

the verification documentation to e-Application are in the application package for this competition.

(B) Tiebreaker for Development Grants. In tie-breaking situations for development grants described in 34 CFR 606.23(b), the HSI Program regulations require that we award one additional point to an application from an IHE that has an endowment fund of which the current market value, per FTE enrolled student, is less than the average current market value of the endowment funds, per FTE enrolled student, at comparable institutions that offer similar instruction. We also award one additional point to an application from an IHE that had expenditures for library materials per FTE enrolled student that are less than the average expenditures for library materials per FTE enrolled student at comparable institutions that offer similar instruction.

For the purpose of these funding considerations, we use 2006–2007 data.

If a tie remains after applying the tiebreaker mechanism above, priority will be given (a) for Individual Development Grants, to applicants that addressed the statutory priority found in section 521(d) of the HEA, as amended; and (b) for Cooperative Arrangement Development Grants, to applicants in accordance with section 524(b) of the HEA, under which the Secretary determines that the cooperative arrangement is geographically and economically sound or will benefit the applicant HSI.

If a tie still remains after applying the additional point(s), and the relevant statutory priority, we will determine the ranking of applicants based on the lowest endowment values per FTE enrolled student.

VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN). We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved

application as part of your binding commitments under the grant.

3. *Reporting:* At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary in 34 CFR 75.118, 34 CFR 75.720 and in 34 CFR 606.31.

4. *Performance Measures:* The Secretary has established the following key performance measures for assessing the effectiveness of the HSI Program: (1) The percentage change, over the five-year grant period, of the number of full-time degree-seeking undergraduate students enrolled at HSIs. (2) The percentage of first-time, full-time degree-seeking undergraduate students who were in their first year of postsecondary enrollment in the previous year and are enrolled in the current year at the same Hispanic-serving institution. (3) The percentage of first-time, full-time degree-seeking undergraduate students who were in their first year of postsecondary enrollment in the previous year and are enrolled in the current year at the same four-year Hispanic-serving institution. (4) The percentage of first-time, full-time degree-seeking undergraduate students who were in their first year of postsecondary enrollment in the previous year and are enrolled in the current year at the same two-year Hispanic-serving institution. (5) The percentage of first-time, full-time degree-seeking undergraduate students enrolled at four-year HSIs graduating within six years of enrollment. (6) The percentage of first-time, full-time degree-seeking undergraduate students enrolled at two-year HSIs graduating within three years of enrollment. (7) Federal cost per undergraduate and graduate degree at institutions in the Developing HSIs program.

VII. Agency Contacts

FOR FURTHER INFORMATION CONTACT: Carnisia M. Proctor, U.S. Department of Education, 1990 K Street, NW., 6th Floor, Washington, DC 20006–8513. Telephone: (202) 502–7606 or by e-mail: Carnisia.Proctor@ed.gov.

If you use TDD, call the FRS, toll free, at 1–800–877–8339.

VIII. Other Information

Accessible Format: Individuals with disabilities may obtain this document in an accessible format (e.g., braille, large print, audiotope, or computer diskette)

on request to the program contact person listed in this section.

Electronic Access to This Document: You may view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister>.

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1–888–293–6498; or in the Washington, DC area at (202) 512–1530.

Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

Delegation of Authority: The Secretary of Education has delegated authority to Daniel T. Madzellan, Director, Forecasting and Policy Analysis for the Office of Postsecondary Education to perform the functions of the Assistant Secretary for Postsecondary Education.

Dated: May 12, 2009.

Daniel T. Madzellan,

Director, Forecasting and Policy Analysis.

[FR Doc. E9–11414 Filed 5–14–09; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

Notice of Waivers Granted Under Section 9401 of the Elementary and Secondary Education Act of 1965, as Amended

SUMMARY: In this notice, we announce the waivers that the U.S. Department of Education (Department) granted during calendar year 2008 under the waiver authority in section 9401 of the Elementary and Secondary Education Act of 1965 (ESEA), as amended.

