc. 86-8873 Filed 4-18-86; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD-86-029]

National Boating Safety Advisory Council; Meeting

Pursuant to section 10(a) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. 1), notice is hereby given of a meeting of the National Boating Safety Advisory Council to be held on Tuesday and Wednesday, May 13 & 14, 1986, at the Beach Quarters Hotel, 5th & Oceanfront, Virginia Beach, Virginia, beginning at 9:00 a.m. and ending at 4:00 p.m. on both days. The agenda for the meeting will be as follows:

1. Introduction of new Council Members.
2. Review of action taken at the 36th Meeting of the Council.
3. Members' Items.
4. Executive Director's Report.
5. Regulatory review.
6. Capacity Plate Replacement Subcommittee report.
7. Update on Hybrid Life Preserver project.
8. Report on 1985 Boating Accident Statistics.
9. Update on Regulatory Project, Operating a Vessel While Intoxicated.
10. Reply to Members' Items.
11. Remarks by Chief, Office of Boating, Public, and Consumer Affairs.
12. Chairman's Session.

Attendance is open to the interested public. With advance notice to the Chairman, members of the public may present oral statements at the meeting. Persons wishing to present oral statements should so notify the Executive Director no later than the day before the meeting. Any member of the public may present a written statement to the Council at any time. Additional information may be obtained from Captain M. B. Stenger, Executive Director, National Boating Safety Advisory Council, U.S. Coast Guard, (G-BBS), Washington, DC, 20593, or by calling (202) 426-1080.

Issued in Washington, DC, April 16, 1986.

L.C. Kindbom,

Captain, U.S. Coast Guard, Acting Chief, Office of Boating, Public, and Consumer Affairs.

[FR Doc. 86-8850 Filed 4-18-86; 8:45 am]

BILLING CODE 4910-14-M

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[Docket No. 50-352]

Philadelphia Electric Co., Limerick Generating Station, Unit 1, Receipt of Petition for Director's Decision

Notice is hereby given that the Director of Nuclear Reactor Regulation is considering as a request for action under 10 CFR 2.206 a letter dated March 5, 1986, from Robert L. Anthony. Mr. Anthony contends, on the basis of the licensee's applications to the Delaware River Basin Commission (DRBC) concerning the withdrawal of cooling water from the Schuylkill River, that the plant has been operated in violation of the plant's Environmental Protection Plan. Mr. Anthony further contends that on this basis the operating license for Unit 1 should be suspended. A decision will be made on Mr. Anthony's request within a reasonable time. A copy of the letter is available for public inspection in the Commission's Public Document Room at 1717 H Street NW., Washington, DC 20555, and in the local public document room at the Pottstown Public Library, 500 High Street, Pottstown, Pennsylvania 19464.

Dated at Bethesda, Maryland this 27th day of May.

For the Nuclear Regulatory Commission.
Darrell G. Eisenhut,
Acting Director, Office of Nuclear Reactor Regulation.

[FR Doc. 86-12295 Filed 5-30-86; 8:45 am]

BILLING CODE 7590-01-M

OFFICE OF PERSONNEL MANAGEMENT**Proposed Extension of a Form Submitted to OMB for Clearance**

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1980, this notice announces the proposed extension of a form which collects information from the public. Optional Form 300, Qualifications Analysis and Appraisal of Candidates for Supervisory Positions, is completed by employers and/or co-workers of applicants for supervisory positions throughout the Federal Government. The qualification standard for supervisory positions in General Schedule occupations (GS-15 and below) contained in OPM Handbook X-118, Qualification Standards for Positions Under the

General Schedule, recommends the use of this form to facilitate the collection of information used in evaluating candidates. For copies of the proposal, call James M. Farron, Agency Clearance Officer, on (202) 632-7714.

DATES: Comments on this extension should be received within 10 working days from date of publication.

ADDRESSES: Send or deliver comments to—

James M. Farron, Agency Clearance Officer, Office of Personnel Management, 1900 E Street NW., Room 6410, Washington, DC 20415, and

Katie Lewin, Information Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 3235, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Helene Rosenheim, (202) 632-9790.

U.S. Office of Personnel Management.
Constance Horner,
Director.

[FR. Doc. 86-12312 Filed 5-30-86; 8:45 am]

BILLING CODE 6325-01-M

Notice of Proposed Information Collection for OMB Review

AGENCY: Office of Personnel Management.

ACTION: Notice of proposed information collection, CG Form 25-7, "Survivor Annuity Certification."

SUMMARY: In accordance with the Paperwork Reduction Act of 1980 (Title 44, U.S.C., Chapter 35), we are providing notice of a proposed extension of an information collection from the public. CG Form 25-7 will be used by widows, widowers, and former spouses who have not yet reached age 55 and are receiving a survivor annuity. If an employee or retiree dies, a survivor annuity is payable provided the survivor is otherwise eligible and does not remarry before reaching age 55. This form will be used to verify whether the survivors have remarried and thereby lost their eligibility to receive a survivor benefit (section 8341, Title 5, U.S. Code). For copies of this proposal call James M. Farron, Agency Clearance Officer, on (202) 632-7714.

ADDRESSES: Send or deliver comments within 10 working days from the date of publication to—

James M. Farron, Agency Clearance Officer, U.S. Office of Personnel

Management, 1900 E Street NW., Room 6410, Washington, DC 20415, and

Katie Lewin, Information Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 3235, New Executive Office Building, NW., Washington, DC 20503

FOR FURTHER INFORMATION CONTACT: James L. Bryson, (202) 632-5472.

U.S. Office of Personnel Management.
Constance Horner,
Director.

[FR Doc. 86-12313 Filed 5-30-86; 8:45 am]

BILLING CODE 6325-01-M

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL**Hydropower Assessment Steering Committee; Meeting**

AGENCY: The Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council).

ACTION: Notice of meeting.

Status: Open.

SUMMARY: The Northwest Power Planning Council hereby announces a forthcoming meeting of its Hydropower Assessment Steering Committee to be held pursuant to the Federal Advisory Committee Act, 5 U.S.C. Appendix I, 1-4. Activities will include:

- Hydro assessment: rivers study, anadromous fish;
- Protected areas designation consultation;
- FERC update;
- Protected areas designation consultation;
- Other; and
- Public comment.

DATE: June 5, 1986. 10:00 a.m.

ADDRESS: The meeting will be held in the State Room, Governor House, 621 S. Capitol Way, Olympia, Washington.

FOR FURTHER INFORMATION CONTACT: Peter Paquet, 503-222-5161.

Edward Sheets,
Executive Director.

[FR Doc. 86-12220 Filed 5-30-86; 8:45 am]

BILLING CODE 0000-00-M

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2.107, permission to withdraw its January 29, 1986 application. The Commission has considered the licensee's request and has determined that permission to withdraw the January 29, 1986 application for amendment should be granted.

For further details with respect to this action, see (1) the application for amendment dated January 29, 1986, (2) the licensee's request for withdrawal dated May 15, 1986, and (3) the Commission's letter dated July 30, 1986. All of above documents are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and at the State University of New York, Penfield Library, Reference and Documents Department, Oswego, New York 13126.

Dated at Bethesda, Maryland, this 30th day of July 1986.

For the Nuclear Regulatory Commission.
Jack N. Donohew, Jr.,
*Acting Director, BWR Project Directorate #1,
Division of BWR Licensing, Office of Nuclear
Reactor Regulation.*

[FR Doc. 86-17791 Filed 8-6-86; 8:45 am]
BILLING CODE 7590-01-M

OFFICE OF PERSONNEL MANAGEMENT

Proposed Extension of Standard Form 113-G

AGENCY: Office of Personnel
Management.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1980 (title 44, U.S.C. Chapter 35), this notice announces a request submitted to OMB for clearance to continue to collect information for the Monthly Report of Full-time Equivalent/Work-Year Civilian Employment (Standard Form 113-G). The data collected are used by OMB and OPM to (1) monitor agencies' progress in increasing part-time employment; (2) aid OMB and the President in making decisions on agencies' budget appropriations for the next fiscal year; and (3) monitor agency work-year usage under assigned ceilings during the current fiscal year. For copies of this proposal, call James M. Farron, Agency Clearance Officer, on (202) 632-7714.

DATE: Comment on this information collection should be received within 10 working days from the date of this publication.

ADDRESSES: Send or deliver comments to—

James M. Farron, Agency Clearance
Officer, Office of Personnel
Management, Room 6410, 1900 E
Street NW., Washington, DC 20415
and

Katie Lewin, Information Desk Officer,
Office of Information and Regulatory
Affairs, Office of Management and
Budget, Room 3235, New Executive
Office Building NW., Washington, DC
20503

FOR FURTHER INFORMATION CONTACT:
James M. Farron, (202) 632-7714, U.S.
Office of Personnel Management.

Constance Horner,
Director.

[FR Doc. 86-17789 Filed 8-6-86; 8:45 am]
BILLING CODE 6325-01-M

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL

Hydropower Assessment Steering Committee; Meeting

AGENCY: The Pacific Northwest Electric
Power and Conservation Planning
Council (Northwest Power Planning
Council).

ACTION: Notice of meeting.
Status: Open

SUMMARY: The Northwest Power
Planning Council hereby announces a
forthcoming meeting of its Hydropower
Assessment Steering Committee to be
held pursuant to the Federal Advisory
Committee Act, 5 U.S.C. Appendix I, 1-
4. Activities will include:

- Hydro assessment study report (site ranking, protected areas, public review process).
- FERC update.
- Idaho hydro projects slide show.
- Other.
- Public comment.

DATE: August 21, 1986, 10:00 a.m.

ADDRESS: The meeting will be held in
the Boise Municipal Airport meeting
room, Boise, Idaho.

FOR FURTHER INFORMATION CONTACT:
Peter Paquet, 503-222-5161.

Edward Sheets,
Executive Director.

[FR Doc. 86-17726 Filed 8-6-86; 8:45 am]
BILLING CODE 0000-00-M

SECURITIES AND EXCHANGE COMMISSION

Agency Forms Under Review of Office of Management and Budget

Agency Clearance Officer: Kenneth A.
Fogash, (202) 272-2142

Upon Written Request Copy Available
from: Securities and Exchange
Commission, Office of Consumer
Affairs, Washington, DC 20549

Extension

Rule 19d-1 (b) through (i)
No. 270-242

Notice is hereby given that pursuant
to the Paperwork Reduction Act of 1980
(44 U.S.C. 3501 et seq.), the Securities
and Exchange Commission has
submitted for extension of OMB
approval Rule 19d-1 (b) through (i) (17
CFR 240.19d-1 (b) through (i)) which
prescribes the form and content of
notices required to be filed with the
Commission by self-regulatory
organizations for which the Commission
is the appropriate regulatory agency
concerning final disciplinary actions,
denials of membership, and
participations or associations with a
member. The potential affected persons
are twenty-four self-regulatory
organizations.

Submit comments to OMB Desk
Officer: Ms. Sheri Fox, (202) 395-3785,
Office of Information and Regulatory
Affairs, Room 3235 NEOB, Washington,
DC 20503.

Jonathan G. Katz,
Secretary.

July 31, 1986.
[FR Doc. 86-17811 Filed 8-6-86; 8:45 am]
BILLING CODE 8010-01-M

Agency Information Collection Activities Under OMB Review

Agency Clearance Officer—Kenneth
Fogash, (202) 272-2142

Upon written request, copy available
from: Securities and Exchange
Commission, Office of Consumer
Affairs and Information Services,
Washington, DC 20549

Revision

Proposed Amendment to Industry Guide
3, "Statistical Disclosure by Bank
Holding Companies."
SEC File No. 270-3.

Notice is hereby given that pursuant
to the Paperwork Reduction Act of 1980
(44 U.S.C. 3501 et seq.), the Securities
and Exchange Commission has
submitted for approval a proposed
amendment regarding disclosures of

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More detailed information can be obtained by contacting Barbara North, Director, Office of Private Sector Liaison, Office of the United States Trade Representative, Executive Office of the President, Washington, DC 20506. Alan Woods,

Acting United States Trade Representative.

[FR Doc. 86-20467 Filed 9-10-86; 8:45 am]

BILLING CODE 3190-01-M

Pre-Shipment Inspection and Customs Valuation Procedures Conducted by Private Companies on Behalf of Foreign Governments; Request for Comment

AGENCY: Office of the United States Trade Representative.

ACTION: Request for Public Comment.

SUMMARY: This notice solicits public comment in connection with the pre-shipment inspection and customs valuation procedures conducted by private companies on behalf of foreign governments. All submissions should be sent in conformance with 15 CFR 2003 with 20 copies to: Carolyn Frank, Secretary, Trade Policy Staff Committee, Office of the United States Trade Representative, Room 521, 600 17th Street NW., Washington, DC 20506.

DATE: Public comments are due by the close of business Wednesday, October 8, 1986.

FOR FURTHER INFORMATION CONTACT: Betsy Stillman, Director for Andean and Caribbean Affairs (202-395-5190) or Florizelle Liser, Director of Customs Valuation and Import Licensing Policy (202-395-3063), Office of the United States Trade Representative, Washington, DC 20506.

SUPPLEMENTARY INFORMATION: The U.S. Government has become increasingly aware of a growing trend among developing countries which, in their efforts to conserve scarce foreign exchange or ensure public coffers receipt of expected revenue, have employed private companies to perform Customs inspection and valuation functions, normally the responsibility of governments themselves. This has raised a new issue in international trade arising from the fact that while such private inspection companies assume the role of governments, they do not have the same direct responsibilities as do governments to conform to international obligations.

U.S. Government agencies have received numerous complaints from U.S. exporters about the pre-shipment inspection and pricing procedures employed by private inspection

companies on behalf of foreign governments as a prerequisite to foreign market entry. We have received complaints concerning administrative delays, inspection company requests for business confidential information, and foreign government intervention, through its U.S. inspection company agent, in the setting of prices. The U.S. Government seeks the public's help in documenting business community experiences in complying with foreign government pre-shipment inspection and pricing requirements. Submissions should address the following areas:

- Pricing procedures and clarity of the procedures employed;
- The time required for pre-shipment inspections to be completed and the clarity of the procedures employed;
- The extent of requests for and submission of business confidential information; and
- The administrative cost to the exporter for complying with pre-shipment inspections.

The business community's submission of the most specific information will contribute greatly to the U.S. Government's efforts to address appropriately this new issue in international trade. Submissions should indicate clearly the information for which business confidential treatment is requested and why such information should be accorded confidential treatment. A non-confidential summary should be included. In addition, submissions should indicate at the cover page that business confidential information is included and each page subject to a request for confidential treatment must be marked at the top: "BUSINESS CONFIDENTIAL".

The U.S. Government acknowledges the desire of debt-burdened developing countries to conserve foreign exchange and our objectives in pursuing this issue are, therefore, not aimed at stopping private inspection companies from providing appropriate services in that regard. However, the U.S. Government is concerned that inspection company agents of foreign governments perform such services in a manner that accords with internationally accepted standards and does not impede the flow of international trade.

Donald M. Phillips,

Assistant United States Trade Representative for Trade Policy Coordination.

[FR Doc. 86-20436 Filed 9-10-86; 8:45 am]

BILLING CODE 3190-01-M

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL

Columbia River Basin Fish and Wildlife Program; Proposed Amendments, Hearings, and Public Comment Period

AGENCY: Pacific Northwest Electric Power and Conservation Planning Council.

ACTION: Notice of proposed amendments, hearings, and opportunity to comment.

SUMMARY: On November 15, 1982, the Pacific Northwest Electric Power and Conservation Planning Council (the Council) adopted a Columbia River Basin Fish and Wildlife Program (Fish and Wildlife Program). The Fish and Wildlife Program was amended on October 10, 1984 (programwide amendments), February 21, 1985 (salmon and steelhead framework, sections 201 and 1504, Action Item 36), and February 13, 1986 (mainstem passage sections). The Council is proposing again to revise and amend the Fish and Wildlife Program. The proposed amendments of the Program are being released for public review and comment, and public hearings will be held. This notice describes the proposed amendments, provides information on how to obtain additional information, including copies of the draft amendment document, and outlines the process for submitting written comments and participating in the hearings.

DATES AND ADDRESSES: The public comment period regarding the proposed amendments closes at 5 p.m., December 15, 1986. Public hearings on the proposed amendments will be held in:

- Spokane, Washington, October 2, 1986 at Cavanaugh's at the Park, Ballroom B from 1:00 p.m. to 9:00 p.m.;
- Portland, Oregon, October 8, 1986 at the Portland Building, 1120 S.W. 5th, Second Floor Auditorium; 1:00 p.m. to 9:00 p.m.; and
- Boise, Idaho, October 21, 1986 at the Red Lion Riverside; 1:30 p.m. to 9:00 p.m.;
- Kalispell, Montana, October 22, 1986 at the Outlaw Inn, 7:00 p.m. to 11:00 p.m.; and
- Missoula, Montana, October 23, 1986 at the Village Red Lion, 7:00 p.m. to 11:00 p.m.

Instructions For Oral Comment At Hearings

1. Requests for time slots must be made at least five days prior to the hearings to Ruth Curtis, Information Coordinator, at the Council's central

office, 850 S.W. Broadway, Suite 1100, Portland, Oregon 97205 or (503) 222-5161 (toll free 1-800-222-3355 in Idaho, Montana and Washington or 1-800-452-2324 in Oregon).

2. Those who do not sign up for time slots will be permitted to testify as time permits.

3. Hearings should be used to summarize written comments. Comments should not be read. Comments should be limited to the draft amendment document.

4. If possible, ten copies of hearing testimony should be submitted to the Council recorder at the hearings. This person will be sitting at a table near the Council members. (See instructions for written comment.)

5. Those persons officially representing an organization will have 15 minutes to summarize their written testimony. (Organizations may have only one official representative.) All other individuals will be limited to five minutes. These time limits will be observed strictly in order to allow parties to testify.

6. The Council may ask questions for clarification. If so, this will be over and above the time limits imposed above.

7. A written record of each hearing will be made. Appearance at more than one hearing is unnecessary. Scheduling preference will be given to individuals and groups which have not testified at other hearings.

Instructions For Written Comment

1. Comments should be limited to the draft amendment document and must be received in the Council's central office, 850 S.W. Broadway, Suite 1100, Portland, Oregon 97205 by 5 p.m. on December 15, 1986. Comments received after that time will not be considered.

2. Written comments should be marked "Draft Amendment Comments."

3. Comments should be specific and concise. They should refer to amendments by their code numbers. Alternative language should be submitted if a change is being proposed.

4. A marked up copy of the draft amendment document (or the appropriate section) indicating suggestions or revisions may be submitted. Suggested deletions should be lined out and placed in parentheses. Suggested new language should be underlined.

5. All comments should be typed, if possible, and double spaced. It would also be helpful if a separate page were prepared for comments on each proposed amendment or rejection. Provide ten copies of all comments, if possible.

One copy each of the Fish and Wildlife Program draft amendment document may be obtained free of charge by contacting Ruth Curtis at the Council's address and telephone above. The Council expects that copies will be available by September 1, 1986.

FOR FURTHER INFORMATION CONTACT:

Dulcy Mahar, Director of Public Information and Involvement, 850 S.W. Broadway, Suite 1100, Portland, Oregon 97205 (toll-free 1-800-222-3355 in Idaho, Montana, and Washington; toll-free 1-800-452-2324 in Oregon; or 503-222-5161).

SUPPLEMENTARY INFORMATION: On November 15, 1982, as required by the Pacific Northwest Electric Power Planning and Conservation Act, Pub. L. 96-501, 94 Stat. 2697, 16 U.S.C. 839 *et seq.* (the Act), the Council adopted a Columbia River Basin Fish and Wildlife Program. The Act allows the Council to amend its Program from time to time, and requires the Council to review the Program (as part of the Power Plan) and request recommendations for amendments at least once every five years. At its meeting in Whitefish, Montana on August 6, 1986, the Council voted to release draft Fish and Wildlife Program amendments. These proposed amendments are the result of a process that began in July 1985, when the Council (as required by the Act) called for recommendations. More than 85 amendment applications were submitted by 25 individuals and organizations by the February 18, 1986 deadline. A summary of the amendment proposals and their complete text were made available to all interested parties. In addition, on June 10, 1986 the Council voted to accept another application, (code number 704(b)/Umatilla), submitted after the deadline. Some other amendments were proposed by the Council on its own motion or on the recommendations of its staff.

During the summer of 1986, both the Council and its staff considered the amendment applications, consulted with interested parties, and arrived at proposed dispositions of the amendment applications. These proposed dispositions are contained in the draft amendment document. The draft amendment document only contains proposed amendments to the Fish and Wildlife Program and applications proposed for rejection. The Council welcomes comments on both the proposed amendments and the proposed rejections.

Nothing in the draft amendment document is final. Council approval of release of this document does not constitute final Council endorsement of

the dispositions proposed in the document. It simply represents a Council decision to seek public review of and comment on the proposals. The Council is willing to consider changing all or part of this document when it takes final action in February 1987. The Council will consider all oral and written testimony before making a final decision on the amendments. All comments, written and oral, will become part of the Council's administrative record and will be available for public review in the Public Reading Room of the Council's central office, Suite 1100, 850 Southwest, Broadway, Portland, Oregon 97205, weekdays between 8:30 a.m. and 5 p.m.

