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Authority: 5 U.S.C. 552a; Pub. L. 100-503.

Dated: March 11, 2005.

Theresa S. Shaw,

Chief Operating Officer, Federal Student Aid.
[FR Doc. 05-5233 Filed 3-15-05; 8:45 am]

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DEPARTMENT OF EDUCATION

Office of Special Education and Rehabilitative Services; List of Correspondence

AGENCY: Department of Education.

ACTION: List of Correspondence from October 1, 2004 through December 31, 2004.

SUMMARY: The Secretary is publishing the following list pursuant to section 607(d) of the Individuals with Disabilities Education Act, as amended (IDEA). Under section 607(d) of the IDEA, the Secretary is required, on a quarterly basis, to publish in the **Federal Register** a list of correspondence from the Department of Education received by individuals during the previous quarter that describes the interpretations of the Department of Education (Department) of the IDEA or the regulations that implement the IDEA.

FOR FURTHER INFORMATION CONTACT: Melisande Lee or JoLeta Reynolds. Telephone: (202) 245-7459 (press 3).

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SUPPLEMENTARY INFORMATION: The following list identifies correspondence from the Department issued from October 1, 2004 through December 31, 2004.

Included on the list are those letters that contain interpretations of the requirements of the IDEA and its implementing regulations, as well as letters and other documents that the Department believes will assist the public in understanding the requirements of the law and its regulations. The date of and topic addressed by a letter are identified, and summary information is also provided, as appropriate. To protect the privacy interests of the individual or individuals involved, personally identifiable information has been deleted, as appropriate. Pursuant to the effective dates set forth in section 302 of the Individuals with Disabilities Education Improvement Act of 2004 (the Act), which amended and reauthorized the IDEA, the changes in IDEA that were made by the Act, with certain enumerated exceptions, will take effect on July 1, 2005. Accordingly, statutory citations in this list, as well as those contained in the letters referenced in this list, refer to the provisions of the IDEA that were in effect at the time the letters were issued.

Part A, General Provision

Section 605—Acquisition of Equipment; Construction or Alteration of Facilities

Topic Addressed: Construction or alteration of facilities.

○ Letter dated October 25, 2004 to Commonwealth of the Northern Mariana Islands Commissioner of Education Rita Hocog Inos, regarding the general principles for determining whether expenditures for construction of new facilities or alteration of existing facilities are allowable under the IDEA.

Part B—Assistance for Education of All Children With Disabilities

Section 611—Authorization; Allotment; Use of Funds; Authorization of Appropriations

Topic Addressed: Use of funds.

○ Letter dated November 10, 2004 to New Hampshire Disabilities Rights

Center Executive Director Richard A. Cohen, regarding the use of grants to local educational agencies (LEAs) for capacity building and improvement and funds retained by the State for State level activities to pay for expenses related to statewide assessments for grades three, six, and ten.

Topic Addressed: Part B Grant Awards.

○ OSEP memorandum 05-01 dated October 1, 2004 to Chief State School Officers and State Directors of Special Education, transmitting additional Part B Grant Awards under Section 611 of IDEA that became available on October 1, 2004 and clarifying that any special conditions that applied to Part B funds that became available on July 1, 2004 also apply to these additional funds.

Section 612—State Eligibility

Topic Addressed: Free appropriate public education.

○ Letter dated November 3, 2004 to Advocate Louis H. Geigerman, regarding the provision of physical therapy and occupational therapy as a related service for students with disabilities under Part B of IDEA.

Topic Addressed: Local educational agency compliance.

○ Letter dated October 28, 2004 to Interim Illinois State Superintendent of Education Randy J. Dunn, regarding (1) procedures that a State educational agency (SEA) must follow in withholding funds under Part B of IDEA from an LEA or State agency that is not in compliance with a requirement of Part B of IDEA, including the right of the affected LEA or State agency to a hearing before the SEA terminates funds, and (2) how an SEA can satisfy its obligation to provide direct services to students with disabilities under Part B of IDEA.

Topic Addressed: State educational agency general supervisory authority.

○ Letter dated December 20, 2004 to New Jersey Commissioner of Education William L. Librera, reiterating the Department's position that the New Jersey Department of Education must afford parents of children with disabilities living in New Jersey and attending school in New York under a contract between New Jersey and New York school districts access to New Jersey's due process procedures and clarifying applicable procedures if parents request changes to educational programs for children with disabilities who live in New Jersey and attend school in New York.

Section 614—Evaluations, Eligibility Determinations, Individualized Education Programs, and Educational Placements

Topic Addressed: Individualized education programs.