In 2008, the Department granted a total of 51 waivers under the ESEA section 9401 waiver authority. The waivers granted were as follows: (1) Four waivers related to Hurricanes Katrina, Rita, and Ike; (2) two new waivers allowing implementation of the “growth model pilot,” and nine extensions of existing waivers to continue implementation of a “growth model pilot”; (3) six new waivers allowing implementation of the “differentiated accountability model pilot”; (4) one new waiver and four continuations of existing waivers allowing local educational agencies (LEAs) in need of improvement to be

eligible to apply to their State educational agency (SEA) to become supplemental educational services (SES) providers; (5) four new waivers and three continuations of existing waivers allowing LEAs to provide SES to eligible students attending schools that receive funding under Title I, Part A of the ESEA (Title I schools) and are in the first year of school improvement; (6) one Title I schoolwide eligibility waiver; (7) one Title I, Part A within-district allocation waiver; (8) one waiver of the ESEA transferability rules; (9) one "local-flex" waiver; (10) four waivers to the Consolidated Grants restrictions; and (11) ten waivers allowing recipients of funds under the Indian Education program to charge additional administrative costs to the program.

Waiver Data:

Waivers Related to Hurricanes Katrina, Rita, and Ike

1. *Waiver Applicant:* Louisiana Department of Education.

- *Provision waived:* Tydings Amendment, section 421(b) of the General Education Provisions Act (GEPA).

- *Date waiver granted:* May 6, 2008.
- *Description of waiver:* Extended until September 30, 2009 the period of availability for fiscal year 2006 funds for all programs authorized under the ESEA.

2. *Waiver Applicant:* Mississippi Department of Education.

- *Provision waived:* Tydings Amendment, section 421(b) of GEPA.

- *Date waiver granted:* October 7, 2008.

- *Description of waiver:* Extended until September 30, 2009 the period of availability for fiscal year 2006 Title II, Part A funds.

3. *Waiver Applicant:* Mississippi Department of Education.

- *Provision waived:* Tydings Amendment, section 421(b) of GEPA.

- *Date waiver granted:* October 7, 2008.

- *Description of waiver:* Extended until September 30, 2009 the period of availability for fiscal year 2006 Title I, Part B, Subpart 1 funds.

4. *Waiver Applicant:* Texas Education Agency.

- *Provision waived:* Tydings Amendment, section 421(b) of GEPA.

- *Date waiver granted:* October 9, 2008.

- *Description of waiver:* Extended until September 30, 2009 the period of availability for fiscal year 2006 Title I, Part B, Subpart 1 funds.

II. "Growth Model Pilots"

New Applicants:

1. *Waiver Applicant:* Michigan Department of Education.

- *Provision waived:* Section

1111(b)(2) of the ESEA.

- *Date waiver granted:* June 10, 2008.

- *Description of waiver:* Provided Michigan the flexibility to implement a growth-based accountability model as part of determining adequate yearly progress (AYP) beginning in the 2007–2008 school year.

2. *Waiver Applicant:* Missouri Department of Education.

- *Provision waived:* Section

1111(b)(2) of the ESEA.

- *Date waiver granted:* June 10, 2008.

- *Description of waiver:* Provided Missouri the flexibility to implement a growth-based accountability model as part of determining AYP beginning in the 2007–2008 school year, conditioned upon Missouri's adopting a uniform minimum group size for all subgroups, including students with disabilities and limited English proficient students.

Continuation Applicants:

1. *Waiver Applicant:* Alaska Department of Education.

- *Provision waived:* Section

1111(b)(2) of the ESEA.

- *Date waiver granted:* July 25, 2008.

- *Description of waiver:* Extended Alaska the flexibility to continue to use a growth-based accountability model as part of determining AYP in 2008–2009 based on assessments administered in the 2007–2008 school year.

2. *Waiver Applicant:* Arizona Department of Education.

- *Provision waived:* Section

1111(b)(2) of the ESEA.

- *Date waiver granted:* July 25, 2008.

- *Description of waiver:* Extended Arizona the flexibility to continue to use a growth-based accountability model as part of determining AYP in 2008–2009 based on assessments administered in the 2007–2008 school year.