Major features of the draft amendment document include:

- A statement of hydropower responsibility for salmon and steelhead losses, proposed by the Council last spring.
- A description of the Council's approach to system planning for salmon and steelhead, based on a June 1986 Council staff issue paper on the same subject.
- Guiding principles and areas of emphasis for salmon and steelhead research.
- Changes in funding of habitat and tributary passage projects.
- Support for Bonneville funding of a spring chinook hatchery in northeastern Oregon.
- Wildlife plans to mitigate the effects of Hungry Horse (proposed by the Council last spring) and Libby Dams in Montana.
- A policy on resident fish substitutions (proposed by the Council last spring) and the proposed addition of a variety of resident fish "substitution" projects to mitigate the effects of hydropower development in the blocked areas above Chief Joseph and Hells Canyon Dams.
- Changes in Water Budget accounting and transportation policy and reject of spill increases, all as proposed by the Council at its July meeting in Spokane.
- Provision of Bonneville power for a Umatilla pumping project to aid flows for fish.
- Provision for Bonneville funding of data collection on hatchery and natural production.
- Recognition of a Montana Power Company agreement to fund the purchase of water from Painted Rocks Reservoir to maintain flows for fish.
- No definite schedule for future amendment proceedings.

Issues For Comment

The Council is particularly interested in comments on the following issues raised by this document.

1. Standards

The Northwest Power Act specifies the standards for program measures. See U.S.C. 839b(h)(5); (6). To be adopted by the Council, a proposal for amendment must:

a. Protect, mitigate, and enhance fish and wildlife affected by development, operation, and management of Columbia Basin hydropower facilities while assuring the region an adequate, efficient, economical, and reliable power supply.

b. Complement existing and future activities of fish and wildlife agencies and Indian tribes.

c. Be based on, and supported by, the best available scientific knowledge.

d. Where equally effective alternative means of achieving the same sound biological objective exist, use the alternative with the minimum economic cost.

e. Be consistent with legal rights of the Indian tribes.

f. With respect to anadromous fish, provide for improved survival at Columbia Basin hydropower facilities and provide flows for sufficient quality and quantity between facilities to improve production, migration, and survival as necessary to meet sound biological objectives.

The Council seeks comment on whether the amendments proposed for adoption in Part 1 of the draft document meet these standards. The Council or Council staff has concluded, tentatively, that the applications discussed in Part 2 of the document do not meet these standards. The Council welcomes comment on the proposed rejections as well.

2. Five-Year Action Plan (Section 1504).

The Council asks that commentors focus special attention on the proposed five-year action plan and provide their views on these questions: a) Does the proposed action plan reflect reasonable expectations of effort by the Bonneville Power Administration, Bureau of Reclamation, Corps of Engineers, and Federal Energy Regulatory Commission; the federal agencies given responsibilities by Congress in sections 4(h)(10) and 4(h)(11) of the Northwest Power Act, to help make the Council's program work? b) If not, what alternative action packages would be more reasonable for each agency?

3. Bonneville Budget (Action Item 39.1).

The Council would appreciate comment on how it can work more closely with Bonneville and others to use the Bonneville budgeting process as a means for publicly setting a fiscal pace for program implementation. Suggestions on ways to improve the annual work planning process also are welcome.

4. Funding of Resident Fish Substitutions in Idaho (Sections 804(g)(1) & (2)).

In section 207 of the draft, the Council recognizes that some areas in the basin where salmon and steelhead once were produced have been blocked by hydropower projects that make salmon and steelhead production infeasible ("blocked areas"), and has established selection criteria for projects to substitute resident fish for lost salmon and steelhead ("resident fish substitutions").

Six amendments applications propose resident projects above Hells Canyon Dam. The Council staff has reviewed those applications, found that they generally meet the Council's resident fish substitutions criteria, and included them in draft section 804(g)(2). However, the appropriate funding source for those projects is not clear because the blockages at and above Hells Canyon Dam came from a variety of sources over an extended period of time. The funding sources could include the Bonneville Power Administration, Bureau of Reclamation and/or Federal Energy Regulatory Commission on licenses. The Council staff solicits comments on these issues:

a. Are any entities willing to fund any of the projects listed in draft Section 804(g)(2)? If the identify of the appropriate funding sources for the draft Section 804(g)(2) projects cannot be readily ascertained or agreed to, what process should be used to identify funding sources?

b. Which project or projects permanently blocked the area to salmon and steelhead production? To what extent are those projects operated for hydropower purposes?

c. To what extent have salmon and steelhead losses due to hydropower development and operations in this area already been mitigated? By whom? In what way? Are there any unmitigated damages attributable to hydropower development or operations?

5. Numerical Targets for Resident Fish Substitutions (Section 207).

The Council's proposed resident fish substitutions policy, in draft section 207, states that proposed projects must "incorporate adaptive management principles," "achieve significant biological results," and "reflect a

management plan with sound biological objectives." To that end, the Council requests comment on whether project proponents should be asked to state numerical production targets, as a way to measure results against quantified objectives.

6. Fish Passage Center (Sections 304 and 404).

In draft sections 304 and 404, the Council has proposed the Fish Passage Center as the point of contact between the fish and wildlife agencies and Indian tribes and the hydropower system on Water Budget and spill issues. Should the Center also serve as the point of contact on bypass and transportation issues?

The program now provides for two fish passage managers, one to represent the Indian tribes and one to represent the fish and wildlife agencies. Would it be more appropriate to fund one fish passage manager to represent both the Indian tribes and the fish and wildlife agencies?

7. Protected Areas.

Section 1204(c) of the current program calls for the Council to designate stream reaches and wildlife habitat areas in the Columbia River Basin to be protected from further hydroelectric development. The Council and Bonneville are nearing completion of a study of the hydroelectric potential of streams in the Columbia River Basin and the value of their fish and wildlife resources, and it soon will be important to identify the appropriate criteria to apply to the study information to decide which areas in the basin to designate for protection from hydropower development. The Oregon legislature recently enacted a statute designating all natural and wild production areas in Oregon for protection from new hydropower development. The Council welcomes comments on whether such an approach should be taken basinwide and suggestions for any alternative ways to choose protected areas for wildlife and resident fish, as well as salmon and steelhead.

8. System Alternatives for Salmon and Steelhead

In sections 203 and 204 of the draft document, the Council staff describes a planning process designed to lead to discussion of and choices among broad harvest, production and passage alternatives, as well as the institutional framework needed to further those choices. The Council staff will circulate an issue paper on system alternatives in mid-October. That paper could address a number of broad, long-term issues related to salmon and steelhead in the basin and the future of the Council's

program. It could result in program amendments in addition to those proposed in this document. All recipients of this draft amendment document will receive that paper as well. The Council will schedule a second round of hearings on the paper, solicit written comment, and otherwise urge full and special attention to the questions raised by the issue paper.

Additional Information

For additional information on the proposed amendments and rejections, readers may wish to refer to the amendment applications, summary of applications, issue papers, minutes of Council meetings, and written comments submitted to the Council on applications and issue papers. All of those materials are available in the Council's administrative record of those amendment proceedings. The record is maintained in the Council's public reading room in its Portland office and is available for review and copying during regular business hours. Certain parts of the record can be ordered by mail. As noted above, an issue paper on salmon and steelhead policies to be distributed in October 1986, also may affect the proposed amendments. That issue paper also may be requested.

After considering all public comments received, the Council plans to adopt final Fish and Wildlife Program amendments in February, 1987.

Edward Sheets,

Executive Director.

[FR Doc. 86-20432 Filed 9-10-86; 8:45 am]

BILLING CODE 0000-00-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-23578; SR-CSE-86-5]

Self-Regulatory Organizations; by Cincinnati Stock Exchange, Inc., Order Approving Proposed Rule Change

The Cincinnati Stock Exchange, Inc. ("CSE") submitted on July 10, 1986, copies of a proposed rule change pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act") and Rule 19b-4 thereunder to amend Article IV, section 3.2 of its Code of Regulations concerning the delisting of a security by an issuer. Under the proposed rule, an issuer may be delisted from the Exchange at its own request provided that it furnishes the Exchange with a certified copy of a resolution adopted by the issuer's Board of Directors authorizing the withdrawal from listing and registration on the Exchange and providing a statement

setting forth reasons and justifications for the proposed delisting. The proposal would permit the Exchange to require the issuer to submit the proposed withdrawal to the holders of the security for their vote where the security is not also listed on another exchange having rules requiring submission of any delisting proposal to the security holders for approval.

Currently, CSE rules require an issuer requesting delisting of a security from the Exchange to first obtain approval for such an action from its shareholders at a special or annual meeting. The CSE believes this requirement imposes an unnecessary burden on issuers who list their securities on more than one exchange. According to the CSE, the proposed rule change would remove this burden without compromising the right of shareholders to have their security listed on at least one exchange for trading purposes.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by the issuance of a Commission release (Securities Exchange Act Release No. 23468, July 24, 1986) and by publication in the Federal Register (51 FR 27617, August 1, 1986). No comments were received with respect to the proposed rule change.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange and, in particular, the requirements of section 6 and the rules and regulations thereunder.

It is therefore ordered, pursuant to section 19(b)(2) of the Act, that the proposed rule change be, and hereby, is approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Dated: August 29, 1986.

Shirley E. Hollis,

Assistant Secretary.

[FR Doc. 86-20444 Filed 9-10-86; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF STATE

[Public Notice 981]

Agency Forms Submitted for OMB Review

AGENCY: Department of State.

ACTION: In accordance with the provisions of the Paperwork Reduction Act of 1980, the Department has submitted proposed collections of

information to the Office of Management and Budget for review.

SUMMARY: The following summarizes the following collection proposals submitted to OMB:

1. Title of information collection—Overseas Schools Questionnaire.
Form number—FS-573, A & B.
Originating office—Office of Overseas Schools.
Type of request—Extension.
Frequency—Annual.
Respondents—Overseas schools seeking assistance.
Estimated number of responses—175.
Estimated number of hours needed to respond—175.
 2. Title of Information Collection—Request for Assistance.
Form number—FS-574.
Originating office—Office of Overseas Schools.
Type of request—Extension.
Frequency—Annual.
Respondents—Overseas schools seeking assistance.
Estimated number of responses—175.
Estimated number of hours needed to respond—88.
 3. Title of Information Collection—Approval of Funding to Support Educational Projects.
Form number—JF-45.
Originating office—Office of Overseas Schools.
Type of request—Extension.
Frequency—Annual.
Respondents—Overseas schools seeking assistance.
Estimated number of responses—175.
Estimated number of hours needed to respond—44.
 4. Title of Information Collection—Overseas Schools, Grant Status Report.
Form number—JF-61.
Originating office—Office of Overseas Schools.
Type of request—Extension.
Frequency—Quarterly.
Respondents—Overseas schools seeking assistance.
Estimated number of responses—283.
Estimated number of hours needed to respond—212.
Section 3504(h) of Pub. L. 96-511 does not apply.
- FOR FURTHER INFORMATION CONTACT:** Copies of the proposed forms and supporting documents may be obtained from Gail J. Cook, (202) 647-4086. Comments and questions should be directed to (OMB) Francine Picoult, (202) 395-7231.

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aggressive management systems to prevent such flagrant violations and their adverse consequences to employees and public health and safety.

III. NRC Conclusion

The NRC concludes that the alleged violations occurred as stated in the Notice of Violation and that no mitigation of the civil penalties is warranted. Therefore, civil penalties in the amount of \$310,000 should be imposed.

Appendix B—Evaluation and Conclusions for Violations not Assessed Civil Penalties

Provided below are a restatement of the violation not assessed civil penalties contested by the licensee, the licensee's response, and NRC's evaluation of the licensee's response.

Restatement of Violation II.A

10 CFR 20.203(d)(1) defines airborne radioactivity area as "any room, enclosure, or operating area in which airborne radioactive materials composed wholly or partly of licensed material exist in concentrations in excess of the amounts specified in Appendix B, Table I, Column 1 of this part. . . ." and 10 CFR 20.203(d)(2) states "Each airborne radioactivity area shall be conspicuously posted with a sign or signs bearing the radiation caution symbol and the words: CAUTION-AIRBORNE RADIO ACTIVITY AREA."

Contrary to the above, on February 11, 1986 the licensee failed to post areas of the processing building during decontamination operations when the airborne radioactivity concentrations exceeded by approximately three times the values given in Appendix B, Table 1, Column 1 of 10 CFR Part 20 for natural uranium radioactivity.

Summary of Licensee's Response

The licensee admits that the processing building was not posted during decontamination operations on February 11, 1986. The licensee denies, however, that posting was required during decontamination operations because general airborne concentrations of uranium during the decontamination work averaged less than the concentration specified in 10 CFR 20, Appendix B, Table 1, Column 1. In support of this argument, the licensee submits data showing that the general airborne concentration was less than the concentration specified in 10 CFR 20, Appendix B, Table 1, Column 1. Based on the data, the licensee contends that even though maximum concentrations exceeded 10 CFR 20, Appendix B, Table 1, Column 1 limits, posting was not required since appropriate corrective action was taken. The licensee further argues that the work was performed under a hazardous work permit and that there was limited personnel access to the area.

NRC Evaluation of the Licensee's Response

The licensee's data shows that during the decontamination work performed February 8-14, 1986, airborne concentrations in

individual area sample locations exceeded the Appendix B, Table 1, Column 1, concentration during three shifts, thus posting of these areas was required in accordance with 10 CFR 20.203(d)(1)(i). Appropriate corrective action was not taken since the elevated concentrations persisted during a three day period. Working under hazardous work permits and restricting access provides no exemption from the posting requirements of 10 CFR 20.203. Therefore, an adequate basis for withdrawal of this violation has not been provided, and the NRC staff has determined that the violation occurred as stated in the Notice.

[FR Doc. 87-3005 Filed 2-11-87; 8:45 am]

BILLING CODE 7590-01-M

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL

Hydropower Assessment Steering Committee; Meeting

AGENCY: The Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council).

ACTION: Notice of meeting.
Status: Open.

SUMMARY: The Northwest Power Planning Council hereby announces a forthcoming meeting of its Hydropower Assessment Steering Committee to be held pursuant to the Federal Advisory Committee Act, 5 U.S.C. Appendix I, 1-4. Activities will include:

- Options for protected areas schedules.
- Other.
- Public comment.

DATE: February 18, 1987, 1:00 p.m.

ADDRESS: The meeting will be held in the Council's central office, 850 SW. Broadway, Suite 1100, Portland, Oregon.

FOR FURTHER INFORMATION CONTACT: Peter Paquet, 503-222-5161.

Edward Sheets,

Executive Director.

[FR Doc. 87-2936 Filed 2-14-87; 8:45 am]

BILLING CODE 0000-00-M

POSTAL SERVICE

Privacy Act of 1974; Systems of Records

AGENCY: Postal Service.

ACTION: Final notice of modification to existing systems of records.

SUMMARY: The purpose of this document

is to publish final notice to expand the population of individuals covered by two Postal Service systems of records that appeared for public comment in the Federal Register.

EFFECTIVE DATE: February 12, 1987.

FOR FURTHER INFORMATION CONTACT: Rubenia Carter (202) 268-4872.

SUPPLEMENTARY INFORMATION: On August 13, 1986, the Postal Service published in the Federal Register (51 FR 29028) an interim notice of a proposed change to expand the population to Postal Service systems USPS 050.020—Finance Records—Payroll System, and USPS 120.070—Personnel Records—General Personnel Folders (Official Personnel Folders and records related thereto). The purposes of these changes appeared in the proposal and will not be repeated here. Interested persons were invited to comment on the proposal. No comments regarding these systems modifications were received. Accordingly, after a review of the proposed text, the Postal Service has determined to give final notice of the following modifications to records systems descriptions USPS 050.020 and USPS 120.070, as follows:

USPS 050.020

Categories of Individuals Covered by the System

Change to read: "Current and former USPS employees; postmaster relief/ replacement employees, and certain former spouses of current and former postal employees who qualify for Federal Employees Health Benefits coverage under Pub. L. 98-615."

USPS 120.070

Categories of Individuals Covered by the System

Change to read: "Present and former USPS employees; and certain former spouses of current and former employees who qualify and apply for Federal Employees Health Benefits coverage under Pub. L. 98-615."

A complete description of systems USPS 050.020 and USPS 120.070 last appeared on January 26, 1987, in 52 FR 2776 and on August 13, 1986, in 51 FR 29028, respectively.

Fred Eggleston,

Assistant General Counsel, Legislative Division.

[FR Doc. 87-2935 Filed 2-11-87; 8:45 am]

BILLING CODE 7710-12-M

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NEIGHBORHOOD REINVESTMENT CORPORATION**Ninth Annual Meeting**

TIME AND DATE: 3:00 p.m.—Wednesday, June 17, 1987 (rescheduled from May 20, 1987).

PLACE: 1325 G Street, NW., Suite 800. Washington, DC, 20005.

STATUS: Open.

CONTACT PERSON FOR MORE

INFORMATION: Timothy McCarthy, Director of Communications 376-2623.

AGENDA:

- I. Call to order/corporate secretary
- II. Election of temporary chairman
- III. Election of chairman and vice chairman
- IV. Approval of minutes, November 24, 1986
- V. Executive director's activity report
- VI. Personnel Committee report
- VII. Election of officers and appointment of assistant secretary
- VIII. Audit Committee report: Budget adjustments and reallocations
- IX. Budget Committee report
- X. Treasurer's report

Carol J. McCabe,

Secretary.

[FR Doc. 87-14879 Filed 6-26-87; 11:05 am]

BILLING CODE 7570-01-M

NUCLEAR REGULATORY COMMISSION

DATE: Weeks of June 29, July 6, 13, and 20, 1987.

PLACE: Commissioners' Conference Room, 1717 H Street, NW., Washington, DC.

STATUS: Open and Closed.

MATTERS TO BE CONSIDERED:**Week of June 29**

Tuesday, June 30

9:30 a.m.

Discussion of Pending Investigations (Closed-Ex. 5 & 7)

10:00 a.m.

Discussion of Management-Organization and Internal Personnel Matters (Closed-Ex. 2 & 6)

2:00 p.m.

Discussion/Possible Vote on Full Power Operating License for Braidwood-1 (Public Meeting)

Wednesday, July 1

8:30 a.m.

Discussion/Possible Vote on Full Power Operating License for Nine Mile Point-2 (Public Meeting)

10:00 a.m.

Affirmation/Discussion and Vote (Public Meeting) (if needed)

2:00 p.m.

Discussion of Management-Organization and Internal Personnel Matters (Closed-Ex. 2 & 6)

Week of July 6—Tentative

Wednesday, July 8

10:00 a.m.

Discussion/Possible Vote on Full Power Operating License for Beaver Valley-2 (Public Meeting)

11:30 a.m.

Affirmation/Discussion and Vote (Public Meeting) (if needed)

Week of July 13—Tentative

Wednesday, July 15

10:00 a.m.

Briefing on Mark I Containments Status (Public Meeting)

11:30 a.m.

Affirmation/Discussion and Vote (Public Meeting) (if needed)

Week of July 20—Tentative

Tuesday, July 21

10:00 a.m.

Briefing on Research Adjustment in Response to the National Academy of Sciences Report (Public Meeting)

2:00 p.m.

Briefing on Final Plan for NUREG-0950 Uncertainty Areas (Source Term) (Public Meeting)

Wednesday, July 22

10:00 a.m.

Discussion of Standardization Policy Statement Development (Public Meeting)

Thursday, July 23

10:00 a.m.

Briefing on Status of High Level Waste Management Program (Public Meeting)

2:00 p.m.

Briefing on the Status of TVA (Public Meeting)

3:30 p.m.

Affirmation/Discussion and Vote (Public Meeting) (if needed)

ADDITIONAL INFORMATION: Discussion of Management-Organization and Internal Personnel Matters (Closed-Ex. 2 & 6) scheduled for June 22, *postponed*.

TO VERIFY THE STATUS OF MEETINGS CALL (RECORDING): (202) 634-1498.

CONTACT PERSON FOR MORE

INFORMATION: Robert McOsker (202) 634-1410.

Robert McOsker,

Office of the Secretary

June 25, 1987.

[FR Doc. 87-14946 Filed 6-26-87; 3:49 pm]

BILLING CODE 7590-01-M

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL

STATUS: Open. The Council will hold an executive session to discuss internal personal matters.

TIME AND DATE: July 8-9, 1987, 9:00 a.m.

PLACE: Templin's Hotel, 414 East First Avenue, Post Falls, Idaho.

