

An employee who faces disciplinary proceedings has available a number of established procedures providing for the employee's rights to appeal or otherwise challenge a disciplinary matter. These may include rights under the Merit Systems Protection Board regulations, Equal Employment Opportunity Commission (EEOC) regulations, and grievance procedures.

#### Additional Considerations

The authority and responsibility for responding to allegations and instances of research misconduct in the Department's programs are shared among a wide variety of offices within the Department. The procedures described in this notice for investigating, adjudicating, and punishing instances of research misconduct are general in nature. Therefore, it is the Department's Policy to pursue not only the remedies described in this notice, but, also all legal remedies available to the Department and other Federal agencies in responding to instances of research misconduct.

Thus, while the Department's Policy is intended to comply with the Federal Policy, it is not intended to create, waive, amend, or otherwise abrogate any statutory or regulatory right that may otherwise exist or come into existence concerning the subject of research misconduct.

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(Catalog of Federal Domestic Assistance Number does not apply.)

Dated: October 27, 2005.

**Margaret Spellings,**  
*Secretary of Education.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL06-4-000]

#### Acadia Power Partners, LLC; Cleco Power LLC; Cleco Evangeline LLC; Perryville Energy Partners, LLC; Notice of Institution of Proceeding and Refund Effective Date

October 25, 2005.

On October 21, 2005, the Commission issued an order that instituted a proceeding in Docket No. EL06-4-000, pursuant to section 206 of the Federal Power Act (FPA) 16 U.S.C. 824e, to examine the justness and reasonableness of the Cleco Companies' <sup>1</sup> market-based rates for the City of Lafayette Power Authority and the Louisiana Energy and Power Authority control areas. *Acadia Power Partners, LLC, et al.*, 113 FERC ¶ 61,073 (2005).

The refund effective date in Docket No. EL06-4-000, established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E5-6034 Filed 11-1-05; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP06-40-000]

#### East Tennessee Natural Gas, LLC; Notice of Proposed Changes in FERC Gas Tariff

October 21, 2005.

Take notice that on October 18, 2005, East Tennessee Natural Gas, LLC (East Tennessee) tendered for filing as part of its FERC Gas Tariff, Third Revised Volume No. 1, a proposed Fourth Revised Sheet No. 394, to designate a service agreement with Ariana Energy, LLC under Rate Schedule FT-A (the Agreement) as a non-conforming agreement. East Tennessee requests that the Commission accept the proposed tariff sheet, effective November 18, 2005.

East Tennessee states that it is also submitting the Agreement to comply with the Commission's regulations regarding the filing of non-conforming

agreements. East Tennessee requests such waivers of the Commission's regulations as may be necessary for the Agreement to be made effective on December 1, 2003.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed in accordance with the provisions of section 154.210 of the Commission's regulations (18 CFR 154.210). Anyone filing an intervention or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Magalie R. Salas,**

*Secretary.*

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<sup>1</sup> Cleco Power LLC, Cleco Evangeline LLC, Perryville Energy Partners, LLC and Acadia Power Partners LLC.