3. *Waiver Applicant:* Arkansas Department of Education.

- *Provision waived:* Section

1111(b)(2) of the ESEA.

- *Date waiver granted:* July 25, 2008.

- *Description of waiver:* Extended Arkansas the flexibility to continue to use a growth-based accountability model as part of determining AYP in 2008–2009 based on assessments administered in the 2007–2008 school year.

4. *Waiver Applicant:* Delaware Department of Education.

- *Provision waived:* Section

1111(b)(2) of the ESEA.

- *Date waiver granted:* July 25, 2008.

- *Description of waiver:* Extended Delaware the flexibility to continue to use a growth-based accountability model as part of determining AYP in

2008–2009 based on assessments administered in the 2007–2008 school year.

5. *Waiver Applicant:* Florida Department of Education.

- *Provision waived:* Section

1111(b)(2) of the ESEA.

- *Date waiver granted:* July 25, 2008.

- *Description of waiver:* Extended Florida the flexibility to continue to use a growth-based accountability model as part of determining AYP in 2008–2009 based on assessments administered in the 2007–2008 school year.

6. *Waiver Applicant:* Iowa Department of Education.

- *Provision waived:* Section

1111(b)(2) of the ESEA.

- *Date waiver granted:* July 25, 2008.

- *Description of waiver:* Extended Iowa the flexibility to continue to use a growth-based accountability model as part of determining AYP in 2008–2009 based on assessments administered in the 2007–2008 school year.

7. *Waiver Applicant:* North Carolina Department of Education.

- *Provision waived:* Section

1111(b)(2) of the ESEA.

- *Date waiver granted:* July 25, 2008.

- *Description of waiver:* Extended North Carolina the flexibility to continue to use a growth-based accountability model as part of determining AYP in 2008–2009 based on assessments administered in the 2007–2008 school year.

8. *Waiver Applicant:* Ohio Department of Education.

- *Provision waived:* Section

1111(b)(2) of the ESEA.

- *Date waiver granted:* July 25, 2008.

- *Description of waiver:* Extended Ohio the flexibility to continue to use a growth-based accountability model as part of determining AYP in 2008–2009 based on assessments administered in the 2007–2008 school year.

9. *Waiver Applicant:* Tennessee Department of Education.

- *Provision waived:* Section

1111(b)(2) of the ESEA.

- *Date waiver granted:* July 25, 2008.

- *Description of waiver:* Extended Tennessee the flexibility to continue to use a growth-based accountability model as part of determining AYP in 2008–2009 based on assessments administered in the 2007–2008 school year.

III. "Differentiated Accountability Model Pilots"

1. *Waiver Applicant:* Florida Department of Education

- *Provision waived:* Section 1116 of the ESEA.

- *Date waiver granted:* July 1, 2008.

- *Description of waiver:* Provided Florida the flexibility to include its

differentiated accountability model as a part of its system of school improvement interventions based on assessment results from the 2007–2008 school year.

2. *Waiver Applicant:* Georgia Department of Education.

- *Provision waived:* Section 1116 of the ESEA.
- *Date waiver granted:* July 1, 2008.
- *Description of waiver:* Provided Georgia the flexibility to include its differentiated accountability model as a part of its system of school improvement interventions based on assessment results from the 2007–2008 school year.

3. *Waiver Applicant:* Illinois Department of Education.

- *Provision waived:* Section 1116 of the ESEA.
- *Date waiver granted:* July 1, 2008.
- *Description of waiver:* Provided Illinois the flexibility to include its differentiated accountability model as a part of its system of school improvement interventions based on assessment results from the 2007–2008 school year.

4. *Waiver Applicant:* Indiana Department of Education.

- *Provision waived:* Section 1116 of the ESEA.
- *Date waiver granted:* July 1, 2008.
- *Description of waiver:* Provided Indiana the flexibility to include its differentiated accountability model as a part of its system of school improvement interventions based on assessment results from the 2007–2008 school year.