MATTERS TO BE CONSIDERED:

1. Council Deliberation on System Planning Work Plan.
2. Staff Presentation on Status of Snake River Salmon and Steelhead Stocks.
3. Staff Presentation and Panel Discussion on Protected Areas.
4. Staff Presentation on Draft Analysis of Conservation Measures as required by Section 4(k) of the Northwest Power Act.
5. Council Discussion on Activities to help Lenders and Appraisers Recognize the Value of Energy Efficiency in Homes.
6. Public Comment on Western Electricity Study Briefing Paper on Electricity Use in the Western United States and Canada.
7. Council Action on the Council's Fiscal Year 1989 and 1988 Revised Budget.
8. Council Business.
9. Public Comment.

FOR FURTHER INFORMATION CONTACT:

Ms. Bess Atkins at (503) 222-5161.

Edwards Sheets,

Executive Director.

[FR Doc. 87-14886 Filed 6-26-87; 11:35 am]

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addressed in Subsection III.G.2 (e.g., fire barriers) for 2-FW-43A and B are similarly unnecessary.

V

Based on the above evaluation, the staff considers the licensee's alternative fire protection configuration to be equivalent to that achieved by conformance with Appendix R to 10 CFR Part 50. Therefore, the licensee's request for exemption from Section III.G.2.b as these requirements relate to separation of valves 2-FW-43A and B by at least 20-feet, with no intervening combustibles or fire hazards, and with a fire detection and suppression capability, is granted.

Accordingly, the Commission has determined pursuant to 10 CFR 50.12(a), that: (1) This exemption as described in Section IV is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security, and (2) special circumstances are present for this exemption in that application of the regulation in this particular circumstance is not necessary to achieve the underlying purposes of Appendix R to 10 CFR Part 50. Specifically, the underlying purpose of Appendix R, Section III.G.2.b is to assure that a suitable complement of safe-shutdown equipment will be available, post-fire, to achieve and maintain hot shutdown of the reactor. The analysis of valves 2-FW-43A and B indicates that one or both valves will be capable of performing their post-fire shutdown role without additional fire protection enhancements. Therefore, the Commission hereby grants the exemption request identified in Section IV above.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will have no significant impact on the environment (53 FR 13454).

Dated at Rockville, Maryland, this 29th day of April 1988.

For the Nuclear Regulatory Commission,
Steven A. Varga,

Director, Division of Reactor Projects I/II,
Office of Nuclear Reactor Regulation.

[FR Doc. 88-10076 Filed 5-5-88; 8:45 am]

BILLING CODE 7590-01-M

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL

Power Plan Amendments; Columbia
River Basin Fish and Wildlife Program

AGENCY: Pacific Northwest Electric
Power and Conservation Planning

Council (Northwest Power Planning Council).

ACTION: Notice of proposed protected areas amendments to the Columbia River Basin Fish and Wildlife Program and the Northwest Conservation and Electric Power Plan, hearings and opportunity to comment.

SUMMARY: On November 15, 1982, pursuant to the Pacific Electric Power Planning and Conservation Act (the Northwest Power Act, 16 U.S.C. 839, et seq.) the Pacific Northwest Electric Power and Conservation Planning Council (Council) adopted a Columbia River Basin Fish and Wildlife Program (program). The Council adopted the Northwest Conservation and Electric Power Plan (power plan) on April 27, 1983. The program and the power plan have been amended from time to time since then. Major revisions of the program were adopted in 1984 and 1987, and a major revision of the power plan was adopted in 1986. On April 14, 1988 the Council voted to initiate rulemaking pursuant to section 4(d)(1) of the Northwest Power Act to amend the program and the power plan to incorporate measures to protect critical fish and wildlife habitat from new hydropower development. This notice contains a brief description of the proposed amendments, describes how to obtain a full copy of the proposed amendments and background information concerning them, and explains how to participate in the amendment process.

Public Comment: All written comments must be received in the Council's central office, 851 SW. Sixth Avenue, Suite 1100, Portland, Oregon, 97204, by 5 p.m. Pacific time on July 8, 1988. Comments should be submitted to Dulcy Mahar, Director of Public Involvement, at this address. Comments should be clearly marked "Protected Areas Comments."

After the close of written comment, the Council may hold consultations with interested parties to clarify points made in written comment, and will supply notice of such consultations. Consultations may be held up to the time of the Council's final action in this rulemaking.

Hearings: Public hearings will be held in Idaho, Montana, Oregon, and Washington, beginning on or about May 11, 1988. If you wish to obtain a schedule of the hearings, or more information about this process, contact the Council's Public Involvement Division, 851 SW. Sixth Avenue, Suite 1100, Portland, Oregon 97204 or (503) 222-5161, toll free 1-800-222-3355 in Idaho, Montana, and Washington or 1-800-452-2324 in

Oregon. To reserve a time period for presenting oral comments at a hearing, contact Ruth Curtis in the Public Involvement Division. Requests to reserve a time period for oral comments must be received no later than two work days before the hearing.

Final Action: The Council expects to take final action on the proposed protected areas amendments at its August 1988 meeting. The actual date on which the Council will make its final decision will be announced in accordance with applicable law and the Council's practice of providing notice of its meeting agendas.

FOR FURTHER INFORMATION CONTACT:

A fuller version of this notice, including a paper entitled "Protected Areas: Background and Test of Proposed Amendments," has been prepared that explains the reasons for the rulemaking, the process to date, summarizes the proposal itself, responds to certain issues raised in earlier comments, and sets out the text of the proposed amendments. In addition, the Council staff prepared an issue paper in October 1987, entitled "Protected Area Designations," which discusses the background of this issue and identifies alternatives the Council has considered. Those wishing to receive a copy of either paper should contact Judy Allender at the address or telephone numbers listed above.

SUPPLEMENTARY INFORMATION:

1. Reasons for the Rulemaking

Substantial losses of fish and wildlife habitat have occurred in the Columbia River Basin and in the region as a whole as a result of hydroelectric and other development. Past mitigation efforts have not been able to compensate fully for the effects of hydropower and other development. Not only is mitigation risky, it is expensive and time consuming. Protracted disputes over the possible effects of hydroelectric development on sensitive fish and wildlife populations are common. These disputes add to developer costs and utility rates, and leave the region less certain about its ability to develop new resources quickly when they are needed.

2. The Process to Date

The Council initiated a process six years ago to study areas where development would have substantial and irreversible adverse effects on fish and wildlife. Extensive studies of regional fish and wildlife habitat were conducted in the 1984-86 period, and data bases were developed for anadromous fish, resident fish and

wildlife, and hydropower potential in the region. Common criteria were developed and adapted for each of the Northwest states to apply to the data to identify critical fish and wildlife habitat for protection from future hydropower development. Their lists of critical habitat were submitted to the Council.

The Council staff released an issue paper in October 1987, proposing that the Council designate the identified areas for protection from all future hydropower development. About 416 written submissions were received from 400 individuals or organizations. In addition, 8 consultations were held with interested parties, and public comment has been heard at three Council meetings.

3. Protected Areas

This notice outlines a Council proposal, not a final Council decision. The Council will consider all comments before making a final decision. Based on the studies referred to above, the Council has prepared a list of proposed protected areas. In protected areas where anadromous fish (salmon and steelhead trout) and wild resident (non sea-going) fish are present, the Council proposes to say that any development would involve unacceptable risks of irreparable harm to such fish, their spawning grounds or habitat. In protected areas where non-wild resident fish or wildlife are present, the Council proposes to say that no hydropower development should occur that would result in a net loss of such fish and wildlife, considering possibilities for mitigation. A copy of the Council's list of protected areas is available on computer disc or hard copy, free of charge. Please contact Judy Allender at the above address or telephone number for a copy of this list.

4. Effects on Federal Agencies

a. Columbia River Basin Fish and Wildlife Program

The proposed amendments would have their strongest effects through the Columbia River Basin Fish and Wildlife Program. The Council does not itself regulate hydroelectric development through the fish and wildlife program, but influences federal agencies involved in operating, developing and regulating the hydropower system in the Columbia River Basin. Generally, fish and wildlife activities of the Bonneville Power Administration should be "consistent with" the fish and wildlife program and the power plan within the Columbia River Basin. For nonfederal hydroelectric development, the Federal Energy Regulatory Commission (FERC),

which makes licensing decisions on particular hydroelectric project proposals, must take the program into account at all relevant stages of its decisionmaking processes "to the fullest extent practicable."

b. Northwest Conservation and Electric Power Plan

The proposed amendments to the Northwest Conservation and Electric Power Plan would guide Bonneville resource acquisitions throughout the Pacific Northwest region, and would not be confined to the Columbia River Basin. As a comprehensive plan that balances regional energy and fish and wildlife needs, the power plan merits the FERC's consideration under the Electric Consumers Protection Act of 1986.

5. Applies Only to New Hydropower Projects

The proposed amendments would apply only to new hydropower projects, not to existing dams. A new hydropower project would be a new structure containing hydroelectric facilities for which FERC has not issued a license.

6. No Effect on State Sovereignty or Water Rights

The Northwest Power Planning Council is not a federal agency, but is an organization of the four Northwest states with special authority to guide and constrain certain federal agencies in the Northwest. The Council's plan and program are addressed to federal agencies involved in developing or regulating hydroelectric projects, not state agencies.

The proposed action would not authorize the appropriation of water by any entity or individual, affect water rights or jurisdiction over water, or alter or establish any water or water-related right. Nor would the amendments alter, amend, repeal, interpret, modify, or conflict with any interstate compact made by the states.

The Council would promptly and carefully consider revising protected areas if any of the states completes a comprehensive, or river basin, or watershed plan, and would acknowledge the strong state interests in resident fish and wildlife.

7. River Miles and Hydropower Development Affected

Region-wide, 40,794 river miles would be affected by the proposed amendments (less than 15% of the region's river miles). The Council estimates that of 327 hydroelectric projects currently proposed or under study in the Pacific Northwest, 202

would be affected, representing 688 average megawatts of energy, and 125 projects representing 800 average megawatts would be unaffected.

8. Amendments to Protected Areas

Under the proposal, protected areas could be amended through four processes: (1) The Council through an expedited amendment process, could remove from the list areas erroneously included on the List because of incorrect data or other technical errors; (2) the Council would promptly initiate amendment proceedings and consider revising Protected Area designations in light of any state comprehensive rivers plans, or state river basin or watershed plans; the Council would recognize the individual states special interest in habitat for resident fish and wildlife; (3) the Council could amend the Protected Areas designations upon completion of its system plan for anadromous fish in the Columbia River Basin; and (4) the Council would accommodate other amendments to protected areas, including consideration of an exception for any hydropower project that is believed to entail exceptional fish and wildlife benefits, through its usual amendments processes.

Edward Sheets,

Executive Director.

[FR Doc. 88-10051 Filed 5-5-88; 8:45 am]

BILLING CODE 0000-00-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-25630; File No. SR-AMEX-88-9]

Self-Regulatory Organizations; Filing and Accelerated Approval of Proposed Rule Change by the American Stock Exchange, Inc. Relating to the Expansion of the Use of the AUTO-EX System

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on April 18, 1988 the American Stock Exchange, Inc. filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

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425) requires the Secretary of Energy to " * * * prepare a comprehensive report, to be known as the Mission Plan, which shall provide an informational basis sufficient to permit informed decisions to be made in carrying out the repository program and the research, development, and demonstration programs required under this Act." The NWSA further required the Secretary to submit a draft Mission Plan to the States, the affected Indian Tribes, the Nuclear Regulatory Commission (NRC), and other Federal agencies for their comments.

After incorporating changes in response to comments received on a draft version of the Plan, the Department of Energy (DOE) prepared and submitted the Mission Plan (DOE/RW-005, June 1985) to Congress.

In preparing the Mission Plan, the Department recognized that this information base would change over time, requiring the Mission Plan to be revised. The first such revision was an Amendment to apprise the Congress, the affected States and Indian Tribes, other Federal agencies, and the public, of significant development and new information in the Civilian Radioactive Waste Management Program. This included: Significant recent achievements in the waste management program; the revised schedule for the first repository; and the intent to postpone site-specific work for the second repository. After incorporating changes in response to comments received on a draft version of this Amendment, the Department prepared and submitted the Office of Civilian Radioactive Waste Management's Mission Plan Amendment (DOE/RW-0128, June 1987) to Congress.

As a result of the passage of the Nuclear Waste Policy Amendments Act of 1987 (Amendments Act, Pub. L. 100-203), the Department determined that another amendment to the Mission Plan is necessary. This draft 1988 Mission Plan Amendment has been prepared by the Department so that, when finalized, it will inform the Congress of the Department's plans for implementing the new focus for the Civilian Radioactive Waste Management Program that is provided by the Amendments Act. It is being transmitted to States, previously affected Indian Tribes, the Nuclear Regulatory Commission and other Federal agencies, and the public for comment. In light of the Amendments Act, it is also being transmitted to affected units of local government. Comments have been requested by August 29, 1988.

The Amendments Act streamlines and focuses the waste management program established by the NWSA. In terms of

the Department's strategies and plans for program implementation, the most significant provisions are the following:

- Site characterization for the first repository is limited to one site (Yucca Mountain in Nevada);
- Site characterization activities at other sites were to have been terminated by March 22, 1988;
- Only one repository is to be developed at present;
- A Monitored Retrievable Storage facility is authorized subject to certain conditions; and
- Several new organizational entities are established that the Department will interact with and support as requested.

Copies of the draft Amendment are being mailed for review and comment to nearly 7,000 addresses on the Civilian Radioactive Waste Management Program's mailing list who have previously expressed an interest in receiving program documents and status reports.

A copy of the draft 1988 Amendment to the Mission Plan may be obtained by contracting the Office of Civilian Radioactive Waste Management, Washington, DC, office, or any one of the offices at the following addresses:

U.S. Department of Energy, Office of Civilian Radioactive Waste Management, Office of External Relations and Policy, RW-40, 1000 Independence Avenue, SW., Washington, DC 20585, Tel. (202) 566-5722.

Nevada Nuclear Waste Storage Investigations, Waste Management Project Office, U.S. Department of Energy, Nevada Operations Office, Phase 2, Suite 200, 101 Convention Center Drive, Las Vegas, Nevada 89109, Tel. (702) 295-8769.

Repository Technology and Transportation Division, U.S. Department of Energy, 9800 South Class Avenue, Argonne, Illinois 60439, Tel. (312) 972-2188.

Salt Repository Project Office, U.S. Department of Energy, 110 North 25 Mile Avenue, Hereford, Texas 79045, Tel. (806) 374-2320.

Richland Operations Office, U.S. Department of Energy, Federal Building, 825 Jadwin Avenue, Room 630, Richland, Washington 99352, Tel. (509) 376-7501.

A copy of the draft Amendment to the Mission Plan is also available for public inspection at the above offices as well as at the following address:

U.S. Department of Energy, Public Reading Room, Room 1E-206, 1000 Independence Avenue, SW., Washington, DC 20585.

Comments received in response to this Notice will be available for public inspection at the Public Reading Room in Washington, DC, at the address above.

Issued in Washington, DC June 23, 1988.

Charles E. Kay,

Acting Director, Office of Civilian Radioactive Waste Management.

[FR Doc. 88-14650 Filed 6-28-88; 8:45 am]

BILLING CODE 6450-01-M

Assistant Secretary for International Affairs and Energy Emergencies

Proposed Subsequent Arrangement

Pursuant to section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160) notice is hereby given of a proposed "subsequent arrangement" under the Additional Agreement for Cooperation between the Government of the United States of America and the European Atomic Energy Community (EURATOM) concerning Peaceful Uses of Atomic Energy, as amended.

The subsequent arrangement to be carried out under the above-mentioned agreement involves approval of the following sale:

Contract Number S-EU-933, for the sale of approximately 15 grams of plutonium-240 to the Commission of the European Communities, Geel, Belgium, for use as standard reference material.

In accordance with section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that this subsequent arrangement will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this notice.

For the Department of Energy.

Date: June 22, 1988.

David B. Waller,

Assistant Secretary for International Affairs and Energy Emergencies.

[FR Doc. 88-14649 Filed 6-28-88; 8:45 am]

BILLING CODE 6450-01-M

Bonneville Power Administration

Long Term Intertie Access Policy

AGENCY: Bonneville Power Administration (BPA), DOE.

ACTION: Issuance of BPA's long term intertie access policy and availability of administrator's decision.

SUMMARY: On May 17, 1988, BPA finalized its Long Term Intertie Access

Policy. The Long Term Intertie Access Policy defines how the portion of the Pacific Northwest-Pacific Southwest Intertie controlled by BPA will be used. The policy has been developed to enable BPA to sell surplus power and thereby assure repayment to the U.S. Treasury for the Federal investment in the Northwest's power system; to provide economical electric power to consumers in the Pacific Northwest and California by taking advantage of the differences in electric load patterns and power resources in the two regions; and to provide surplus Pacific Northwest energy to displace higher-cost California resources. Under the policy, access to the Intertie varies according to the type of power sale involved. The policy also contains provisions to limit access to the Intertie for utilities that build new projects in the Columbia River Basin that could undermine BPA's investments to improve fish and wildlife resources.

The environmental effects of the policy were analyzed in the Intertie Development and Use Environmental Impact Statement (EIS). The final EIS was issued in April 1988. The Administrator's Decision on the Long Term Intertie Access Policy, which discusses the alternatives considered by BPA in reaching its decision, is available upon request.

DATE: The policy is effective as of May 17, 1988. However, operational implementation may take up to 60 days after that date.

FOR FURTHER INFORMATION CONTACT:

Mr. John Cameron, Bonneville Power Administration, P.O. Box 3621, Portland, Oregon 97208, telephone 503-230-3390. You may also contact BPA's Public Involvement office at 503-230-2378. Oregon callers may use 800-452-8429; callers in California, Idaho, Montana, Nevada, Utah, Washington, and Wyoming may use 800-547-6048. Information may also be obtained from:

Mr. George E. Gwinnutt, Lower Columbia Area Manager, Suite 243, 1500 Plaza Building, 1500 NE Irving Street, Portland, Oregon 97232, 503-230-4551.

Mr. Ladd Sutton, Eugene District Manager, Room 206, 211 East Seventh Avenue, Eugene, Oregon 97401, 503-687-6952.

Mr. Wayne R. Lee, Upper Columbia Area Manager, Room 561, West 920 Riverside Avenue, Spokane, Washington 99201, 509-456-2518.

Mr. George E. Eskridge, Montana District Manager, 800 Kensington, Missoula, Montana 59807, 406-329-3060.

Mr. Ronald K. Rodewald, Wenatchee District Manager, P.O. Box 741, Wenatchee, Washington 98807, 509-662-4377, extension 379.

Mr. Terence G. Esvelt, Puget Sound Area Manager, 201 Queen Anne Ave., Suite 400, Seattle, Washington 98109-1030, 206-442-4130.

Mr. Thomas V. Wagenhoffer, Snake River Manager, West 101 Poplar, Walla Walla, Washington 99362, 509-522-6225.

Mr. Robert N. Laffel, Idaho Falls District Manager, 531 Lomax Street, Idaho Falls, Idaho 83401, 208-523-2706.

Mr. Thomas H. Blankenship, Boise District Manager, Room 376, 550 West Fort Street, Boise, Idaho 83724, 208-334-9137.

SUPPLEMENTARY INFORMATION:

Part I. Explanation of BPA's Long Term Intertie Access Policy

Introduction

The Pacific Northwest-Pacific Southwest Intertie began operation in 1968. Congress authorized the construction of the Intertie to provide an additional market for surplus BPA power, thereby providing greater assurance that we would repay the U.S. Treasury for the Federal investments in the Northwest's power system. To the extent there was capacity excess to Federal needs, Congress also intended that the Intertie allow non-Federal utilities in the Northwest and California to take advantage of the diverse load patterns and resource types between the two regions.

The present capability of the Intertie is about 5,200 megawatts (MW), 3,200 MW on the two alternating-current (AC) lines and 2,000 MW on the direct-current (DC) line. Ownership of the Intertie in the Northwest is shared by BPA, Portland General Electric Company (PGE) and Pacific Power & Light Company (PP&L). We provide access to all Northwest generating utilities. Ownership in California is shared by four investor-owned and municipal utilities.

In the early 1980's, demand for sales over the Intertie increased dramatically. Nearly every utility in the Northwest had excess power to sell and forecasted a surplus into the next decade and beyond. Northwest utilities frequently filled the Intertie with nonfirm energy and sought to negotiate long-term transactions with California. Prior to 1984 and the implementation of the Interim Intertie Access Policy (IAP), BPA lost significant revenue opportunities by allowing other utilities unfettered access to the Intertie. Combined effects of (1) the Northwest Preference Act, 16 U.S.C. 837, *et seq.*, which gives Northwest utilities a special competitive advantage over us; (2) oversupply conditions in the Northwest; and (3) a restricted market in California

due to limited ownership of the Intertie in California caused us to lose sales. We were unable to make our payments to the U.S. Treasury.

In 1984 we implemented the Interim IAP, followed by the Near-Term IAP in 1985. These policies governed access to the Intertie while we developed a Long-Term Intertie Access Policy (LTIAP).