○ Letter dated December 15, 2004 to Utah State Director of Special Education Karl A. Wilson, responding to the State's interpretation of Utah State Office of Education Special Education Rule III.I.10, regarding documentation of accommodations necessary for students to have access to regular education, and clarifying that those accommodations must be included in the individualized education programs of students with disabilities who are eligible for services under Part B of IDEA.

Topic Addressed: Educational placements.

○ Letter dated November 3, 2004 to Ohio Attorney Helen S. Carroll, regarding grade level assignments for students with disabilities and clarifying that Part B of IDEA does not address whether a child has a right to experience each grade level in sequence.

Other Letters That Do Not Interpret the IDEA But May Be of Interest to Readers

Topic Addressed: Confidentiality.

○ Letter dated November 18, 2004 to Tennessee Department of Education Policy Analyst Matthew J. Pepper from Family Policy Compliance Office Director LeRoy S. Rooker, regarding the applicability of the Family Educational Rights and Privacy Act to the release of student level records to researchers and clarifying that education records, with the removal of all personally identifiable information, may be released without prior consent.

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(Catalog of Federal Domestic Assistance Number 84.027, Assistance to States for Education of Children with Disabilities)

Dated: March 11, 2005.

John H. Hager,

Assistant Secretary for Special Education and Rehabilitative Services.

[FR Doc. 05-5157 Filed 3-15-05; 8:45 am]

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DEPARTMENT OF ENERGY

Energy Information Administration

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Energy Information Administration (EIA), Department of Energy (DOE).

ACTION: Agency information collection activities: proposed collection; comment request.

SUMMARY: The DOE is soliciting comments on the proposed revisions and three-year extension to EIA-417, "Emergency Incident and Disturbance Report." (The revised Form, sponsored by DOE's Office of Electricity and Energy Assurance, (EEA) will be renumbered as the EEA-417, "Emergency Incident and Disturbance Report.")

DATES: Comments must be filed by May 16, 2005. If you anticipate difficulty in submitting comments within that period, contact the person listed below as soon as possible.

ADDRESSES: Send comments to Alice Lippert, U.S. Department of Energy, 1000 Independence Ave., SW., Washington, DC 20585-0690. Alternatively, Ms. Lippert may be contacted by telephone at (202) 586-9600, FAX at (202) 586-2623, or e-mail at alice.lippert@hq.doe.gov.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of forms and instructions should be directed to Ms. Lippert at the address listed above.

SUPPLEMENTARY INFORMATION:

- I. Background
- II. Current Actions
- III. Request for Comments

I. Background

The Federal Power Act (16 U.S.C. 791a *et seq.*) authorizes the DOE to collect information on the generation, distribution, and transmission of electric energy. The DOE collects information on emergency situations in electric energy supply systems so that appropriate Federal emergency response

measures can be implemented in a timely and effective manner.

The DOE, as part of its effort to comply with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35), provides the general public and other Federal agencies with opportunities to comment on collections of energy information. Any comments received help the DOE to prepare data requests that maximize the utility of the information collected, and to assess the impact of collection requirements on the public. Also, the DOE will later seek approval by the Office of Management and Budget (OMB) under section 3507(a) of the Paperwork Reduction Act of 1995.

The purpose of this notice is to seek public comment on the revised Form EEA-417 used to report electric emergency incidents and disturbances to the DOE. The Form EEA-417 reports will enable the Department to monitor electric emergency incidents and disturbances in the United States (including all 50 States, the District of Columbia, Puerto Rico, U.S. Virgin Islands, and the U.S. Trust Territories) so Government may help prevent the physical or virtual disruption of the operation of any critical infrastructure.

Currently, DOE's Office of Electricity and Energy Assurance (EEA) uses Form EIA-417, "Emergency Incident and Disturbance Report," to monitor major system incidents on electric power systems and to conduct after-action investigations on significant interruptions of electric power. The information is used to meet DOE national security responsibilities and requirements contained in the National Response Plan. The information may also be used in developing legislative recommendations and reports to Congress; and coordinating Federal efforts regarding activities such as incidents/disturbances in critical infrastructure protection; continuity of electric industry operations; and the continuity of operations of the government.

The information submitted may also be used by the Department's Office of Policy and International Affairs and the Energy Information Administration to analyze significant interruptions of electric power.

II. Current Actions

The DOE is proposing changing the form number from EIA-417 to EEA-417 to reflect the sponsorship of the form and to revise the reporting requirements. The revisions include the following: (1) Identifying which electric emergency incidents must be reported, on which schedule, and how soon after