5. *Waiver Applicant:* Maryland Department of Education.

- *Provision waived:* Section 1116 of the ESEA.
- *Date waiver granted:* July 1, 2008.
- *Description of waiver:* Provided Maryland the flexibility to include its differentiated accountability model as a part of its system of school improvement interventions based on assessment results from the 2007–2008 school year.

6. *Waiver Applicant:* Ohio Department of Education.

- *Provision waived:* Section 1116 of the ESEA.
- *Date waiver granted:* July 1, 2008.
- *Description of waiver:* Provided Ohio the flexibility to include its differentiated accountability model as a part of its system of school improvement interventions based on assessment results from the 2007–2008 school year.

IV. Allowing LEAs in Need of Improvement To Be Eligible To Apply to Their SEA To Become Supplemental Educational Services (SES) Providers

New Applicant:

1. *Waiver Applicant:* Charlotte-Mecklenburg Schools, NC.
 - *Provision waived:* 34 CFR 200.47(b)(1)(iv)(B).
 - *Date waiver granted:* August 4, 2008.
 - *Description of waiver:* Permitted Charlotte-Mecklenburg Schools to be eligible to apply to its SEA to become a provider of SES to eligible students during the 2008–2009 school year even though the LEA was identified for improvement.

Continuation Applicants:

1. *Waiver Applicant:* Anchorage School District, AK.
 - *Provision waived:* 34 CFR 200.47(b)(1)(iv)(B).
 - *Date waiver granted:* August 4, 2008.
 - *Description of waiver:* Permitted the Anchorage School District to continue to be eligible to apply to its SEA to become a provider of SES to eligible students during the 2008–2009 school year even though the LEA was identified for improvement.
2. *Waiver Applicant:* Boston Public Schools, MA.
 - *Provision waived:* 34 CFR 200.47(b)(1)(iv)(B).
 - *Date waiver granted:* August 4, 2008.
 - *Description of waiver:* Permitted Boston Public Schools to continue to be eligible to apply to its SEA to become a provider of SES to eligible students during the 2008–2009 school year even though the LEA was identified for improvement.

3. *Waiver Applicant:* Chicago Public Schools, IL.

- *Provision waived:* 34 CFR 200.47(b)(1)(iv)(B).
- *Date waiver granted:* August 4, 2008.
- *Description of waiver:* Permitted Chicago Public Schools to continue to be eligible to apply to its SEA to become a provider of SES to eligible students during the 2008–2009 school year even though the LEA was identified for improvement.

4. *Waiver Applicant:* Hillsborough County Public Schools, FL.

- *Provision waived:* 34 CFR 200.47(b)(1)(iv)(B).
- *Date waiver granted:* August 4, 2008.
- *Description of waiver:* Permitted Hillsborough County Public Schools to continue to be eligible to apply to its SEA to become a provider of SES to

eligible students during the 2008–2009 school year even though the LEA was identified for improvement.

V. Allowing LEAs to Provide SES to Eligible Students in Title I Schools in the First Year of School Improvement

New Applicants:

1. *Waiver Applicant:* Alabama Department of Education.
 - *Provisions waived:* Sections 1116(b)(1)(E) and 1116(b)(5)(B) of the ESEA.
 - *Date waiver granted:* August 1, 2008.
 - *Description of waiver:* For the 2008–2009 school year, permitted all LEAs in Alabama to offer SES, rather than, or in addition to, public school choice, to eligible students in Title I schools in the first year of school improvement.
2. *Waiver Applicant:* Arkansas Department of Education.
 - *Provisions waived:* Sections 1116(b)(1)(E) and 1116(b)(5)(B) of the ESEA.
 - *Date waiver granted:* August 1, 2008.
 - *Description of waiver:* For the 2008–2009 school year, permitted all LEAs in Arkansas to offer SES, rather than public school choice, to eligible students in Title I schools in the first year of school improvement.
3. *Waiver Applicant:* Tennessee Department of Education.
 - *Provisions waived:* Sections 1116(b)(1)(E) and 1116(b)(5)(B) of the ESEA.
 - *Date waiver granted:* August 1, 2008.
 - *Description of waiver:* For the 2008–2009 school year, permitted all LEAs in Tennessee to offer SES, in addition to public school choice, to eligible students in Title I schools in the first year of school improvement.
4. *Waiver Applicant:* Utah Department of Public Instruction.
 - *Provisions waived:* Sections 1116(b)(1)(E) and 1116(b)(5)(B) of the ESEA.
 - *Date waiver granted:* August 1, 2008.
 - *Description of waiver:* For the 2008–2009 school year, permitted all LEAs in Utah to offer SES, rather than public school choice, to eligible students in Title I schools in the first year of school improvement.