The LTIAP accomplishes the following objectives which have guided us throughout the process:

1. The LTIAP assures BPA of reasonable access to the Intertie to sell both firm and nonfirm energy, thereby enhancing our ability to repay, with interest, \$8 billion in Treasury investments.
2. The policy is a reasonable and effective means of safeguarding our \$120 million investment in fish and wildlife protection.
3. It balances the competing demands of non-Federal utilities for Intertie access to sell, exchange, or purchase both firm power (through long-term contracts) and nonfirm energy (through the short-term, spot-market).
4. It provides a basis for greater planning certainty to utilities.
5. It allows for efficient use of generating resources in the Northwest and California.
6. It specifically addresses competitive concerns between California and the Northwest.
7. In doing all of the above, it strikes a balance between the Northwest and California, among generating and nongenerating utilities, other BPA customers, environmental interests and Federal taxpayers.

Issuance of this policy culminates our review of comments submitted by over 150 different utilities, regulatory agencies and interest groups. Through a combination of formal, transcribed meetings and informal discussions, we have increased our knowledge of their positions—and they of ours. We have twice appeared before the U.S. House Subcommittee on Water and Power Resources to answer questions regarding the IAP. Though often cumbersome and lengthy, the process has produced a policy which addresses the demands of all parties.

Balancing Interests

We have been put in the difficult position of balancing the competing interests for use of the Intertie. The sum of the demands placed on the Intertie far exceeds the facility's ability to meet them.

Our total-requirements customers insist that BPA should protect its

revenues in order to maintain stable power rates and to repay the U.S. Treasury in a timely manner. They suggest that BPA should allocate firm and nonfirm Intertie access to itself first, always assuring that BPA would be able to sell its surplus power. Northwest generating utilities seek a policy which allows sufficient and assured access for their own firm and nonfirm sales.

California parties generally argue for a policy which allows them unconstrained access to inexpensive Northwest and Canadian resources. Environmental organizations support a policy that would prevent the Intertie from encouraging development that would harm fish and wildlife resources.

Our main concern in reaching this balanced policy has been reconciling BPA's need to meet its fiscal obligations with these other competing demands for use of the Intertie. While BPA has the discretion to implement the "Federal-first" policy supported by our full requirements customers, the LTIAP instead provides significant access to non-Federal utilities for a variety of transactions while protecting BPA from revenue shortfalls.

It is not reasonable to suggest, as California commenters did in the public process, that BPA incur revenue losses to be recovered through rate increases to its total-requirements customers. These customers have a strong statutory argument—explained in the decision—that we should adopt a Federal-first policy to maximize Federal sales over the Intertie. By rejecting Federal-first, we incur an obligation to provide these customers with rate stability through alternative means. First among these alternative protections is the reservation of Intertie capacity for BPA sales.

If the revenue-protective measures adopted in the LTIAP prove unworkable or unduly controversial, the obvious remedy is not more access for non-Federal utilities. Instead, it is Federal-first.

Formula Allocation

The Intertie accommodates transactions in two distinct markets. Sellers of power to California sell in two distinct markets, one for long-term transactions and one for short-term sales. Formula Allocation in the LTIAP refers to Intertie capacity made available for short-term sales of energy. We have taken a hard look at Formula Allocations as it has been one of the most hotly debated issues throughout the LTIAP's development.

The LTIAP continues the basic Formula Allocation method used in the Near Term Intertie Access Policy (NTIAP) of allocating access to the

Intertie based on three possible conditions. We have changed the specifics of each Condition to reflect criticisms and suggestions made on the two LTIAP drafts. Provisions for Conditions 2 and 3 address directly the contentious anti-competitive concerns between California and the Northwest.

Condition 1

Condition 1 under the NTIAP incorporated the pre-existing Exportable Agreement, which expires on December 31, 1988. Parties to the agreement declare amounts of surplus energy available for export at the applicable BPA rate. If total declarations of exportable energy exceed the available Intertie Capacity or the size of the Pacific Southwest market, whichever is smaller, each party to the agreement is allocated access to the smaller amount based on its share of total declarations.

The 1986 draft LTIAP proposed that upon expiration of the Exportable Agreement a condition of spill or likelihood of spill on the Federal Columbia River Power System (FCRPS) would trigger Condition 1. BPA and Northwest Scheduling Utilities could declare surplus energy available for export and BPA would allocate access to the Intertie based on the ratio of each declaration to the sum of all declarations multiplied by the available Intertie Capacity. Each Scheduling Utility's allocation would be limited by the ratio of its regional hydroelectric capacity to the total regional hydroelectric capacity of the Scheduling Utilities multiplied by the total of all declarations (the "Hydro Cap").

We received comments on the 1986 draft which led us to revise Condition 1 to mirror the Exportable Agreement more closely. Under the 1987 draft a condition of spill or likelihood of spill on the FCRPS determined Condition 1. BPA and Scheduling Utilities could declare surplus energy available for export at the applicable BPA rate and receive a share of available Intertie Capacity based on the Hydro Cap. To the extent that the market for Northwest energy at BPA's price was less than the available Intertie Capacity, we allocated access to the Intertie to equal that market.

Generally, commenters on the 1987 draft did not argue against Condition 1 per se. They focused instead on its specific provisions. The bulk of the comments were directed at the Hydro Cap and at allocating Intertie capacity based on the size of the California market rather than the size of the Intertie capacity. In response to concerns heard at the public meetings in January 1988, we proposed an alternative Condition 1 allocation.

method. The LTIAP adopts this recent proposal.

The True-Up

The market for power in California is often less than the available Intertie capacity because of minimum generation requirements in California. As the Intertie is expanded and Southwest utilities bring on new generation that cannot be displaced with spot-market purchases, the frequency of this situation is likely to grow.

The 1987 draft allocated Intertie capacity based on the size of the California market as a protection against revenue shortfalls. Analyses indicated that we would lose approximately \$16.4 million in 1989 by allocating to the Intertie rather than the market. This loss would decrease to \$10.7 million in fiscal year 1992. Beyond 1992 the difference would increase, mainly due to projected fuel price increases.

The heart of the revenue problem is the Northwest Regional Preference Act, 16 U.S.C 837, *et seq.*, which requires BPA to quote an energy price to Northwest utilities before making any sale to the Southwest. This creates a problem in which Northwest utilities, which are BPA's competitors, know our price—but we do not know their prices. In Condition 1, where the size of the Southwest market is less than available Intertie Capacity, Northwest utilities are able to use this information to undercut the BPA price and use their allocations to reduce BPA's hourly sales to a small Southwest market. If a "real-time" BPA price interaction were even possible, we would still be required to announce our new price to the Northwest. Regional preference makes BPA a "sitting duck" for its competitors.

Allocating according to the California market size would reduce BPA's vulnerability by reducing the size of Scheduling Utility allocations. This provision came under attack, however, from both California and Northwest parties. The alternative discussed at the January 27 public meeting seemed to allay concerns regarding BPA's market control. No one disputes that the Regional Preference Act causes BPA a revenue dilemma, especially at times when we face spill on the hydro system. The true-up alternative is the least intrusive remedy.

The Hydro Cap

Both the 1986 and 1987 LTIAP drafts allocated Intertie capacity based on a utility's hydroelectric capability. The logic for the Hydro Cap was that when

the Federal system is spilling or likely to spill, the maximum allocation to utilities with greater hydroelectric resources would increase, thus decreasing the probability of wasting the resources by spilling. Under this provision, BPA's share of allocations would tend to increase due to its large hydroelectric capacity.

Much of the debate over the Hydro Cap focused on two issues. First, removing the Hydro Cap could cause hydro-based utilities to spill. Second, without the Hydro Cap utilities could "overdeclare" by including uneconomic combustion turbines in their declarations with no intent of ever operating them.

Discussion at the January meetings helped resolve these concerns. When the Federal hydro system faces spill, other systems might not always be in the same condition. The Hydro Cap could give disproportionately large shares of Intertie Capacity to hydro-based utilities when they may not face a threat of spill, while frustrating the marketing activities of utilities with hydro and thermal resources. Furthermore, several utilities and BPA indicated that if a utility is facing spill with access to market the available energy on the Intertie, such energy could generally displace Northwest thermal generation.

Several factors would help deter overdeclarations. First, the take-or-pay feature of our IS-87 transmission rate requires a utility to pay for its allocation whether or not it is used. Second, BPA monitors declarations and is aware of each utility's resources and capabilities. We have not observed significant overdeclarations under past policies. Third, from time to time we can request documentation on each utility's declaration as a further insurance against abuse.

Conditions 2 and 3

Allegations of anti-competitive practices on both the northern and southern portions of the Intertie were made during the debate over Formula Allocations. California commenters argue that pro-rata allocations to non-Federal utilities under the LTIAP would tend to stabilize prices at levels higher than those at which sellers might increase their total sales by reducing prices. The Northwest just as logically concludes that pro-rata allocations of California Intertie capacity suppress prices below levels that would prevail in a market where more buyers independently bid for Northwest energy.

We recognized that in implementing a long-term policy we must try to resolve this issue to meet the goals outlined for

the LTIAP. We therefore proposed in section 5(d) of the 1987 draft LTIAP to cease pro-rata allocations to non-Federal utilities under Conditions 2 and 3 after completion of the third AC Intertie, provided anti-competitive problems in the Southwest were cured by that time. This proposal was discussed extensively during the public meeting in January 1988 and again in comment letters, mainly from California parties. The final LTIAP takes this proposal a step further. Section 5(d) now ceases pro-rata allocations under Conditions 2 and 3 for an 18-month experimental period.

We will analyze the success or failure of the experiment throughout its term. We will be particularly concerned about the removal of restrictions on California's portion of the Intertie. Utilities, regulators, and other interested parties will be encouraged to express their views in writing and through informal discussions. At least 30 days before the experiment ends, we will issue a written report on whether to continue the experiment.

The experiment will work as follows. Under Condition 2, when the declarations of BPA and Northwest utilities exceed Intertie capacity, we will make a pro-rata allocation to BPA and leave the remaining block of Intertie capacity available to Northwest utilities as a whole. Each Northwest utility could then compete to make sales to Southwest utilities, with no assurance of any individual allocation. Under Condition 3, when the declaration of BPA and Northwest utilities are less than Intertie capacity, BPA will receive an allocation equal to its declaration and Northwest utilities will receive a block allocation equal to the sum of their declarations. After regional utilities, U.S. extraregional utilities and then Canada have access to remaining Intertie capacity. During Condition 3, we expect significant competition whenever the size of the California market is less than Intertie capacity.

Until the experiment is in effect, Conditions 2 and 3 are similar to those in the NTIAP and the two LTIAP drafts.

The LTIAP retains pro-rata allocations under Condition 1. Allocation under Condition 1 appears to be of less concern to California commenters than allocation during other conditions. Alternative Formula Allocation proposals recognized the importance of pro-rata allocations when the Northwest faces spill conditions. Retention of Condition 1 allocations will (1) help assure non-Federal utilities of Intertie access when hydrological conditions might otherwise force them to spill, and (2) provide an enforcement

mechanism for the Protected Area provisions described below.

Some commenters have suggested that we allow access to Canadian utilities equal to that of Northwest utilities. The courts, however, have upheld our policy that capacity excess to our needs must be provided on a fair and nondiscriminatory basis first to Northwest utilities. If the Free Trade Agreement between Canada and the United States now being considered in Congress and the Canadian parliament is implemented, the distinction between U.S. extraregional utilities and Canadian utilities will no longer be made.

Assured Delivery

Utilities seek firm access to the Intertie for long-term transactions. The LTIAP refers to this kind of access as Assured Delivery. The earlier NTIAP did not provide for Assured Delivery service.

Amount

The final LTIAP reserves 800 MW for Assured Delivery transactions. This is an increase from the 420 MW reserved in the 1986 draft. BPA lost \$213 million in fiscal year 1987; we do not want to exacerbate this problem with the final LTIAP. Given these uncertainties, we are cautious about committing major portions of the Intertie for long-term non-Federal use.

Yet, the 800 MW upper limit in itself is a fairly dramatic departure from the past. It will facilitate a greater number and variety of firm transactions than before. Our studies indicate an annual revenue loss of approximately \$9 million in lost nonfirm revenue and displaced firm power sales to our public agency customers. The revenue effects on BPA have been quantified further in a study by the Pacific Northwest Utilities Conference Committee. The adverse revenue effects, offset by mitigation measures discussed below, have been found acceptable by a fairly broad cross-section of commenters.

In the public meeting and comment letters, most parties seemed satisfied with the 800 MW if we were to consider increasing it upon completion of the Third AC project. BPA will reassess the 800 MW limit upon commercial operation or termination of the project.

Exhibit B Allocations

As for the limits on types of transactions, BPA is convinced of the wisdom of imposing limitations of firm power sales. These limits are shown in Exhibit B of the LTIAP. From the standpoints of environmental quality and financial risks, it seems appropriate

to limit Assured Delivery capacity to the amount of firm surplus presently available in the Northwest for export sales. In a change from the 1987 draft policy, the LTIAP provides that Scheduling Utilities may use their individual Exhibit B amounts for sales or exchanges.

The final LTIAP does not allocate the remaining 356 MW of Assured Delivery capacity among Scheduling Utilities. That amount will be available for exchange transactions of Scheduling Utilities on a first-come, first-served basis.

We have reached agreement (or agreement in principle) covering 341 MW of Assured Delivery service. Agreements include a 20-year 105 MW firm power sale from Montana Power Company to Los Angeles Department of Water and Power; a 41 MW firm power sale from Tacoma City Light to Western Area Power Administration (WAPA); a 45 MW firm power sale from Longview Fibre/Cowlitz County Public Utility District to WAPA; and a 20-year 150 MW seasonal exchange between The Washington Water Power Company and Pacific Gas and Electric Company. Each of these agreements accommodates our lost revenue concerns differently.

To allow for maximum use of the Intertie, a utility granted Assured Delivery may shape its firm power sale into the months of September through December by delivering up to 1.8 times its Exhibit B amount. During those fall months, spot market energy sales to the Southwest tend to be less than in the spring when the region's hydroelectric dams are more often near or in a spilling condition. If a utility shapes Assured Delivery energy into the fall, less firm energy may be shaped into remaining months of the operating year so that the total energy delivered does not exceed its annual Exhibit B energy maximum for firm sales.

BPA will also continue to work with Nonscheduling Utilities to provide the opportunity to sell the output of their generating resources over BPA's Intertie capacity.

Mitigation

Mitigation refers to conditions imposed on a utility for an Assured Delivery contract. Intertie Capacity not available to BPA because of Assured Delivery contracts executed between a Northwest utility and a Southwest utility can reduce BPA revenues and inhibit BPA's ability to make its Treasury payments. During the operating year BPA often has power available to fully load the Intertie. Assured Delivery granted under these circumstances would reduce BPA's revenues, thereby

putting at risk our ability to meet our obligations to the Treasury.

This fiscal concern is in potential conflict with the policy objective underlying the 800 MW of Assured Delivery—assisting Northwest utilities in disposing of their surpluses by means of long-term firm power sales to the Southwest. Strong objection was received from our Priority Firm Power customers to our absorbing the entire cost (lost revenues) of these transactions and the subsequent passing of the costs to them in increased rates. California and Northwest generating utilities generally tend to agree that some form of mitigation is due BPA. They question the level of compensation and what provisions for mitigation should be included in the LTIAP.

The 1986 draft of the LTIAP allowed Assured Delivery without regard to the adverse impacts on BPA's ability to sell firm power or nonfirm energy. Both the 1987 draft and the LTIAP impose mitigation upon utilities with Assured Delivery contracts. The mitigation provisions in the LTIAP provide only partial compensation for the revenue impacts resulting from transactions, but provide sufficient assurance that these transactions over the Intertie will not harm our revenue recovery.

It would be a false precision to claim that we could develop mitigation measures that offset dollar-for-dollar the losses projected in any 20-year study. Assumptions about annual rainfall, gas prices, aluminum prices, and load growth make this exercise judgmental. With this limitation in mind, the LTIAP incorporates the following mitigation provisions.

One mitigation measure requires that during any hour in which prescheduled energy sales are made under Condition 1 and Condition 2 Formula Allocation procedures, a utility must deduct its Assured Delivery amount from its Formula Allocation amount. The total amount of Intertie access granted to each utility is equal to its Formula Allocation. If a utility's Assured Delivery amount is greater than its Formula Allocation, then that utility must purchase enough energy from BPA or, during Condition 1, other Northwest utilities to make up the difference. This mitigation measure will partially offset the spot-market revenues BPA will lose by granting Assured Delivery.

Under the other mitigation measure, if BPA has invoked Condition 1 or Condition 2 Formula Allocations, cash out provisions of exchange contracts become inoperative. Cash outs allow a Northwest utility to accept dollar payments from a Southwest utility in lieu of actual energy returns. Prohibiting

these during Conditions 1 and 2 has the effect of increasing the north-to-south capability of the Intertie when energy is being returned and increasing the size of the market for BPA and Schedule Utility sales.

The draft LTIAP required energy returns under seasonal exchanges to the California/Oregon border (COB) or the Nevada/Oregon border (NOB). This was initially included in the mitigation provisions for seasonal exchanges. However, BPA needs the certainty of available capacity resulting from return requirements at COB/NOB. For this reason, the final LTIAP includes this provision as a standard requirement for all exchanges rather than considering it a mitigation measure.

The LTIAP also allows utilities the opportunity to negotiate individual packages of mitigation in addition to the LTIAP's stated mitigation provisions. Such case-by-case mitigation packages could be a combination of the above mitigation provisions or could include beneficial arrangements for BPA that have not been addressed in this policy. Our main concern in any mitigation package is recovery of any spot-market revenue losses, but we will also be looking at the operational impacts of any proposal.

Extraregional Access

Provisions in the 1987 draft for firm transactions by extraregional utilities required that the utility must provide some benefit to BPA, such as increased storage, improved system coordination or operation, or other consideration of value. In addition, the utility must agree to the mitigation provisions of the policy. Canadian utilities were required to wait for access until after the Intertie was rated at 7900 MW.

In reconsidering this provision we saw no reason for denying Canadian utilities access for firm transactions until after the Intertie is upgraded to 7900 MW if Canadian utilities are willing to provide increased coordination or other items of value. This provision of limiting Canadian access to after an upgrade of the Intertie has been deleted from the LTIAP.

As with Formula Allocation, BPA anticipates that if the Free Trade Agreement is passed the distinction between U.S. extraregional utilities and Canadian utilities will not longer exist.

Fish and Wildlife Protection

Protected Areas

The LTIAP prohibits Intertie access for new hydro projects licensed within "protected areas"—river reaches

withdrawn from hydro development due to the presence of wildlife or anadromous and high-value resident fish. BPA also has designated areas where we have determined that investments in habitat, hatchery, passage, or other projects may result in the presence of anadromous fish. The Northwest Power Planning Council (Council) has proposed a protected area program that covers the entire Northwest. BPA's designations, however, cover only the Columbia River basin.

Our focus is on hydro developments which will frustrate our investments made in the region to achieve the goals of the Council's Fish and Wildlife Program. The LTIAP ensures that those expenditures and existing productive habitat will not be harmed by future hydro developments. BPA has designated protected areas by using information collected through the Council's Hydro Assessment Study.

Under the LTIAP, we will consider the Council's final protected area program or any revisions the Council may include in the future. We will also consider appropriate state comprehensive river plans. The policy should effectively eliminate utilities' fears that they never know with certainty whether a hydro resource will qualify, or continue to qualify, for access to the Intertie.

The LTIAP does not necessarily prevent hydro development in protected areas. However, the protected area provisions will send an unambiguous, self-enforcing message to FERC, other regulators, and hydro developers that no Intertie access will be provided for projects constructed in areas of greatest concern to BPA and the Council.

Enforcement

If a Scheduling Utility proceeds to acquire a license or purchase power from a hydro project developed in a protected area, BPA will reduce the amount of that utility's power transmitted over the Intertie during Condition 1. Depending upon the size of the project, the reduction may affect both Assured Delivery and Formula Allocations. These reductions will take place regardless of whether power from the protected area project is actually transmitted on the Intertie. There is no need to trace power flows from a protected area resource.

Projects not affected by the Policy

For all hydro projects not affected by BPA's protected area designations, BPA will intervene in FERC proceedings if we determine that projects—new or existing, inside or outside the Columbia

Basin—pose significant threats to our fish and wildlife responsibilities.

The provisions do not affect hydro projects licensed before the effective date of the policy. While we recognize a potential for existing projects to harm BPA fish and wildlife investments, we do not believe there is sufficient evidence to indicate that those projects are presently operating contrary to the Council's Fish and Wildlife Program or that the Council has been unable or unwilling to implement Program measures through the FERC process. Measures affecting existing projects in the Council's Program are explicitly directed to FERC and state agencies for implementation.

We have provided a limited procedure to provide access to the Intertie in the case of a project a developer believes will contribute to the Council's Fish and Wildlife Program and BPA investments. However, our decision to provide access relies on a clear demonstration of the benefits and a regional consensus.

Finally, the LTIAP creates a limited exception for Protected Area projects that an investor-owned utility might be forced to acquire under PURPA. To qualify, however, the affected utility must pursue all legal remedies available to avoid purchasing the Protected Area project output.