Continuation Applicants:

1. *Waiver Applicant:* Alaska Department of Education and Early Development.
 - *Provisions waived:* Sections 1116(b)(1)(E) and 1116(b)(5)(B) of the ESEA.
 - *Date waiver granted:* August 1, 2008.

- *Description of waiver:* For the 2008–2009 school year, permitted five LEAs—Anchorage School District, Fairbanks North Star Borough, Juneau Borough, Kenai Peninsula Borough, and Matanuska-Susitna Borough—to offer SES, rather than public school choice, to eligible students in Title I schools in the first year of school improvement.

2. *Waiver Applicant:* North Carolina Department of Public Instruction.

- *Provisions waived:* Sections 1116(b)(1)(E) and 1116(b)(5)(B) of the ESEA.

- *Date waiver granted:* August 1, 2008.

- *Description of waiver:* For the 2008–2009 school year, continue to allow all LEAs in North Carolina to offer SES, rather than public school choice, to eligible students in Title I schools in the first year of school improvement.

3. *Waiver Applicant:* Virginia Department of Education.

- *Provisions waived:* Sections 1116(b)(1)(E) and 1116(b)(5)(B) of the ESEA.

- *Date waiver granted:* August 1, 2008.

- *Description of waiver:* For the 2008–2009 school year, permitted 14 LEAs—Albemarle County, Alexandria City, Fairfax County, Fauquier County, Fluvanna County, Hampton City, Harrisonburg City, Henrico County, Loudoun County, Manassas City, Martinsville City, Richmond City, Spotsylvania County, and Williamsburg-James City County—to offer SES, rather than public school choice, to eligible students in Title I schools in the first year of school improvement.

VI. Schoolwide Eligibility Waiver

1. *Waiver Applicant:* Berkeley County Schools, WV.

- *Provision waived:* Section 1114(a) of the ESEA.

- *Date waiver granted:* June 25, 2008.

- *Description of waiver:* Permits an elementary school to implement a Title I schoolwide program even though fewer than 40 percent of its students are from low-income families.

VII. Title I Within-District Allocation Waiver

1. *Waiver Applicant:* Henry County School District, GA.

- *Provisions waived:* Sections 1113(a) and (b) of the ESEA.

- *Date waiver granted:* April 10, 2008.

- *Description of waiver:* Allows the LEA to skip a newly opening school in order to serve an existing Title I school with a slightly lower poverty rate for one additional year.

VIII. Transferability Waiver

1. *Waiver Applicant:* New York State Department of Education.

- *Provision waived:* Section 6123(a) of the ESEA.

- *Date waiver granted:* August 14, 2008.

- *Description of waiver:* Permits the State to transfer certain Title II, Part A funds for State-level activities to its Title I, Part A administrative reserve.

IX. Local-Flexibility Demonstration Program

1. *Waiver Applicant:* Seattle Public Schools, WA.

- *Provision waived:* Section 6154(a)(1) of the ESEA.

- *Date waiver granted:* September 29, 2008.

- *Description of waiver:* Waives the requirement that precludes the LEA from continuing to implement its local-flex agreement because it failed to make AYP for two consecutive years.

X. Consolidated Grant Restrictions

1. *Waiver Applicant:* American Samoa Department of Education, ASDE.

- *Provision waived:* 34 CFR 76.136 and 76.137.

- *Date waiver granted:* September 26, 2008.