Part II. Long-Term Intertie Access Policy Governing Transactions Over Federally Owned Portions of the Pacific Northwest-Pacific Southwest Intertie

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Section 1. Definitions

1. "Administrator" means the Administrator of Bonneville Power Administration (BPA) and is used interchangeably with BPA.

2. "Administrator's Power Marketing Program" refers to all marketing actions taken and policies developed to fulfill BPA's statutory obligations. These actions and policies are based on exercises of authority to act, consistent with sound business principles, to

recover revenue adequate to amortize investments in the Federal Columbia River power and transmission systems, while encouraging diversified use of electric power at the lowest practical rates. In the Northwest, the Administrator's Power Marketing Program covers BPA's obligations to provide an adequate, reliable, economical, efficient, and environmentally acceptable power supply, while preserving public preference to Federal power. In the Southwest, the Administrator's Power Marketing Program covers activities to market surplus Federal power at equitable prices, while preserving regional and public preference to Federal power, and to assist in marketing Northwest non-Federal power.

3. "Allocation" means the share of the Intertie Capacity made available for short-term sales of energy.

4. "Assured Delivery" means firm transmission service provided by BPA under a transmission contract to wheel power covered by a contract between a Scheduling Utility and a Southwest utility. Assured Delivery contracts may not exceed 20 years in duration. The service is interruptible only in the event of an uncontrollable force or a determination made pursuant to sections 7 or 8 of this policy.

5. "Available Intertie Capacity" is defined as the physically available capacity controlled by BPA, reduced by the capacity reserved under Section 2 of this policy, and the capacity necessary to satisfy Assured Delivery contracts not subject to operational mitigation requirements under this policy.

6. "BPA Resources" means Federal Columbia River Power System hydroelectric projects; resources acquired by BPA under long-term contracts; and resources acquired pursuant to section 11(b)(6)(i) of the Federal Columbia River Transmission System Act.

7. "Exchange" refers to various types of transactions that take advantage of diversity between Northwest and Southwest loads through deliveries of firm power, at prespecified delivery rates, from North to South during the Southwest's peak demands and returns of capacity and/or energy from South to North during other times. Transactions vary depending on the lag between deliveries and returns. A "naked capacity" transaction might require off-peak energy returns within 24 hours, whereas a seasonal exchange might call for firm power returns within 6 months.

8. "Extraregional Utilities" are generating utilities, or divisions thereof,

that do not provide retail electric service and do not own or operate significant amounts of generating capacity in the Northwest.

9. "Formula Allocation" means the process by which Intertie Capacity is made available for short-term sales of energy.

10. "Intertie" means the two 500-kV alternating current (AC) transmission lines and one 1000 kV direct current (DC) line, which extend from Oregon into California or Nevada, and any additions thereto identified by BPA as Pacific Northwest-Pacific Southwest Intertie facilities.

11. "Intertie Capacity" means the North to South transmission capacity of the Intertie controlled by BPA through ownership or contract; increased by power scheduled South to North, decreased by loop flow, outages, and other factors that reduce transmission capacity; and further decreased by Pacific Power & Light Company's schedules, under its scheduling rights at the Malin substation (BPA Contract Nos. DE-MS79-86BP92299 and DE-MS79-79BP90091).

12. "Mitigation" refers to the requirements imposed by BPA on a utility in return for an Assured Delivery contract. Mitigation helps offset operational and economic problems, attributable to a Scheduling Utility's firm power transaction, that inhibit BPA's ability to generate revenues. The Mitigation measures specified in this policy must be included in all Assured Delivery contracts, unless a scheduling utility either agrees to a specially designed charge or negotiates substitute measures with BPA on a case-by-case basis.

13. "Nonscheduling Utility" means a non-Federal Northwest utility that owns a Qualified Northwest Resource, but does not operate a generation control area within the Pacific Northwest. A Nonscheduling Utility requesting Intertie access for its resource must do so through the Scheduling Utility (or BPA) in whose control area the resource is located.

14. "Pacific Northwest" (or "Northwest") is defined in the Northwest Power Act, 16 U.S.C. 839e, as the States of Oregon, Washington, and Idaho; the portion of Montana west of the Continental Divide; portions of Nevada, Utah, and Wyoming within the Columbia River drainage basin; and any contiguous service territories of rural electric cooperatives serving inside and outside the Pacific Northwest, not more than 75 air miles from the areas referred to above, that were served by BPA as of December 1, 1980.

15. "Protected Area" means a stream reach within the Columbia River drainage basin specially protected from hydroelectric development because of the presence of anadromous or high value resident fish, or wildlife. Protected areas may also include stream reaches which could support anadromous fish if investments were made in habitat, hatcheries, passage, or other projects.

16. "Qualified Extraregional Resource" means:

(a) a generating unit located outside the Northwest that was in commercial operation on the effective date of this policy. However, the term excludes portions of units covered as Qualified Northwest Resources.

(b) after BPA has determined that the capacity of the Intertie is rated at approximately 7,900 MW, all resources located outside of the Northwest, other than the portions of extraregional resources covered as Qualified Northwest Resources.

17. "Qualified Northwest Resource" excludes BPA Resources, but includes:

(a) Resources located inside the Northwest that are in commercial operation as of the effective date of this policy.

(b) Scheduling Utility extraregional generating resources dedicated to Northwest loads on the effective date of this policy. This term includes pro rata portions of Montana Power Company's and Pacific Power and Light Company's shares of Colstrip No. 4 generating station, based on the ratio of their respective regional loads to their respective total loads; and Idaho Power Company's share of Valmy No. 2.

(c) New regional resources of Scheduling Utilities, except for hydroelectric resources located in Protected Areas.

18. "Resource" means an electric generating unit or stack of particular electric generating units identified to supply power or capacity for sale over the Intertie.

19. "Scheduling Utility" means the Northwest portion of a non-Federal utility that operates a generation control area within the Northwest, or any utility designated as a BPA "computed requirements customer." The term excludes Utah Power & Light Company, either as a separately owned company or as a division of another corporation, which has sufficient transmission capacity to the Southwest without access to the Federal Intertie.

20. "Seasonal Exchange" means a transaction that takes advantage of seasonal diversity between Northwest and Southwest loads through transfers of firm power, at a prespecified delivery rate, from North to South during the

Southwest's summer load season and from South to North during the Northwest's winter load season. Seasonal Exchanges may involve payments of additional consideration of reflect the relative seasonal values of power throughout the western United States. Seasonal Exchange schedules of Northwest utilities will be referred to as "deliveries," and schedules of Southwest utilities will be referenced as "returns." A Scheduling Utility must be able to support its summertime firm power deliveries with generating resources that are surplus to its Northwest requirements. The sum of a Scheduling Utility's energy resources for each month in which deliveries are made (with special concern for August) must exceed its corresponding Northwest loads by an amount sufficient to support the Seasonal Exchange.

21. "Section 9(i)(3) resource" means a Scheduling Utility resource that BPA has granted priority in receiving BPA transmission, storage and load factoring services as defined in section 9(i)(3) of the Northwest Power Act.

Section 2. Intertie Capacity Reserved for BPA

The Administrator reserve for BPA's use Intertie Capacity sufficient to:

(a) Transmit all of BPA's surplus firm power and to serve other obligations,

(b) Perform obligations, including, but not limited to, the existing transmission contracts listed in Exhibit A, to the extent such obligations differ from the conditions specified in this policy,

(c) Provide Assured Delivery service for transactions not subject to limits under Exhibit B to this policy, and

(d) Satisfy BPA firm obligations, that have not been prescheduled, by using unutilized portions of Formula Allocation amounts.

Section 3. Conditions For Intertie Access

(a) All Intertie access will be granted pursuant to the conditions and procedures of this policy, unless otherwise specified in the three existing BPA transmission contracts listed in Exhibit A.

(b) BPA will provide Intertie access only for BPA Resources and the Qualified Northwest Resources of Scheduling Utilities, except to the extent that Qualified Extraregional Resources are permitted access under this policy.

(c) BPA will provide Assured Delivery and allocate remaining Intertie Capacity when providing such access will not substantially interfere with operating limitations of the Federal system. Examples of these limitations, which

reflect BPA's obligation to operate in an economical and reliable manner consistent with prudent utility practices, include:

- (1) The BPA Reliability Criteria and Standards,
 - (2) Western Systems Coordinating Council minimum operating reliability criteria,
 - (3) North American Electric Reliability Council Operating Committee minimum criteria for operating reliability, and
 - (4) Coordination agreements among BPA, scheduling utilities and other Federal agencies regarding resource and river operations.
- (d) Any utility that has contractual or ownership rights to Pacific Northwest-Pacific Southwest Intertie capacity or to other transmission lines to California or the Southwest market must fully utilize such capacity prior to receiving any access to BPA's Intertie Capacity. If a Scheduling Utility with Intertie rights needs BPA Intertie Capacity to reach a particular Southwest utility, BPA will consider negotiated swaps of capacity to accommodate such requests.

Section 4. Assured Delivery for Intertie Access.

Subject to the limitations and other conditions in this section and in other sections of this policy, BPA has determined that it can provide limited Assured Delivery to Scheduling Utilities without causing substantial interference with the Administrator's Power Marketing Program.

(a) *General Provisions*—(1) *Existing Transmission Contracts*. BPA will provide Assured Delivery for the remaining terms of the firm power sale and Seasonal Exchange contracts identified in Exhibit A to this policy.

(2) *Utilities Owning Or Controlling Southwest Interconnections*. Assured Delivery is intended primarily for Scheduling Utilities which lack interconnections with the Southwest. Except for transactions covered by section 4(b) of this policy, a utility with capacity on an intertie, through contract or ownership, must utilize all such capacity on a firm basis before receiving any Assured Delivery.

(3) *Nature Of Transactions*. BPA will not provide Assured Delivery for transactions which a Scheduling Utility cannot demonstrate to be other than an advance arrangement to sell nonfirm energy.

(4) *Waiver Of BPA Service Obligation*—(A) *Hydroelectric Resources*. Assured Delivery contracts that facilitate the export disposition of Northwest hydroelectric energy shall provide, under 16 U.S.C. 837b(d), for a reduction of BPA's power sale contract

obligation to the Northwest utility, for the period of the disposition, equal to the amount of energy for which Assured Delivery is provided.

(B) *Thermal Resources*. Assured Delivery contracts that facilitate the export disposition of Northwest thermal energy shall provide, under 16 U.S.C. 839f(c), for a reduction of BPA's power sale contract obligation to the Northwest utility, for the period of the disposition, equal to the amount of energy for which Assured Delivery is provided. Such reduction shall become effective at the time BPA determines that it has reached load/resource balance, or at a date as specified in the Assured Delivery contract.

(5) *Exchange Contracts*. Exchange contracts must specify that all return energy be scheduled to either the AC Intertie point of interconnection at the California-Oregon border ("COB") or the DC Intertie point of interconnection at the Nevada-Oregon border ("NOB"). Exchange contracts must also specify prescheduled determinations of hourly energy returns.

(6) *Satisfying Requests For Assured Delivery*. All relevant power contracts must be presented for review no later than the date on which a request for Assured Delivery is made.

(b) *New Transactions Not Subject To Capacity Limits*—(1) *Joint Ventures*. Joint ventures between BPA and utilities, such as firm displacement contracts, which allow BPA to increase its sales of surplus power qualify for Assured Delivery.

(2) *Sales In Lieu Of Exchanges*. BPA may offer to satisfy Scheduling Utility demands for Seasonal Exchanges by selling them incremental amounts of surplus firm power during winter months. Upon committing to purchase such incremental firm power at negotiated prices that reflect BPA's lost opportunities for summer sales, a Scheduling Utility will qualify for Assured Delivery (with mitigation) to wheel an equal amount of firm capacity and energy over the Intertie during summer months.

(3) *Conditions*. A Scheduling Utility may request at any time the Assured Delivery of transactions identified in section 4(b)(1) and 4(b)(2). Relevant contracts must be presented for review when Assured Delivery is requested. BPA will satisfy a request within 60 days after a Scheduling Utility has demonstrated satisfaction of the requirements of this policy.

(c) *Transactions Subject To Capacity Limits Under This Policy*—(1) *Maximum Amounts Of Assured Delivery*. BPA will provide 800 MW of Assured Delivery for firm power sales and Exchanges

identified in this policy. BPA will reassess the amount of Assured Delivery capacity when the 3d AC Intertie project is either completed or abandoned. Moreover, the 800 MW amount may be subject to some reduction if the DC Terminal Expansion project is not completed on schedule.

(2) *Exhibit B amounts*—(A) *Current maximum*. Each Scheduling Utility's maximum Assured Delivery amount for firm sales equals its average firm energy surplus, shown in Exhibit B to this policy. BPA will reserve capacity equal to each Scheduling Utility's Exhibit B allocation subject to section 4(c)(2)(D) below. Except for Montana Power Company (MPC), Tacoma City Light, and Cowlitz County Public Utility District, Exhibit B represents projected Scheduling Utility surpluses for the 1988-89 operating year. In satisfaction of all obligations to MPC under Northwest Power Act section 9(i)(3), MPC's Exhibit B amount is set at 105 MW to facilitate long-term sales of firm power from its share of the Colstrip No. 4 coal-fired generating station. Exhibit B amounts for Tacoma and Cowlitz are increased to accommodate existing firm power transactions.

(B) *Shaping*. Firm power sales eligible for Assured Delivery may be shaped within the following ranges. During the months of September through December, a Scheduling Utility may deliver firm energy at a rate up to 1.8 times its Exhibit B average firm surplus amount. During the months of January through August, a Scheduling Utility may deliver firm energy at a rate no greater than 1.0 times its Exhibit B amount. However, total delivered energy may not exceed the Exhibit B annual firm energy maximum.

(C) *Other uses of Exhibit B amounts*. BPA will not entertain Assured Delivery requests for firm power sales in excess of a utility's Exhibit B maximum. However, a Scheduling Utility may use any portion of its Exhibit B maximum, not used for firm power sales, for exchange transactions supported by Qualified Northwest Resources.

(D) *Future changes*. BPA may, at its discretion, revise Exhibit B to reflect changes in the firm power surpluses of individual utilities; however, the Exhibit B average firm surplus total is not subject to increase. Any unutilized Assured Delivery amount will be revoked if, upon revision, a utility's individual Exhibit B amount has declined or if a utility has sold firm power to another utility seeking to increase its Exhibit B average firm surplus amount. A Scheduling Utility may increase its individual Exhibit B

amount by purchasing surplus firm power from BPA or any Scheduling Utility with an Exhibit B amount.

(3) *Other Capacity.* The remaining capacity available for Assured Delivery under this policy is offered to Scheduling Utilities, on a first-come, first-served basis, for Exchange transactions supported by Qualified Northwest Resources. When section 4(c)(2)(D) of this policy is implemented to reduce the Exhibit B maximum of any Scheduling Utility, the reduction will be added to the capacity made available under this provision. Any utility with an Exhibit B amount must exhaust such capacity before requesting Assured Delivery under this provision.

(d) *Mitigation—(1) Operational Mitigation—(A) Southbound deliveries.* During any hour in which BPA has invoked Condition 1 or Condition 2 allocation procedures to preschedule energy deliveries, each utility's Assured Delivery amount shall be deducted from its formula allocation to determine its share of energy scheduled on the Intertie. If the remainder is negative for a given utility, then that utility must make up the difference by purchasing sufficient energy as follows:

(i) During Condition 1 from BPA or any Scheduling Utility with a Formula Allocation during that hour;

(ii) During Condition 2 from BPA, however, if BPA is not in the market the utility may purchase sufficient energy from any other utility.

(B) *Northbound returns.* During any hour in which BPA has invoked Condition 1 or Condition 2 allocation procedures, a utility may utilize the cash-out provisions of an Exchange contract only by reducing one-for-one the amount of North-to-South Intertie capacity otherwise available to it under this policy. The rate of cash out during any condition shall not exceed the rate at which the exchange return could have been scheduled.

(2) *Negotiated mitigation.* A Scheduling Utility may also elect to negotiate with BPA on a case-by-case basis a package of mitigation measures involving mutually agreeable consideration of value commensurate with the service provided.

Section 5. Formula Allocation Methods

(a) *Limits On Intertie Capacity Available For Formula Allocation.* Generally, BPA will determine Intertie Capacity available for Formula Allocations after first taking into account the amount of Intertie Capacity necessary to satisfy requirements of the Administrator's Power Marketing Program, existing transmission contracts listed in Exhibit C, and Assured

Delivery contracts executed by BPA pursuant to this policy. However, in determining Available Intertie Capacity during Condition 1, BPA will not consider the Assured Delivery contracts to the extent they are subject to operational mitigation requirements. BPA may reduce any allocation, if additional Intertie Capacity is required to minimize revenue losses associated with actions taken to protect fish in the Columbia River drainage basin.

(b) *Protected Area Decrements.* Except as provided in section 4(a)(1) of this policy, BPA will reduce each Scheduling Utility's allocation by any Protected Area decrement imposed pursuant to section 7(d).

(c) *Allocation Methods—(1) Condition 1—(A) Until December 31, 1988.* Intertie Capacity will be allocated pursuant to the Exportable Agreement (BPA Contract No. 14-03-73155), when applicable.

(B) *After December 31, 1988.* Condition 1 will be in effect when the Federal hydro system is in spill or there is a likelihood of spill, as determined by BPA. Available Intertie Capacity will be allocated pursuant to the following procedure:

(i) Each hour, the maximum Condition 1 allocations for BPA and each Scheduling Utility will be based on the ratio of their respective declarations to total declarations, multiplied by the Available Intertie Capacity.

(ii) During Condition 1, whenever BPA is unable to utilize its full pro rata share of intertie usage BPA will take larger allocations on ensuing days until the difference in pro rata intertie usage is eliminated.

(2) *Condition 2.* (A) When Condition 1 is not in effect, under BPA and Scheduling Utilities declare amounts of energy that exceed available Intertie capacity, Formula Allocations for BPA and each Scheduling Utility will approximate, by hour, the ratio of each declaration to the sum of all declarations, multiplied by the available Intertie capacity.

(B) If BPA sales drop below 75 percent of its allocation during Condition 2, BPA may take larger allocations on ensuing days until difference is eliminated.

(3) *Condition 3.* When Condition 1 is not in effect and when the total surplus energy declared available by BPA and Scheduling Utilities is less than the total available Intertie Capacity, BPA and Scheduling Utilities' allocations will equal their declarations. The remaining Intertie capacity will be made available first to U.S. Extraregional Utilities and then to other Extraregional Utilities. Section 3(d) of this policy shall not

apply to Scheduling Utilities during Condition 3.

(d) *Formula Allocation Experiment.* BPA is interested in exploring the proposal that it cease making individual Formula Allocations to Scheduling Utilities under Conditions 2 and 3. However, BPA must work with Northwest and Southwest utilities to develop the information capability to accommodate a new scheduling system for non-Federal access. As soon as this can be accomplished BPA will substitute the following provisions of section 5(c) on an 18-month experimental basis:

(1) *Condition 1.* Same as section 5(c)(1).

(2) *Condition 2.* (A) When Condition 1 is not in effect, but BPA and Scheduling Utilities declare amounts of energy that exceed available Intertie capacity, the Formula Allocation for BPA will approximate, by hour, the ratio of BPA's declaration to the sum of all declarations, multiplied by the Available Intertie Capacity. The remaining capacity will be made available as a block to Scheduling Utilities. Section 5(c)(2)(B) of this policy shall apply.

(3) *Condition 3.* When Condition 1 is not in effect and when the total surplus energy declared available by BPA and Scheduling Utilities is less than the total available Intertie Capacity, BPA's allocation will equal its declaration. The remaining Intertie capacity will be made available, first, as a block to satisfy the declarations of Scheduling Utilities, second, to U.S. Extraregional Utilities, and third to other Extraregional Utilities. Section 3(d) of this policy shall not apply during Condition 3.

(e) *Data Collection and Evaluation.* Commencing when this policy goes into effect and continuing during the course of the experiment described in section 5(d), BPA will collect information on the following topics relevant to future allocation procedures:

(1) Effect on BPA revenue of allocating to non-Federal utilities as a group rather than individually.

(2) Impairment of Intertie access for California utilities presently lacking ownership in the southern portion of the Intertie.

(3) Any loss of sales to BPA due to a failure to share unused capacity among California entities with ownership or contractual interests in the Intertie.

(4) Effects of the experiment on small Scheduling Utilities. During the course of the experiment, interested parties may submit written comments and recommendations on these issues.

(f) *Findings and conclusions.* At least 30 days before the end of the experiment

described in section 5(b), BPA shall publish a report of its findings on the experiment and its decision on whether section 5(d), with possible modification, which be continued as the permanent method of Formula Allocation.

Section 6. Access for Qualified Extraregional Resources

(a) *Assured Delivery.* Any request for Assured Delivery of power from a Qualified Extraregional Resources would be granted only by contract which, in addition to the Mitigation measures specified in section 4(d), must include benefits to BPA such as increased storage, improved system coordination or operation, or other consideration of value commensurate with the services provided. Proposed contracts would be evaluated by BPA and reviewed publicly to determine whether they would cause substantial interference with the Administrator's Power Marketing Program. An environmental review would also be conducted.

(b) *Formula Allocation.* Under Condition 3, energy from Qualified Extraregional Resources has access to the Intertie. In addition, BPA may provide Extraregional Utilities with Formula Allocation under other conditions, if the utility agrees by contract either to increased participation in the Pacific Northwest's coordinated planning and operation, or to provide other consideration of value, apart from the standards BPA wheeling rate, commensurate with the services provided.

Section 7. Fish and Wildlife Protection.

(a) *Purpose.* New hydroelectric projects constructed in Protected Areas may substantially decrease the effectiveness of, or substantially increase the need for, expenditures and other actions by BPA, under Northwest Power Act section 4(h), to protect, mitigate or enhance fish and wildlife resources. Intertie access will not be provided to facilitate the transmission of power generated by any new hydroelectric projects located in Protected Areas and licensed after the effective date of this policy. This provision does not apply to added capacity at existing projects.

(b) *Effect.* This section imposes automatic operational limitations on a utility by reducing the amount to energy that can be scheduled over the Intertie, thereby increasing costs of reducing revenues for any utility owning or acquiring the output of a Protected Area hydroelectric resource.

(c) *Implementation.* Protected Area designations for stream reaches in the Columbia River Basin are shown in Exhibit C to this policy. Exhibit C uses Environmental Protection Agency stream reach codes. Subject to review and possible modification, BPA will consider the adoption of comprehensive state watershed management plans and a comprehensive protected areas program developed by the Pacific Northwest Electric Power and Conservation Planning Council subsequent to implementation of this policy. BPA will also consider revisions to Protected Areas designations if the Council's Program is amended.

(d) *Enforcement.* If a Scheduling Utility or Nonscheduling Utility owns, or acquires the output from, a hydroelectric project covered under the restrictions of section 7(a), BPA will reduce that utility's Formula Allocation by either the nameplate rating of the project (in the case of ownership), or the amount of capacity acquired by contract.

(e) *Exceptions.—(1) PURPA Projects.* BPA will entertain requests that it not enforce the provisions of section 7 in situations where an investor-owned utility has been compelled to acquire the output of a Protected Area hydroelectric resource under section 210 of the Public Utilities Regulatory Policies Act (PURPA). To qualify for this exception, the investor-owned utility must demonstrate:

(A) That it has exercised all opportunities available under federal and state laws and regulations to decline to acquire the output of the Protected Area resource in question;

(B) That it has petitioned its state regulatory authority(ies) to reduce the rate(s) established under PURPA for purchases from Protected Area resources in recognition of the increased costs or reduced revenues caused by operation of section 7(c) of this policy;

(C) That BPA was provided reasonable notice of all relevant regulatory and judicial proceedings to allow for timely intervention in such proceedings; and

(D) After taking all of the foregoing steps and exhausting all reasonable opportunities for judicial review, that it was compelled to acquire the output of a Protected Area hydroelectric resource by final order of FERC or a state regulatory authority issued under PURPA.

(2) *Projects Contributing to Council's Fish and Wildlife Program or BPA Investments.* Access will be automatically denied for projects developed in protected areas unless

BPA receives sufficient demonstration that a particular project will provide benefits to existing or planned BPA fish and wildlife investments or the Council's Program. BPA's determination will be based on:

(A) Information provided by the project developer, Federal and state fish and wildlife agencies, and tribes; or

(B) Action by the Pacific Northwest Power Planning Council.

Section 8. Other Enforcement Provisions

(a) Whenever the terms of this policy are not being met, BPA will inform the appropriate utility of the nature of the noncompliance and actions that may be taken to achieve compliance. If noncompliance is not corrected within a reasonable period, BPA may deny access for a resource and refuse to accept schedules.

(b) Upon approval of the proposed U.S.-Canada Free Trade Agreement by the Canadian Parliament and the United States Congress, any and all distinctions made in this policy between Canadian and United States Extraregional Utilities shall terminate on the effective date of the Agreement.

Exhibit A—Existing Agreements for Intertie Capacity

This is a list of existing BPA transmission contracts that were signed before the implementation of the NTIAP and will continue to receive Intertie access under the LTIAF.

Utility	BPA contract No.	Expiration date
Washington Water Power Company.	DE-MS79-81BP90185	07/01/91
Washington Water Power Company.	14-03-791101.	09/01/88
Western Area Power Administration.	DE-MS79-84BP91627	10/31/90

Exhibit B—Intertie Capacity Available for Assured Delivery

BPA has reserved 800 MW of Intertie capacity to be available for non-Federal firm transactions. This capacity is allocated as follows:

A. Average Firm Surplus Allocations

Utility	Average MW firm Surplus
Chelan County PUD #1	10
Cowlitz County PUD #1	145
Douglas County PUD #1	20

Utility	Average MW firm Surplus
Eugene Water and Electric Board.....	14
Grant County PUD #1.....	26
Seattle City Light.....	23
Snohomish County PUD #1.....	0
Tacoma City Light.....	341
Idaho Power Company.....	87
Montana Power Company.....	105
Puget Sound Power and Light.....	0
Washington Water Power.....	93
Total.....	444

¹ Cowlitz Co. PUD's AFS is the amount of their existing export of the Longview Fibre resource. Longview Fibre is considered to be Federal resource in the Northwest Regional Forecast and is not included under Cowlitz.

² Douglas County PUD's AFS is 2; but Douglas has previously requested to show zero.

³ The amount displayed for Tacoma is the amount of their existing exports displayed in the Northwest Regional Forecast.

⁴ Montana Power Company's AFS was increased from 80 MW to 105 MW in settlement of obligations under Northwest Power Act section 9(i)(3).

Note: The Average Firm Surplus (AFS) is directly from the PNUCC Northwest Regional Forecast of March 1987 for the period 1988-89 except as noted below. It includes resources operational on the effective date of this policy. Export contracts are included as loads. Utilities may use their AFS allocations for long term firm sales or for exchanges. Portland General Electric Company and Pacific Power & Light Company are not eligible for an AFS allocation because of their existing interconnections with the Southwest.

B. Intertie Capacity Available for Exchanges

The above allocations for sales of firm surplus may be used for exchanges. The remaining 365 MW of capacity is available on a first come-first serve basis for exchanges only under the terms of the LTIAP. If there is a decrease in a utility's firm surplus and the utility does not have a contract for that amount, BPA will allocate the difference to capacity available for exchange by revising this Exhibit B.

Exhibit C—Protected Areas

Exhibit C corresponds to the Northwest Power Planning Council protected area designations within the Columbia Basin, as specified in the Columbia River Basin Fish and Wildlife Program. Stream reaches designated as protected areas are identified by Environmental Protection Agency stream reach codes. Information about designations are contained on hard copy computer printouts or computer diskette copies which are available to the public upon request.

Issued in Portland, Oregon, on June 21, 1988.

Edward W. Sienkiewicz,

Acting Deputy Administrator.

[FR Doc. 88-14648 Filed 6-28-88; 8:45 am]

BILLING CODE 6450-01-M

Economic Regulatory Administration

[ERA Docket No. 88-33-NG]

Open Flow Gas Supply Corp.; Application to Import Natural Gas From Canada

AGENCY: Economic Regulatory Administration, DOE.

ACTION: Notice of application for blanket authorization to import natural gas.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) gives notice of receipt on May 27, 1988, of an application filed by Open Flow Gas Supply Corporation, (Open Flow) for blanket authorization to import up to 55 Bcf of Canadian natural gas on a short-term or spot basis over a two-year period beginning on the date of first delivery..

The application is filed with the ERA pursuant to Section 3 of the Natural Gas Act and DOE Delegation Order No. 0204-111. Protests, motions to intervene, notices of intervention and written comment are invited.

DATE: Protests, motions to intervene or notices of intervention, as applicable, requests for additional procedures and written comments are to be filed no later than July 29, 1988.

FOR FURTHER INFORMATION CONTACT:

Allyson C. Reilly, Natural Gas Division, Economic Regulatory Administration, U.S. Department of Energy, Forrestal Building, Room GA-076, 1000 Independence Avenue SW., Washington, DC 20585 (202) 586-9478.
Diane Stubbs, Natural Gas and Mineral Leasing, Office of General Counsel, U.S. Department of Energy, Forrestal Building, Room 6E-042, 1000 Independence Avenue SW., Washington, DC 20585 (202) 586-6667.

SUPPLEMENTARY INFORMATION: Open Flow, a privately held company with its principal place of business in DuBois, Pennsylvania, intends to import the gas from a variety of Canadian suppliers and to resell it to U.S. purchasers, including, but not limited to, pipelines, local distribution companies, and commercial and industrial end-users. Open Flow contemplates importing the gas for its own account and as an agent for U.S. purchasers and Canadian suppliers.

The terms of each transaction will be negotiated in response to market conditions. Open Flow intends to utilize existing pipeline facilities and proposes to submit quarterly reports giving details of individual transactions within 30 days following each calendar quarter.

The decision on this application will be made consistent with the DOE's gas import policy guidelines, under which the competitiveness of an import arrangement in the markets served is the primary consideration in determining whether it is in the public interest (49 FR 6684, February 22, 1984). Parties that may oppose this application should comment in their responses on the issue of competitiveness as set forth in the policy guidelines. The applicant asserts that this import arrangement is competitive. Parties opposing the arrangement bear the burden of overcoming this assertion.

All parties should be aware that if the ERA approves this requested blanket import, it may permit the import of the gas at any existing point of entry and through any existing transmission system.

Open Flow requests that its authorization be granted on an expedited basis. Section 590.205(a) of the ERA's administrative procedures generally requires that the ERA publish a **Federal Register** notice summarizing an application and providing a 30 day public comment period except in emergency circumstances. Open Flow has failed to identify any emergency circumstances that would justify expedited consideration. Therefore, a decision on the application will not be made until all responses to this notice have been received and evaluated.

Public Comment Procedures

In response to this notice, any person may file a protest, motion to intervene or notice of intervention, as applicable, and written comments. Any person wishing to become a party to the proceeding and to have the written comments considered as the basis for any decision on the application must, however, file a motion to intervene or notice of intervention, as applicable. The filing of a protest with respect to this application will not serve to make the protestant a party to the proceeding, although protests and comments received from persons who are not parties will be considered in determining the appropriate action to be taken on the application. All protests, motions to intervene, notices of intervention, and written comments must meet the requirements that are specified by the regulations in 10 CFR Part 590.

Protests, motions to intervene, notices of intervention, requests for additional procedures, and written comments should be filed with the Natural Gas Division, Office of Fuels Programs, Economic Regulatory Administration,

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scope of the amendment under consideration. 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 a hearing is requested, the Commission will make a final determination of the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

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

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice 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 30-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 a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

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, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner promptly so inform the Commission by toll-free telephone call to Western Union at 1-800-325-6000 (in Missouri 1-

800-342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to Suzanne C. Black: petitioner's name and telephone number; date petition was mailed; plant name; and publication data and page number of this Federal Register notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Newman & Holtzinger, P.C., 1615 L Street, NW., Washington, DC 20036, attorneys for the licensee.

Nontimely filings of the petition 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 designated to rule on the petition and/or requests, that the 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 which is available for public inspection at the Commission's Public Document Room, Gelman Building, 2120 L Street, NW., Washington, DC 20555, and at the Local Public Document Room located at Athens Public Library, South Street, Athens, Alabama 35611.

Dated at Rockville, Maryland, this 19th day of September 1988.

For the Nuclear Regulatory Commission,
Suzanne C. Black,
Assistant Director for Projects, TVA Projects Division, Office of Special Projects.
[FR Doc. 88-21945 Filed 9-26-88; 8:45 am]
BILLING CODE 7590-01-M

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL

Power Plan Amendments; Columbia River Basin Fish and Wildlife Program

AGENCY: Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council).

ACTION: Notice of final protected areas amendments to the Columbia River Basin Fish and Wildlife Program and the Northwest Conservation and Electric Power Plan.

SUMMARY: On November 15, 1982, pursuant to the Pacific Electric Power Planning and Conservation Act (the Northwest Power Act, 16 U.S.C. 839, *et sec.*) the Pacific Northwest Electric Power and Conservation Planning

Council (Council) adopted a Columbia River Basin Fish and Wildlife Program (program). The Council adopted the Northwest Conservation and Electric Power Plan (power plan) on April 27, 1983. The program and the power plan have been amended from time to time since then. Major revisions of the program were adopted in 1984 and 1987, and a major revision of the power plan was adopted in 1986. On April 14, 1988 the Council voted to initiate rulemaking pursuant to section 4(d)(1) of the Northwest Power Act to amend the program and the power plan to incorporate measures to protect critical fish and wildlife habitat from new hydropower development. On August 10, 1988, the Council adopted amendments, and on September 14, 1988 adopted a response to comments. This notice contains a brief description of the final amendments.

SUPPLEMENTAL INFORMATION: In 1987, the Council released a staff issue paper that proposed that the Council designate the river reaches identified in the studies as "protected areas," where future hydropower development should not occur. In a six-month period for public comment, the Council had the benefit of a substantial public debate over the policy issues involved in the staff proposal, and over the information in the Council's data base.

At its April 1988 meeting, the Council proposed to amend the program and the power plan to provide that in protected areas where anadromous or wild resident fish were present, there is an unacceptable risk that hydropower development would destroy critical fish habitat, and therefore no hydropower development should occur. In non-wild resident fish and wildlife protected areas, the Council proposed to amend the program and the power plan to provide that mitigation is more feasible, and that hydropower development should occur only if it would not result in a "net loss" of non-wild resident fish or wildlife.

Written comments on the proposed amendments were received through July 8, 1988, and further oral consultations were initiated by the Council until August 10, 1988.

On August 10, 1988, the Council approved protected areas amendments that adopted many features of the proposed amendments, and also made several significant changes. In brief, the final amendments adopted a single standard for all protected areas: because protected areas represent the region's most valuable fish and wildlife habitat, hydropower development should not be allowed in any protected

areas, but should be focused in other river reaches. The final amendments do not apply to any existing projects. The Council adopted several procedures designed to ensure that the Protected Areas List, and the data that support it, are kept accurate and up-to-date.

Comments made in the written comments and oral consultations are summarized, and the Council's responses provided, in a document entitled "Northwest Power Planning Council, Protected Areas Response to Comments," adopted on September 14, 1988.

On September 14, 1988, the Council also adopted a Protected Areas List reflecting changes and corrections based on public comment received through August 10, 1988.

FOR FURTHER INFORMATION CONTACT: A copy of the final amendments, the Council's response to comments, and the Protected Areas List are available on request. Those wishing to receive a copy of any of these documents should contact Judy Allender at the Council's central office, 851 SW, Sixth Avenue, Suite 1100, Portland, Oregon 97204. Edward Sheets,

Executive Director.

[FR Doc. 88-21867 Filed 9-23-88; 8:45 am]

BILLING CODE 0000-00-M

SECURITIES AND EXCHANGE COMMISSION

[Rel. No. 34-26097; File No. SR-NASD-86-34]

Self-Regulatory Organizations; Proposed Rule Change by National Association of Securities Dealers, Inc. Relating to Prompt Payment for Investment Company Shares

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on November 21, 1986 the National Association of Securities Dealers, Inc. ("NASD") filed with the Securities and Exchange Commission ("Commission") the proposed rule change and filed and amendment thereto on September 8, 1988, as described in Items I, II, and III below, which Items have been prepared by the NASD. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change adds a new paragraph (m) to Article III, Section 26

of the NASD Rules of Fair Practice that establishes time frames within which members must transmit payments for Investment Company shares to investment companies or their agents.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the NASD included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The NASD has prepared summaries, set forth in Sections (A), (B), and (C) below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

Since 1955 prompt payment by NASD members for mutual fund shares which they have sold to customers has been governed by the NASD Board of Governors' Prompt Payment Interpretation. That Interpretation does not include a definition of the term "prompt payment". It is proposed that the interpretation be rescinded and the proposed amendment to Article III, Section 26 substituted. This section will define the term of "prompt payment" in two different sets of circumstances. Paragraph 1 of the proposed rule change will require members, including underwriters, who engage in direct retail transactions with customers to transmit payments which are received from customers to mutual funds or their agents by the later of the trade date plus five (5) business days or the end of one (1) business day following receipt of the customers payment for such shares. The amendment to the proposed rule change was adopted in response to advice by the staff of the Commission's Division of Market Regulation that the provision in the rule regarding transmittal of funds irrespective of receipt of payment was a requirement that could cause broker-dealers to violate the provisions of

¹ Section 11(d)(1) prohibits a person that acts as both a broker and a dealer from effecting transactions in which the broker-dealer extends, maintains or arranges credit for the customer on a security that is part of a new issue in which it participated as a member of the selling group or syndicate within 30 days prior to the transaction. Since investment company shares are continuously in registration and members normally offer these shares pursuant to a sales agreement with a

Section 11(d)(1) of the Securities Exchange Act of 1934.¹ The amendment to the proposed rule change would remove the requirement that payments be transmitted in instances in which customer payments have not been received by the member, thereby alleviating concern that the rule would result in impermissible extensions of credit in violation of Section 11(d)(1) of the Act.² The proposed rule change also will require members that are underwriters and that engage in wholesale transactions with other members to transmit payments received from such members to the funds of their agents by the end of two (2) business days following the receipt of such funds.

These changes are consistent with Section 15A(b)(6) of the Securities Exchange Act, which requires that NASD rules be designed to facilitate transactions in securities and remove market impediments, and with section 17A(a)(1) in that they will aid in ensuring the prompt clearance and settlement of investment company transactions.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Association believes that the proposed rule change does not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The NASD solicited comments from members regarding the proposed rule change in Notices to Members 85-53 and 85-86. A total of 40 responses were received to Notice to Members 85-53 and 17 responses to Notice to Members 85-86. Copies of the Notices to Members and comment letters have been submitted to the Commission as Exhibit 2 to this filing. The most frequent areas of comment related to the practicality of the timeframes set forth in the rule, the timing of implementation and whether the scope of the rule should be broadened. The NASD Board of

principal underwriter, it is the Commission's position that members that are broker-dealers and that offer investment company shares are subject to the provisions of Section 11(d) of the Act.

² In response to the Division's concerns with the original proposal of November 21, 1986 regarding extensions of credit, the NASD requested that the Commission not publish the proposed rule change until the Association filed an amendment.

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fourth Tuesday of each month, or as soon as possible thereafter. A consolidated listing of all authorities will be published as of June 30 of each year.

Schedule A

No Schedule A authorities were established or revoked during February.

Schedule B

No Schedule B authorities were established or revoked during February.

Schedule C

Department of Commerce

One Deputy Director to the Director for Private Sector Initiatives. Effective February 10, 1989.

Five Confidential Assistants to the Director of the Office of Executive Programs. Effective February 10, 1989.

Two Confidential Assistants to the Secretary of Commerce. Effective February 16, 1989.

Department of Defense

One Private Secretary to the Director for Strategic Defense Initiative Organization. Effective February 27, 1989.

Department of Energy

One Special Assistant to the Assistant Secretary for Congressional, Intergovernmental and Public Affairs. Effective February 6, 1989.

One Special Assistant to the Assistant Secretary for International Affairs and Energy Emergencies. Effective February 6, 1989.

One Administrative Assistant to the Director of the Office of External Affairs. Effective February 16, 1989.

Department of the Interior

One Director, External Affairs Office to the Commissioner of Reclamation. Effective February 23, 1989.

Department of Labor

One Special Assistant to the Assistant Secretary for Policy. Effective February 7, 1989.

One Confidential Assistant to the Secretary of Labor. Effective February 27, 1989.

One Confidential Assistant to the Solicitor of Labor. Effective February 27, 1989.

Department of State

One Staff Assistant to the Secretary of State. Effective February 3, 1989.

One Staff Assistant to the Assistant Secretary for Legislative Affairs. Effective February 13, 1989.

Department of the Treasury

One Deputy Assistant Secretary for Policy Review and Analysis to the Assistant Secretary for Policy Development. Effective February 24, 1989.

One Director of Scheduling to the Assistant Secretary for Policy Development. Effective February 24, 1989.

Office of Personnel Management

One Staff Assistant to the Director of the Office of Executive Administration. Effective February 27, 1989.

United States Trade Representative

One Confidential Assistant to the United States Trade Representative. Effective February 21, 1989.

Authority: 5 U.S.C. 3301, 3302; E.O. 10555, 3 CFR 1954-1958 Comp., P. 218.

U.S. Office of Personnel Management.

Constance Horner,

Director.

[FR Doc. 89-7173 Filed 3-24-89; 8:45 am]

BILLING CODE 6325-01-M

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL

Protected Areas Amendments

AGENCY: Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council).

ACTION: Notice of proposed amendments to the protected areas provisions of the Columbia River Basin Fish and Wildlife Program and the Northwest Conservation and Electric Power Plan.