- *Description of waiver:* Provided ASDE the flexibility to use funds under its Fiscal Year 2008 consolidated grant for programs under Title V, Part A of the ESEA.

2. *Waiver Applicant:* Guam Public School Systems, GPSS.

- *Provision waived:* 34 CFR 76.136 and 76.137.

- *Date waiver granted:* September 26, 2008.

- *Description of waiver:* Provided GPSS the flexibility to use funds under its Fiscal Year 2008 consolidated grant for programs under Title V, Part A of the ESEA.

3. *Waiver Applicant:* Commonwealth of the Northern Mariana Islands Public School System, CNMI.

- *Provision waived:* 34 CFR 76.136 and 76.137.

- *Date waiver granted:* September 26, 2008.

- *Description of waiver:* Provided CNMI the flexibility to use funds under its Fiscal Year 2008 consolidated grant for programs under Title V, Part A of the ESEA.

4. *Waiver Applicant:* Virgin Islands Department of Education, VIDE.

- *Provision waived:* 34 CFR 76.136 and 76.137.

- *Date waiver granted:* November 13, 2008.

- *Description of waiver:* Provided VIDE the flexibility to use funds under

its Fiscal Year 2008 consolidated grant for programs under Title V, Part A of the ESEA.

XI. Waivers of the Administrative Cost Limitation That Applies to Indian Education Funds

On May 29, 2008, the Department granted the following LEAs waivers of section 7115(d) of the ESEA, which establishes a five percent administrative cost limitation on funds awarded under the Indian Education formula grant program:

- Kenai Peninsula Borough Schools, AK.
- San Carlos Unified School District, AZ.
- Whiteriver Unified School District, AZ.
- Ventura Unified School District, CA.
- Little Axe Public Schools, OK.
- Muskogee Public Schools, OK.
- Oolagah-Talala Public Schools, OK.
- Sulphur Public Schools, OK.
- Tulsa Public Schools, OK.
- Spokane Public Schools (School District 81), WA.

FOR FURTHER INFORMATION CONTACT: Luz Curet, U.S. Department of Education, 400 Maryland Avenue, SW., Room 3W344, Washington, DC 20202. Telephone: (202) 205–3728 or by e-mail: luz.curet@ed.gov.

If you use a telecommunications device for the deaf (TDD), call the Federal Relay Service (FRS), toll free, at 1–800–877–8339. Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotape, or computer diskette) on request to the program contact person listed in this section.

Electronic Access to This Document: You may view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister>.

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1–888–293–6498; or in the Washington, DC area at (202) 512–1530.

Delegation of Authority: The Secretary of Education has delegated authority to Joseph C. Conaty, Director, Academic Improvement and Teacher Quality Programs for the Office of Elementary and Secondary Education, to perform the functions of the Assistant Secretary for Elementary and Secondary Education.

Dated: May 12, 2009.

Joseph C. Conaty,

Director, Academic Improvement and Teacher Quality Programs.

[FR Doc. E9-11413 Filed 5-14-09; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC09-714-000]

Commission Information Collection Activities (FERC-714); Comment Request; Extension

May 7, 2009.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Notice of proposed information collection and request for comments.

SUMMARY: In compliance with the requirements of section 3506(c)(2)(a) of the Paperwork Reduction Act of 1995 (Pub. L. No. 104-13), the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the specific aspects of the information collection described below.

DATES: Comments in consideration of the collection of information are due July 13, 2009.

ADDRESSES: An example of this collection of information may be obtained from the Commission's Web site (at <http://www.ferc.gov/docs-filing/elibRARY.asp>). Comments may be filed either electronically or in paper format, and should refer to Docket No. IC09-714-000. Documents must be prepared in an acceptable filing format and in compliance with the Federal Energy

Regulatory Commission submission guidelines at <http://www.ferc.gov/help/submission-guide.asp>.

Comments may be filed electronically via the eFiling link on the Commission's Web site at www.ferc.gov. First time users will have to establish a user name and password (<http://www.ferc.gov/docs-filing/eregistration.asp>) before eFiling. The Commission will send an automatic acknowledgement to the sender's e-mail address upon receipt of comments through eFiling.

Commenters filing electronically should not make a paper filing. Commenters that are not able to file electronically must send an original and 14 copies of their comments to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street, NE., Washington, DC 20426.

Users interested in receiving automatic notification of activity in this docket may do so through eSubscription (at <http://www.ferc.gov/docs-filing/esubscription.asp>). In addition, all comments and FERC issuances may be viewed, printed or downloaded remotely through FERC's Web site using the "eLibrary" link and searching on Docket Number IC09-714. For user assistance, contact FERC Online Support (e-mail at ferconlinesupport@ferc.gov, or call toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659).

FOR FURTHER INFORMATION CONTACT:

Ellen Brown may be reached by telephone at (202) 502-8663, by fax at (202) 273-0873, and by e-mail at ellen.brown@ferc.gov.

SUPPLEMENTARY INFORMATION: FERC-714 (Annual Electric Balancing Authority Area and Planning Area Report (formerly called "Annual Electric

Control and Planning Area Report"), OMB No. 1902-0140) is used by the Commission to implement Sections 4, 202, 207, 210, 211-213, 304, 309 and 311 of the Federal Power Act (FPA) as amended (49 Stat. 838; 16 U.S.C. 791 a-825r), Section 3(4) of Public Utility Regulatory Policies Act of 1978, 26 U.S.C. 2602 and sections 1211, 1221, 1231, 1241 and 1242 of the Energy Policy Act of 2005 (Pub. L. 109-58) (119 Stat. 594). The filing requirements are found at 18 CFR 141.51. The information allows the Commission to analyze power system operations, to estimate the effect of changes in power system operations that result from the installation of a new generating unit or plant, transmission facilities, energy transfers between systems and/or new points of interconnections. The analyses also serve to correlate rates and charges, assess reliability and other operating attributes in regulatory proceedings, monitor market trends and behaviors, and determine the competitive impacts of proposed mergers, acquisitions and dispositions.

ACTION: The Commission is requesting a three-year extension of the current reporting requirements.

Burden Statement: There has been a change in burden due to: (1) An informal, limited survey of respondents in order to obtain improved estimates of both the burden and cost, (2) a change in the number of filers resulting from the formation of regional transmission organizations (and other similar entities) encompassing numerous former Control Areas (Balancing Authority Areas), and (3) the switch to an all-electronic filing in 2007 (from a paper and diskette filing). Public reporting burden for this collection is estimated as follows.

FERC data collection	Number of respondents annually	Number of responses per respondent	Average burden hours per response	Total annual burden hours
	(1)	(2)	(3)	(1)x(2)x(3)
FERC-714	215	1	187	1 18,705

Note: These figures may not be exact, due to rounding.

The total estimated annual cost burden¹ to respondents is \$885,155 (215 respondents x \$4,117 per respondent).

¹ These figures are based on a limited survey of 8 respondents. The average estimated annual burden per respondent (and filing) is 87 hours.

Using the number of hours spent by each specific job title or level, the estimated annual staff cost was calculated based on the nationwide average annual salary for various levels of engineers, found in the Occupational Outlook Handbook (2008-09 Edition) [posted on the Bureau of Labor Statistics Web site at <http://www.bls.gov/oco/ocos027.htm>]. The

The reporting burden includes the total time, effort, or financial resources expended to generate, maintain, retain, disclose, or provide the information including: (1) Reviewing instructions; (2) developing, acquiring, installing, and

estimated average annual staff cost for preparing the FERC-714 was \$3,603.

The respondents surveyed had additional costs of \$514, on average per year. Therefore the total estimated average annual cost per respondent is \$4,117.

utilizing technology and systems for the purposes of collecting, validating, verifying, processing, maintaining, disclosing and providing information; (3) adjusting the existing ways to comply with any previously applicable instructions and requirements; (4) training personnel to respond to a collection of information; (5) searching data sources; (6) completing and reviewing the collection of information;