DATES AND ADDRESSES: The public comment period will run until the time of Council decision at the Council's April 12-13, 1989 meeting. Public hearings on the proposed amendments will be held in each of the four Northwest states as follows:

March 29, 1989, 1:30 p.m., Council offices, 1301 Lockey, Helena, Montana 59620;

March 29, 1989, 1:30 p.m., Council offices, 851 S.W. 6th Ave., Suite 1100, Portland, Oregon 97222;

March 30, 1989, 10:00 a.m., Council offices, 450 West State, Boise, Idaho 83720; and

April 5, 1989, 10:00 a.m., Council offices, 809 Legion Way, S.E. Olympia, Washington 98504-1211;

SUMMARY: On November 15, 1982, pursuant to the Pacific Electric Power Planning and Conservation Act (the Northwest Power Act, 16 U.S.C. 839, et

seq.) the Pacific Northwest Electric Power and Conservation Planning Council (Council) adopted a Columbia River Basin Fish and Wildlife Program (program). The Council adopted the Northwest Conservation and Electric Power Plan (power plan) on April 27, 1983. The program and the power plan have been amended from time to time since then. Major revisions of the program were adopted in 1984 and 1987, and a major revision of the power plan was adopted in 1986. On August 10, 1988, the Council adopted amendments pursuant to section 4(d)(1) of the Northwest Power Act to amend the program and the power plan to incorporate measures to protect critical fish and wildlife habitat from new hydropower development. The protected areas provisions adopted in August require a vote of the Council to make corrections that "change the protected or unprotected status or the reason for protection of a river reach." The amendments proposed in this notice, as described more fully below, would correct the protected areas data base and change the status or reason for protection of a river reach.

SUPPLEMENTARY INFORMATION: The protected areas rule contemplates that amendments to the protected areas will, for the most part, be made according to a regular schedule which is announced from time to time in the Council's monthly newsletter, *Update!* (see section 1303(e) of protected areas rule). However, the rule also recognizes that, in some instances, early consideration may be required.

The proposed amendments included in this rulemaking are believed to be minor technical corrections and have been determined by the Council to be suitable for early consideration. The Council has not announced regular schedule for other amendments.

Each of the proposed amendments has been reviewed and approved by the relevant state fish and wildlife agency.

Proposed Amendments

The following is a summary, by state, of the proposed amendments.

1. Idaho Corrections

Deep Creek in Adams County is shown on the Council's protected areas list as being entirely in a wilderness area and therefore protected by federal law. The lower portion of Deep Creek is, in fact, outside the wilderness area. The proposed change would show the lower portion of Deep Creek outside the wilderness area as being unprotected.

Deadwood River, a 15.7 mile-long tributary of the South Fork of the

Payette River, was shown as protected on all protected areas lists released to the public during the protected areas rulemaking. However, it was accidentally omitted from the final computer printout placed before the Council when the protected areas rule was adopted. As far as we are aware, the river has no active hydro projects pending on it, although, in the past, projects have been proposed at two sites on the river. The river is proposed for protection for resident fish.

2. Montana corrections

Three minor tributaries to the Clark Fork River were assigned the wrong river reach numbers in the data base. All of these reaches were properly named and correctly identified on the protected areas maps available in Montana at the time of the protected areas rulemaking.

The data base shows *Eddy Creek* across the Thompson River as protected. Instead, it should show the Eddy Creek along the north side of the Clark Fork River just upstream of Superior, Montana, between Second Creek and Deep Creek as protected. The proposed correction would remove protected status from the Eddy Creek near the Thompson River and designate the Eddy Creek near Superior for protected status.

The data base shows *Mayo Creek* near St. Regis as protected. Instead, it should show *Mayo Gulch* on the lower Clark Fork just west of St. Regis, which is a few miles away in the same area. The proposed correction would remove protected status from Mayo Creek and designate Mayo Gulch for protected status.

The data base correctly shows *Rock Creek* (a tributary to the lower Clark Fork across from O'Keefe Creek below Missoula) as protected, but assigns it the wrong river reach identification number. The number currently assigned relates to a different Rock Creek. The proposed correction would assign the proper identification number to the reach.

The *East Fork, Rock Creek* (a tributary of the Rock Creek which joins the Clark Fork near the Bull River) was inadvertently omitted from the protected areas designations. The reach was proposed for protected area status and was shown as protected on the Montana protected areas maps. The proposed change would designate the reach as protected for resident fish.

3. Oregon Corrections

Walker Creek, a tributary which joins the Nestucca River near its headwaters, was intended to receive protected status. However, in the data base Walker Creek was confused with the

headwaters of the Nestucca, which are located close to Walker Creek. As a result, the headwaters of the Nestucca are mislabelled "Walker Creek" and are protected for anadromous fish. The proposed change would place Walker Creek in the proper location as a separate tributary protected for anadromous fish. The headwaters of the Nestucca would also continue to be protected for anadromous fish up to the McGuire Reservoir, but would be correctly identified as the Nestucca, not Walker Creek. Walker Creek was included in the Oregon Rivers Initiative and is therefore protected under state law.

4. Washington corrections

Prior to the adoption of the Council's protected areas rule in August, 1988, an application for license was pending for a project located in the 4.8 mile reach of *Wells Creek* between its mouth and Bar Creek. Wells creek is a tributary of the North Fork of the Nooksack River in the Puget Sound Basin. The reach was designated for protection for resident wildlife, primarily spotted owls. Spotted owl habitat exists on the east side of the creek only. The proposed project will have its powerhouse on the west side of the creek, and other wildlife concerns can be addressed as part of the FERC license. The proposed amendment will change the project area only from protected to unprotected status. The remainder of the reach will remain protected for resident wildlife.

Canyon Creek is a tributary to the Middle Fork of the Nooksack River in the Puget Sound Basin. The lower portion of the reach (up to river mile 1.9) is protected for anadromous fish and resident wildlife. That portion of the reach upstream of river mile 1.9 is protected for wildlife and resident fish. The proposed change would remove protection for wildlife reasons. The reach would be protected from its mouth to river mile 1.9 for anadromous fish, and from river mile 3.68 to the headwaters for resident fish.

FOR FURTHER INFORMATION: For further information, including river reach numbers for the affected reaches, please call Dr. Peter Paquet in the Council's central office, at (503) 222-5161 (toll free 1-800-222-3355 in Idaho, Montana and Washington or 1-800-452-2324 in Oregon). After final action, a copy of the final amendments, the Council's response to comments, and the Protected Areas List will be available on request. Those who wish to receive a copy of any of these documents should contact Judi Hertz at the Council's central office, 851 SW. Sixth Avenue,

Suite 1100, Portland, Oregon, 97204 or the above telephone numbers.

Edward Sheets,
Executive Director.

[FR Doc. 89-7124 Filed 3-24-89; 8:45 am]

BILLING CODE 0000-00-M

Columbia River Basin Fish and Wildlife Program

AGENCY: Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council).

ACTION: Notice of new deadline for public comment period regarding spill after 1989.

SUMMARY: On November 23, 1988, pursuant to the Pacific Electric Power Planning and Conservation Act (the Northwest Power Act, 16 U.S.C. 839b(d)(1)) the Pacific Northwest Electric Power and Conservation Planning Council (Council) published notice of proposed amendments to the Columbia River Basin Fish and Wildlife Program (program), to incorporate the spill provisions of an agreement negotiated by the region's state and federal fish and wildlife agencies, Indian tribes, Bonneville, and the Pacific Northwest Utilities Conference Committee, for spills at Lower Monumental, Ice Harbor, John Day, and The Dalles Dams, for the ten-year period beginning December 31, 1988 (agreement). On February 8, 1989, after hearings and public comment, the Council adopted amendments incorporating the spill standards of the agreement (section III) for 1989 only. The Council left this amendment proceeding open to allow further public comment through April 14, 1989, solely regarding the advisability of adopting the agreement's spill provisions for the period after 1989. The Council noted that "The Council may shorten the comment period to allow the Council to act at its April 12-13 meeting if the agreement is expected to be signed before April 14." The Council has received notice that the parties to the agreement expect to sign the agreement on or before April 10, 1989. Therefore, to allow the Council to act at its April 12-13 meeting, the Council hereby shortens the comment period.

Public Comment Regarding Spill for the Period After 1989

The Council will receive comment regarding the advisability of incorporating the agreement's spill standards for the period after 1989 through the full term of the agreement, if

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Columbia River Basin Fish and Wildlife Program and Northwest Conservation and Electric Power Plan

AGENCY: Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council).

ACTION: Notice of proposed protected areas amendments to the Columbia River Basin Fish and Wildlife Program and the Northwest Conservation and Electric Power Plan, hearings and opportunity to comment.

SUMMARY: On November 15, 1982, pursuant to the Pacific Electric Power Planning and Conservation Act (the Northwest Power Act, 16 U.S.C. 839, *et seq.*) the Pacific Northwest Electric Power and Conservation Planning Council (Council) adopted a Columbia River Basin Fish and Wildlife Program (program). The Council adopted the Northwest Conservation and Electric Power Plan (power plan) on April 27, 1983. The program and the power plan have been amended from time to time since then. In August, 1988, the Council incorporated into the program and the plan "protected areas" measures to protect critical fish and wildlife habitat from new hydropower development. The protected areas provisions provided processes for amending protected areas on various grounds. In March, 1989, the Council made a small number of changes to protected areas, based on an expedited rulemaking schedule. In November, 1989, the Council received a number of petitions to amend protected areas. On the basis of these petitions, at its February 14-15, 1990 meeting, the Council voted to initiate rulemaking pursuant to section 4(d)(1) of the Northwest Power Act to consider amending certain protected areas provisions of the program and the power plan. This notice contains a brief description of the proposed amendments, describes how to obtain a full copy of the proposed amendments and background information concerning them, and explains how to participate in the amendment process.

PUBLIC COMMENT: All written comments must be received in the Council's central office, 851 SW Sixth Avenue, Suite 1100, Portland, Oregon, 97204, by 5 p.m. Pacific time on April 16, 1990. Comments should be submitted to Dulcy Mahar, Director of Public Involvement, at this address. Comments should be clearly marked "Protected Areas Comments."

After the close of written comment, the Council may hold consultations with interested parties to clarify points made in written comment, and will supply notice of such consultations.

Consultations may be held up to the time of the Council's final action in this rulemaking.

HEARINGS: Public hearings will be held in Idaho, Montana, Oregon, and Washington, in March and April, 1990. If you wish to obtain a schedule of the hearings, or more information about this process, contact the Council's Public Involvement Division, 851 SW, Sixth Avenue, Suite 1100, Portland, Oregon 97204 or (503) 222-5161, toll free 1-800-222-3355 in Idaho, Montana, and Washington or 1-800-452-2324 in Oregon. To reserve a time period for presenting oral comments at a hearing, contact Judi Hertz in the Public Involvement Division. Requests to reserve a time period for oral comments must be received no later than two work days before the hearing.

FINAL ACTION: The Council expects to take final action on the proposed protected areas amendments at its May 1990 meeting. The actual date on which the Council will make its final decision will be announced in accordance with applicable law and the Council's practice of providing notice of its meeting agendas.

SUPPLEMENTARY INFORMATION: Most of the proposed amendments are recommended by state fish and wildlife agencies. Many of these are based on new information, which indicates either: (1) An additional river reach may merit protection; or (2) an already-protected reach should be unprotected; or (3) no change in protected status is merited, but a different or additional reason for protection is indicated; or (4) changes are recommended to bring the Council's designations in line with federal wilderness areas or wild and scenic areas.

Some other changes—approximately 2 dozen—are proposed that would affect proposed hydroelectric projects. Some of these are proposed by developers, who believe protection is unwarranted, and some are either proposed or concurred in by state fish and wildlife agencies.

FOR FURTHER INFORMATION: Those wishing to receive a fuller version of this notice, including a list of affected river reaches or copies of particular petitions, should contact Judi Hertz at the address or telephone numbers listed above.

Edward Sheets,
Executive Director.

[FR Doc. 90-5309 Filed 3-7-90; 8:45 am]

BILLING CODE 0000-00-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-27753; File No. SR-Amex-89-29]

Self-Regulatory Organizations; the American Stock Exchange; Order Approving Proposed Rule Change Relating to New Listing Criteria Under Section 107 of the Amex Company Guide

I. Introduction

On November 15, 1989, the American Stock Exchange, Inc. ("Amex" or "Exchange") submitted to the Securities and Exchange Commission ("SEC" or "Commission"), pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² a proposed rule change to amend the Amex "Company Guide" to provide listing guidelines for new securities not otherwise covered under existing sections of the "Company Guide".

The proposed rule change was published for comment in Securities Exchange Act Release No. 27500 (December 5, 1989), 54 FR 50832 (December 11, 1989). No comments were received on the proposal.

Under the Amex proposal, section 107 of the "Company Guide" will be revised to include Amex listing criteria for certain new types of securities which can not be readily categorized under existing criteria for common and preferred stocks, bonds, debentures, and warrants.³ In today's ever-changing financial markets, issuers and underwriters frequently propose new types of securities and securities products for listing on securities exchanges. These securities may be comprised of features borrowed from more than one category of currently listed securities. Examples of these new financial products include fixed face amount debt securities incorporating an opportunity for equity appreciation and fixed amount payment certificates based on the price level of the issuer's equity securities. Such new types of securities are designed typically to achieve more than one objective in connection with a specific corporate transaction, and, on occasion, have involved assets or categories of assets that traditionally may not have been segregated or used as collateral for a particular issue. Consequently, such securities may take a variety of forms depending upon the

¹ 15 U.S.C. 78s(b)(1) (1982).

² 17 CFR 240.19b-4 (1989).

³ The Amex "Company Guide", sections 101-106, contains the criteria for listing these securities.

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are required to pay the remaining costs. The amount of funding required, known as "normal cost," is the entry age normal cost of the provisions of FERS that relate to the Civil Service Retirement and Disability Fund (Fund). The normal cost must be computed by OPM in accordance with generally accepted actuarial practice and standards (using dynamic assumptions). Subpart D of part 841 of title 5, Code of Federal Regulation, regulates how normal costs are determined.

The Board of Actuaries of the Civil Service Retirement System has approved new demographic rates for CSRS and FERS. The factors are listed in § 841.404 of title 5, Code of Federal Regulations. The rates for employees are based on experience under CSRS and the transitional system over the period 1983 through 1986. The rates for annuitants are based on experience for 1986, through 1987. OPM still lacks sufficient experience under FERS to determine separate FERS demographic rates.

Based on the new demographic factors for each category of employees under § 841.403 of title 5, Code of Federal Regulations, the Government-wide cost percentages, including the employee contributions, are as follows:

Members	20.8%
Congressional employees	20.1%
Law enforcement officers, firefighters, and employees under section 302 of the Central Intelligence Agency Act of 1964 for Certain Employees	28.6%
Air traffic controllers	26.2%
Military reserve technicians	13.3%
Employees under section 303 of the Central Intelligence Agency Act of 1964 for Certain Employees (when serving abroad)	19.1%
All other employees	13.7%

Under § 841.408 of title 5, Code of Federal Regulations, these normal cost percentages are effective at the beginning of the first pay period commencing on or after October 1, 1991. This gives agencies as much time as possible to budget for changes in retirement costs. Although the new normal cost percentages will slightly lower the retirement costs for most agencies, the retirement costs will rise for a few agencies with large numbers of employees covered by the law enforcement officer and firefighter provisions.

OPM has an abundance of data on the general category of employees and used that data in calculating the normal cost for the general group. For the first time, OPM has determined demographic rates

for air traffic controllers, law enforcement officers and firefighters, and military reserve technicians based on actual experience for each of these groups. Previously, OPM based the rates for these special groups on experience for all employees or estimates based on the limited amount of data for that group available at the time.

Information about the data and assumptions used in calculating these normal cost percentages is available upon written request to the address for such requests provided in the ADDRESSES section of this notice document. All requests must be made in writing. Telephone requests will not be accepted.

The time limit and address for filing agency appeals under §§ 841.409 through 841.412 of title 5, Code of Federal Regulations, are stated in the DATES and ADDRESSES sections of this notice.

Office of Personnel Management.

Constance Berry Newman,

Director.

[FR Doc. 90-20574 Filed 8-30-90; 8:45 am]

BILLING CODE 6325-01-M

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL

Columbia River Basin Fish and Wildlife Program and the Northwest Conservation and Electric Power Plan; Protected Areas Amdt.'s

AGENCY: Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council).

ACTION: Notice of final amendments to the protected areas provisions of the Columbia River Basin Fish and Wildlife Program and the Northwest Conservation and Electric Power Plan.

SUMMARY: On November 15, 1982, pursuant to the Pacific Electric Power Planning and Conservation Act (the Northwest Power Act, 16 U.S.C. 839, et seq.) the Pacific Northwest Electric Power and Conservation Planning Council (Council) adopted a Columbia River Basin Fish and Wildlife Program (program). The Council adopted the Northwest Conservation and Electric Power Plan (power plan) on April 27, 1983. The program and the power plan have been amended from time to time since then. Major revisions of the program were adopted in 1984 and 1987, and a major revision of the power plan was adopted in 1988. On August 10, 1988, the Council adopted amendments pursuant to section 4(d)(1) of the

Northwest Power Act to amend the program and the power plan to incorporate measures to protect critical fish and wildlife habitat from new hydropower development. The protected areas provisions adopted in August require a vote of the Council to make corrections that "change the protected or unprotected status or the reasons for protection of a river reach."

On March 8, 1990, the Council published notice of a proposed rulemaking to correct portions of the protected areas data base, changing the status of certain river reaches. That notice contained a brief description of the final amendments adopted in the rulemaking.

The Council held hearings on the proposed amendments on March 14, 1990 in Missoula, Montana; March 20, 1990 in Boise, Idaho; March 21, 1990 in Seattle, Washington; March 22, 1990 in Twin Falls, Idaho; and April 12, 1990 in Eugene, Oregon. Written comment was received through April 16, 1990. On July 11, the Council adopted all of the proposed corrections.

FOR FURTHER INFORMATION CONTACT:

For further information, including river reach numbers for the affected reaches, please call Dr. Peter Paquet in the Council's central office, at (503) 222-5161 (toll free 1-800-222-3355 in Idaho, Montana and Washington or 1-800-452-2324 in Oregon). For a copy of the Council's response to comments contact Judi Hertz at the Council's central office, 851 SW. Sixth Avenue, suite 1100, Portland, Oregon 97204 or the above telephone numbers.

Edward Sheets,

Executive Director.

[FR Doc. 90-20557 Filed 8-30-90; 8:45 am]

BILLING CODE 0000-00-M

PHYSICIAN PAYMENT REVIEW COMMISSION

Commission Meeting

AGENCY: Physician Payment Review Commission.

ACTION: Notice of public meeting.

SUMMARY: The Physician Payment Review Commission will hold a public meeting on Thursday, September 13, 1990, from 10 a.m. to 5:30 p.m., and on Friday, September 14, 1990, beginning at 8:30 a.m. It will be held at the Dupont Plaza Hotel, 1500 New Hampshire Avenue, NW., in the Dupont I, II, and III Meeting Rooms.

An agenda for the meeting will be available on September 7, 1990.

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(the Act and the Commission's regulations.

By April 13, 1992, 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 20555 and at the local public document room located at the Ocean County Library, Reference Department, 101 Washington Street, Toms River, New Jersey 08753. If a request for a hearing or petition for leave to intervene is filed by the above data, the Commission or an Atomic Safety and Licensing Board Panel, 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 Panel 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 or 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 fifteen (15) days prior to the first pre-hearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (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 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.

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, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555, by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 325-6000 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to John F. Stolz: Petitioner's name and telephone number; date petition was mailed; plant name; and publication date and page number of this **Federal Register** notice. A copy of the petition should also be sent to the Office of the

General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Earnest L. Blake, Jr., Esquire, Shaw, Pittman, Potts and Trowbridge, 2300 N Street, NW., Washington, DC 20037, 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, for presiding officer or the presiding Atomic Safety and Licensing Board Panel 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).

If a request for a hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendment dated February 19, 1992, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555, and at the local public document room located at the Ocean County Library, Reference Department, 101 Washington Street, Toms River, New Jersey 08753.

Dated at Rockville, Maryland, this 5th day of March 1992.

For the Nuclear Regulatory Commission.

John F. Stolz,

Director, Project Directorate I-4, Division of Reactor Projects-I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 92-5815 Filed 3-11-92; 8:45 am]

BILLING CODE 7590-01-M

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL

Protected Areas Amendments

March 3, 1992.

AGENCY: Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council).

ACTION: Notice of proposed protected areas amendments to the Columbia River Basin Fish and Wildlife Program and the Northwest Conservation and Electric Power Plan, hearings and opportunity to comment.

SUMMARY: On November 15, 1982, pursuant to the Pacific Electric Power Planning and Conservation Act (the Northwest Power Act, 16 U.S.C. 839, *et seq.*) the Pacific Northwest Electric Power and Conservation Planning Council (Council) adopted a Columbia River Basin Fish and Wildlife Program (program). The Council adopted the Northwest Conservation and Electric Power Plan (power plan) on April 27, 1983. The program and the power plan have been amended from time to time since then. In August, 1988, the Council incorporated into the program and the plan "protected areas" measures to protect critical fish and wildlife habitat from new hydropower development. The protected areas provisions provided processes for amending protected areas on various grounds. In November, 1991, in response to an announcement by the Council, the Council received a number of petitions to amend protected areas. On the basis of these petitions, at its February 11-12, 1992 meeting, the Council voted to initiate rulemaking pursuant to section 4(d)(1) of the Northwest Power Act to consider amending certain protected areas provisions of the program and the power plan. This notice contains a brief description of the proposed amendments, describes how to obtain a full copy of the proposed amendments and background information concerning them, and explains how to participate in the amendment process.

PUBLIC COMMENT: All written comments must be received in the Council's central office, 851 SW. Sixth Avenue, suite 1100, Portland, Oregon, 97204, by 5 p.m. Pacific time on Friday, May 1, 1992. Comments should be submitted to Steve Crow, Director of Public Affairs, at this address. Comments should be clearly marked "Protected Areas Comments."

After the close of written comment, the Council may hold consultations with interested parties to clarify points made in written comment, and will supply notice of such consultations to persons requesting such notice. Consultations may be held up to the time of the Council's final action in this rulemaking.

HEARINGS: Public hearings will be held in Idaho, Montana, Oregon, and Washington, in March and April, 1992. If you wish to obtain a schedule of the hearings, more information about this process or reserve a time period for presenting oral comments at a hearing, contact the Council's Public Affairs Division, 851 SW. Sixth Avenue, suite 1100, Portland, Oregon 97204 or (503) 222-5161, toll free 1-800-222-3355 in Idaho, Montana, Oregon and Washington. Requests to reserve a time

period for oral comments must be received no later than two work days before the hearing.

FINAL ACTION: The Council expects to take final action on the proposed protected areas amendments at its May or June 1992 meeting. The actual date on which the Council will make its final decision will be announced in accordance with applicable law and the Council's practice of providing notice of its meeting agendas.

SUPPLEMENTARY INFORMATION: Thirteen petitions have been received. Eight of the petitions seek removal of protected status so that hydro projects can proceed. Five petitions would add protected status to various reaches or subbasins. No petitions have been received for protected areas in Montana or Oregon.

One of the petitions proposes protected area status based on a decision of the Idaho Legislature that the reach should be protected. On its own motion, the Council has also included other Idaho river reaches with a similar status.

FOR FURTHER INFORMATION CONTACT: Those wishing to receive a fuller version of this notice, including a list of affected river reaches or copies of particular petitions, should contact the Public Affairs Division at the address or telephone numbers listed above.

Edward Sheets,
Executive Director.

[FR Doc. 92-5807 Filed 3-11-92; 8:45 am]

BILLING CODE 0000-00-M

RAILROAD RETIREMENT BOARD

Agency Forms Submitted for OMB Review

AGENCY: Railroad Retirement Board.

ACTION: In accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the Railroad Retirement Board has submitted the following propose(s) for the collection of information to the Office of Management and Budget for review and approval.

Summary of Propose(s)

- (1) *Collection title:* Railroad Service and Compensation Reports.
- (2) *Form(s) submitted:* BA-3a and BA-4.
- (3) *OMB Number:* 3220-0008
- (4) *Expiration date of current OMB clearance:* Three years from date of OMB approval.
- (5) *Type of request:* Extension of the expiration date of a currently approved

collection without any change in the substance or in the method of collection.

(6) *Frequency of response:* Monthly, Quarterly and Annually.

(7) *Respondents:* Businesses or other for-profit and Small businesses or organizations.

(8) *Estimated annual number of respondents:* 656.

(9) *Total annual responses:* 1,100.

(10) *Average time per response:* 47.2409 hours.

(11) *Total annual reporting hours:* 51,965.

(12) *Collection description:* Under the Railroad Unemployment Insurance and Railroad Retirement Acts, employers are required to report service and compensation for each employ to update Railroad Retirement Board records for payment of benefits.

Additional Information or Comments

Copies of the proposed forms and supporting documents can be obtained from Dennis Eagan, the agency clearance officer (312-751-4693). Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board 844 Rush street, Chicago, Illinois 60611 and the OMB reviewer, Laura Oliven (202-395-7316), Office of Management and Budget, Room 3002, New Executive Office Building, Washington, DC 20503.

Dennis Eagan,
Clearance Officer.

[FR Doc. 92-5808 Filed 3-11-92; 8:45 am]

BILLING CODE 7905-01-M

DEPARTMENT OF STATE

Bureau of Oceans and International Environmental and Scientific Affairs

[Public Notice 1583]

U.S. MAB Request for Proposals for Environmental Projects

The United States Man and the Biosphere (U.S. MAB) Program, hereby announces its request for proposals to continue to provide its assistance to the U.S. Peace Corps in the development of a worldwide environmental projects initiative as described below.

U.S. MAB will accept proposals of a maximum length of six (6) pages which outline how the objectives described below could be accomplished. A curriculum vitae (c.v.) of a maximum length of four (4) pages for each principal(s), which clearly demonstrates a history of competency in the implementation of such tasks, must accompany the proposal. Proposals may

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despite the permanently shutdown and defueled status of the facility as the Operating License has not yet been amended to a Possession Only License (POL).

III

In the licensee's letter of June 19, 1992, the justification presented for the exemption request was that the licensee's letter of February 27, 1992, and the staff's CAL of April 7, 1992, ensure that the plant is no longer authorized to operate. In addition, the licensee stated that the staff is in the final stages of issuing a POL. The staff confirms the licensee's statements.

The Commission will not consider granting an exemption unless special circumstances are present. In the licensee's letter of June 19, 1992, these special circumstances were addressed as follows:

10 CFR 50.12(a)(2)(ii)—"Application of the regulation in the particular circumstances would not serve the underlying purpose of the rule * * *

Licensee's response: The purpose of 10 CFR 50.71(e) is to ensure that a facility that is authorized to operate submits to the NRC an annual FSAR update. For all intents and purposes, YNPS is no longer authorized to operate. On February 27, 1992, YAEC informed the NRC of its decision to permanently ease power operation at YNPS. The NRC subsequently issued a Confirmatory Action Letter which acknowledged the commitment made by YAEC to permanently cease power operation and begin developing plans to decommission the facility. NRC is in the final stages of approving the YNPS possession-only license amendment which would remove the authority to operate YNPS at any power level. Therefore, implementation of 10 CFR 50.71(e) for YNPS would not serve the underlying purpose of the rule. Furthermore, an exemption to 10 CFR 50.71(e) will not present an undue risk to the public health and safety because the potential risks associated with a permanently shutdown facility are substantially less than those of a facility in power operation. The exemption request is also consistent with the common defense and security.

IV

The staff agrees with the licensee's analyses as presented in Section III above and concludes that sufficient bases have been presented for our approval of the exemption request. In addition, the staff finds that there are special circumstances presented that satisfy the requirements of 10 CFR 50.12(a)(2)(ii). In the event that the licensee seeks to resume operation, this exemption will terminate.

V

Based on the above evaluation, the Commission has determined that

pursuant to 10 CFR 50.12(a)(1), this exemption is authorized by law, will not present an undue risk to the public health and safety and is consistent with the common defense and security.

Accordingly, the Commission hereby grants an exemption to all the requirements contained within 10 CFR 50.71(e) for the Yankee Nuclear Power Station. However, this exemption will terminate in the event the licensee seeks to resume operating the facility.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not have a significant effect on the quality of the human environment (57 FR 30513).

This exemption is effective upon issuance.

Dated at Rockville, Maryland this 23rd day of July 1992.

For the Nuclear Regulatory Commission.

Bruce A. Boger,

Director, Division of Reactor Projects—III/IV/V, Office of Nuclear Reactor Regulation.

[FR Doc. 92-20575 Filed 8-26-92; 8:45 am]

BILLING CODE 7590-01-M

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL

Protected Areas Amendments

August 19, 1992.

AGENCY: Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council).

ACTION: Notice of final protected areas amendments to the Columbia River Basin Fish and Wildlife Program and the Northwest Conservation and Electric Power Plan.

SUMMARY: On November 15, 1982, pursuant to the Pacific Electric Power Planning and Conservation Act (the Northwest Power Act, 16 U.S.C. 839, et seq.) the Pacific Northwest Electric Power and Conservation Planning Council (Council) adopted a Columbia River Basin Fish and Wildlife Program (program). The Council adopted the Northwest Conservation and Electric Power Plan (power plan) on April 27, 1983. The program and the power plan have been amended from time to time since then. In August, 1988, the Council incorporated into the program and the plan "protected areas" measures to protect critical fish and wildlife habitat from new hydropower development. The protected areas provisions provided processes for amending protected areas on various grounds. In November, 1991, in response to an announcement by the Council, the Council received a number

of petitions to amend protected areas. On the basis of these petitions, at its February 11-12, 1992 meeting, the Council voted to initiate rulemaking pursuant to section 4(d)(1) of the Northwest Power Act to consider amending certain protected areas provisions of the program and the power plan. This notice contains a brief description of the final amendments, describes how to obtain a full copy of the amendments and background information concerning them. Approximately 100 written and oral comments were received. The Council held public hearings in each of the four northwest states. At its June 10-11, 1992 meeting, the Council adopted the final amendments. At its August 12-13, 1992 meeting, the Council concluded the rulemaking by adopting its response to comments.

SUPPLEMENTARY INFORMATION: Thirteen petitions were received. Eight of the petitions sought removal of protected status so that hydro projects can proceed. Three of the eight were approved, four were deferred for later consideration, and one was withdrawn. Five petitions sought to add protected status to various reaches or subbasins. Two of the five were approved and three were deferred to later consideration. No petitions were received for protected areas in Montana or Oregon.

One of the petitions proposed protected area status based on a decision of the Idaho Legislature that the reach should be protected. On its own motion, the Council also included other Idaho river reaches with a similar status. The proposed amendment to include these reaches was approved.

FOR FURTHER INFORMATION CONTACT: Those wishing to receive the final amendments, a list of affected river reaches, or the response to comments, should contact the Public Affairs Division at the address or telephone numbers listed above.

Edward Sheets,

Executive Director.

[FR Doc. 92-20545 Filed 8-26-92; 8:45 am]

BILLING CODE 0000-00-M

Proposed Amendment and Extension of Time for Review of Council Statement of Policy Implementing Section 6(C)

August 20, 1992.

AGENCY: Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council, Council).

ACTION: Proposed amendment to Statement of Policy Implementing Section 6(c) of the Pacific Northwest Electric Power Planning and Conservation Act of 1980 (16 U.S.C. 839 *et seq.*) (Northwest Power Act, Act).

SUMMARY: On November 13, 1986, the Northwest Power Planning Council, in conjunction with the Bonneville Power Administration (Bonneville), published a Statement of Policy Implementing Section 6(c) of the Northwest Power Act. (51 FR 42028, November 20, 1986). The Council agreed to initiate, at least every five years, a public policymaking regarding its section 6(c) consistency criterion "to evaluate evolving understandings of resource acquisitions and to assess the need for changes in interpretation." (Council's Statement of Policy at 4.)

During the five years since the adoption of the original section 6(c) Policy, the Council has made only one consistency determination under the policy. In early 1987, the Council found that Bonneville's Conservation/Modernization Program for Aluminum Smelters was consistent with the plan. (Letter to Mr. James J. Jura from Robert Duncan, Council Chairman, March 18, 1987.)

In December of 1990 and January of 1991, the Council exchanged letters of understanding with Bonneville regarding the applicability of section 6(c) to Bonneville's Billing Credits Solicitation. The Council believes it would be appropriate to incorporate that understanding into its section 6(c) Policy at this time.

In light of the resource acquisition activity that Bonneville may be expected to undertake over the next few years, it seems appropriate to address the application of section 6(c) to the payment or reimbursement of investigation and preconstruction expenses of the sponsors of major resources. Such payments are expressly mentioned in the Act as one Bonneville activity that calls for section 6(c) review if associated with a major resource.

Because there has been such limited experience in the use of section 6(c) review to date, the staff proposes leaving the section 6(c) Policy unchanged, except with respect to necessary editorial changes and the two activities mentioned below, unless commentors during this policymaking exercise raise significant issues that call for reconsideration at this time. The staff also proposes renewing the original five year review period for an additional five years. While the policy that results from this public process will become a final action for purposes of judicial

review under the Act, the Council would commit, as it did in the adoption of the original section 6(c) Policy, to consider revising the policy whenever experience demonstrates a need for change. The two proposed modifications to the policy are described below, followed by proposed changes in the language of the policy itself.

SUPPLEMENTARY INFORMATION: Section 6(c) of the Act provides that: "[f]or each proposal under subsection (a), (b), (f), (h) or (l) of this section to acquire a major resource, to implement a conservation measure which will conserve an amount of electric power equivalent to that of a major resource, to pay or reimburse investigation and preconstruction expenses of the sponsors of a major resource, or to grant billing credits or services involving a major resource * * * the Administrator is to undertake a public review process. The review requires, among others, a finding by the Administrator that a proposal is either consistent or inconsistent with the Council's power plan. The Administrator's determination is then sent to the Council, and the Council may thereafter make its own consistency determination. The Administrator may not implement any inconsistent proposal unless such a resource is determined to be necessary for Bonneville to meet its obligations under the Act and then only if Congress specifically authorizes an expenditure of funds.

PROPOSED AMENDMENTS: Because the Council is developing this statement as a matter of general Council policy, setting forth the Council's procedures and practice for section 6(c), it is not bound to the procedural requirements of the federal Administrative Procedure Act. Therefore, the Council will be free to hold consultations or receive oral comment up to the time it makes its final decision. The Council will consider revising its section 6(c) policy in the following areas.

(1) The Council proposes making necessary editorial changes so that the Council's section 6(c) policy will refer to the relevant portions of the current Power Plan. The Council also renews its commitment to review this policy at least every five years, and commits to consider revising the policy whenever experience demonstrates a need for change.

(2) The Council proposes amending the scope of its section 6(c) policy statement so that the policy would encompass all four Bonneville actions made subject to review for plan consistency, adding the actions that were not covered in the 1986 policy: Payment or reimbursement of

investigation and preconstruction expenses and billing credits or services associated with a major resource.

The following paragraph would replace Paragraph B. of the current policy.

B. Scope of Policy Statement

This policy statement applies to all the activities made subject to review under the Act, a Bonneville proposal to acquire a major resource, a Bonneville proposal to implement a conservation measure that will conserve an amount of electric power equivalent to that of a major resource, a Bonneville proposal to pay or reimburse investigation and preconstruction expenses of the sponsors of a major resource, and a Bonneville proposal to grant billing credits or services involving a major resource. The Council understands that Bonneville will review for consistency with the power plan proposed payment of investigation and preconstruction expenses for those major resources identified in its biennial Resource Program. Resources in the Resource Program will be generally described by technologies, fuel types, size ranges, total numbers of megawatts, approximate costs, environmental characteristics, and general geographic locations. This description should allow a meaningful determination of consistency for payment of investigation and preconstruction expenses. The Council understands that if Bonneville proposes to reimburse the sponsors of a major resource for investigation and preconstruction expenses, it will make a finding of probable consistency with the plan. This is the same standard the Council will apply, pursuant to section 6(c)(1)(D)(iii). The Council understands that if Bonneville offers billing credits, the section 6(c) determination will not be made at the time the Billing Credits Solicitation is published. If, however, a major resource is offered to Bonneville as a result of the solicitation, and the Administrator proposes to pay a billing credit for that resource, the Administrator will first undertake the required section 6(c) review. The Council is not determining any issue related to the consistency required pursuant to section 4(h)(1)(A) or any other provision of the Act.

The Council proposes to extend the time within which it will initiate a review of this policy to a maximum of five years from the date this revised policy is adopted. At the same time, the Council commits to reconsidering this policy before that time if experience demonstrates needed changes.

ADDRESSES AND OPPORTUNITY FOR COMMENT: Written comment may be submitted either to Bonneville or to the Council, but must be received no later than 5 p.m., October 16, 1992. The Council may hold consultations and receive oral comment up to the time it makes its final decision, which will probably happen at the Council's regularly scheduled meeting to be held at the Sheraton Hotel in Billings.

Montana on November 18-19, 1992. Bonneville and the Council will exchange copies of all comments received during the comment period, so there is no need to submit duplicate copies.

To submit written comment to the Council, please note that you are commenting on Council Document Number 92-10 and send your comment to Mr. Steve Crow, Director of Public Affairs, Northwest Power Planning Council, 851 SW. 6th Avenue, Suite 1100, Portland, OR 97204-1348. Oral comment will be taken at the Council's regularly scheduled meeting to be held at the Westwater Hotel, Olympia, Washington on October 14-15, 1992. To request a copy of the Council's 1986 Statement of Policy Implementing section 6(c) or related documents, please call the Council's Public Affairs division at (503) 222-5161 or (800) 222-3355.

Edward W. Sheets,

Executive Director.

[FR Doc. 92-20544 Filed 8-26-92; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-31057; File No. SR-AMEX-92-33]

Self-Regulatory Organizations; Filing and Order Granting Accelerated Approval of Proposed Rule Change by the American Stock Exchange, Inc., Relating to an Extension by Five Minutes of the Exercise Cut-Off Time for American-Style Stock Index Options

August 19, 1992.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on July 20, 1992, the American Stock Exchange, Inc. ("Amex" or "Exchange") filed with the Securities and Exchange Commission ("SEC" or "Commission") the proposed rule change as described in Items I, II and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Amex proposes to amend Exchange Rule 980C to extend the daily exercise cut-off time for (1) receipt or preparation by member firms of memoranda to exercise American-style index options and (2) the submission of

exercise advice notices for the exercise of 25 or more American-style index options. Specifically, the Exchange proposes to extend the daily cut-off time for the receipt or preparation of exercise memoranda and exercise advices for American-style index options to five (5) minutes after the close of trading, generally establishing a 4:15 p.m. Eastern Standard Time ("EST") cut-off time. In addition, the Amex proposes to clarify Exchange Rule 980C by deleting references to the Amex's Major Market Index ("XMI") option, which no longer has an American-style exercise.

The text of the proposed rule change is available at the Office of the Secretary, Amex and at the Commission.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organizations included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

Currently, Exchange Rule 980C requires all member firms to receive or prepare a memorandum to exercise any American-style stock index option contract by 4:10 p.m. EST.¹ In addition, for any account exercising 25 or more such contracts in any one series, the firm must also submit an exercise advice form to the Exchange by 4:10 p.m. EST. The exercise advice form is an Exchange reporting form indicating the quantity of options being exercised, their options series, and the clearing number and account number of acronym for the entity submitting the advice. These procedures apply to the exercise of American-style stock index options on every business day except expiration Fridays.

Presently, two American-style stock index options trade on the Amex: The Oil Index and the Computer Technology

Index. These narrow-based indexes trade until 4:10 p.m. EST, the same time as the deadline for member firms to (i) receive or prepare memoranda to exercise such options and (ii) submit exercise advice forms to the Exchange (if the account is exercising 25 or more contracts in the same series). The practical impact of the simultaneous cut-off time of 4:10 p.m. EST for the procedures set forth in Exchange Rule 980C and the close of trading is that market participants are required to adhere to Exchange Rule 980C's procedures prior to the close of trading of such options.

The Amex proposes to amend Exchange Rule 980C to extend the daily cut-off time for the receipt of preparation of exercise memoranda and exercise advices for American-style index options to five (5) minutes after the close of trading, effectively establishing a 4:15 p.m. EST cut-off time. The Amex believes that its proposal will provide market participants with the ability to make exercise decisions based upon their final positions, after having completed trading for the day. Furthermore, the Amex believes that the proposal will enable traders and specialists to devote their attention to market making and specialist activities until 4:10 p.m. EST without having to be concerned about the preparation and submission of exercise advices. The Amex notes that the Chicago Board Options Exchange ("CBOE") and the Pacific Stock Exchange ("PSE") recently have adopted similar rules which have been approved by the Commission.²

Lastly, the Amex proposes several nonsubstantive changes to clarify certain provisions of Exchange Rule 980C. These changes include the deletion of all references to the XMI, which no longer has an American-style exercise.

The Amex believes that the proposed rule change is consistent with section 6(b) of the Act, in general, and with section 6(b)(5), in particular, in that it is designed to remove impediments to and perfect the mechanism of a free and open market and the national market system.

(B) Self-Regulatory Organization's Statement on Burden on Competition

The Amex believes that the proposed rule change will not impose a burden on competition.

¹ As proof that the memorandum to exercise was received or prepared prior to the 4:10 p.m. deadline, the memorandum must be time stamped by the member firm at the time it is prepared or received.

² See Securities Exchange Act Release Nos. 29860 (October 25, 1991), 56 FR 56254 (order approving File No. SR-CBOE-91-28) and 30152 (January 6, 1992), 57 FR 1778 (order approving File No. SR-PSE-91-46).