

proposed information collection requests should be addressed to Patrick J. Sherrill, Department of Education, 600 Independence Avenue, S.W., Room 5624, Regional Office Building 3, Washington, DC 20202-4651.

FOR FURTHER INFORMATION CONTACT: Patrick J. Sherrill (202) 708-8196.

Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Director of the Information Resources Group publishes this notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment at the address specified above. Copies of the requests are available from Patrick J. Sherrill at the address specified above.

Dated: February 9, 1996.

Gloria Parker,

Director, Information Resources Group.

Office of Postsecondary Education

Type of Review: New.

Title: Direct Loan Participant Survey.

Frequency: Annually.

Affected Public: Business or other for-profit; Not-for-profit institutions.

Annual Reporting and Recordkeeping Burden:

Responses: 1,500.

Burden Hours: 750.

Abstract: This information is being requested specifically for providing a higher level of Customer Service to Direct Loan schools. Collection of this information will allow us to provide better technical assistance to DL schools

and to provide a network database to schools as an information device that would enable them to communicate with schools that have similar configurations, software needs, and process procedures.

[FR Doc. 96-3407 Filed 2-14-96; 8:45 am]

BILLING CODE 4000-01-P

Arbitration Panel Decision Under the Randolph-Sheppard Act

AGENCY: Department of Education.

ACTION: Notice of arbitration panel decision under the Randolph-Sheppard Act.

SUMMARY: Notice is hereby given that on April 13, 1994, an arbitration panel rendered a decision in the matter of *Betty Moffitt v. Tennessee Department of Human Services*, (Docket No. R-S/92-8). This panel was convened by the U.S. Department of Education pursuant to 20 U.S.C. 107d-2, upon receipt of a complaint filed by Betty Moffitt.

FOR FURTHER INFORMATION CONTACT: A copy of the full text of the arbitration panel decision may be obtained from George F. Arsnow, U. S. Department of Education, 600 Independence Avenue, SW., Room 3230, Switzer Building, Washington, DC 20202-2738. Telephone: (202) 205-9317. Individuals who use a telecommunications device for the deaf (TDD) may call the TDD number at (202) 205-8298.

SUPPLEMENTARY INFORMATION: Pursuant to the Randolph-Sheppard Act (20 U.S.C. 107d-2(c)), the Secretary publishes a synopsis of arbitration panel decisions affecting the administration of vending facilities on Federal and other property.

Background

The complainant, Betty Moffitt, became a licensed manager in the Tennessee Business Enterprise Program on September 1, 1976, and was eventually assigned to Facility #299 at the Tennessee Valley Authority (TVA) Sequoyah Nuclear Power Plant on September 1, 1982. The Tennessee Department of Human Services (TDHS) is the designated State licensing agency (SLA) charged with the administration and operation of the Tennessee Vending Facility program. The Division of Internal Audit for TDHS conducted an in-depth examination and audit of Facility #299 for the calendar year 1987. TDHS found substantial and compelling discrepancies between the amounts of purchases and sales reported by the complainant and amounts of purchases and sales obtained by the auditors from independent sources.

After a thorough analysis of all information, including an independent audit conducted by the Tennessee Department of Revenue that also demonstrated major inconsistencies, TDHS issued a letter to the complainant terminating her license effective February 9, 1991. Complainant allegedly violated Tennessee Rule 1240-6-6.3 (4), which mandates termination of license for falsification of records.

The complainant appealed her termination of license by requesting and receiving a State fair hearing held on July 25 and 26, 1991. An opinion was issued by the hearing officer on January 31, 1992. The hearing officer sustained TDHS's termination of Ms. Moffitt's license based upon the evidence presented at the hearing. Specifically, the hearing officer ruled that the evidence substantiated the falsification allegations made by the SLA. Subsequently, the complainant filed a petition for reconsideration of the hearing officer's decision, which was denied in a written opinion on February 12, 1992. A notice of appeal was filed by the complainant, and on March 2, 1992, the hearing officer issued a final order adopting the earlier opinion of January 31, 1992.

The complainant applied for and received reconsideration of the final order on March 6, 1992, which was denied by the Director of Appeals on March 10, 1992.

On May 13, 1992, Ms. Moffitt filed a request with the Secretary of the U.S. Department of Education to convene an arbitration panel to review the final order of the hearing officer. A hearing by a Federal arbitration panel was held on September 3, 1993.

Arbitration Panel Decision

The arbitration panel reviewed the audit findings of TDHS's Division of Internal Audit of the complainant's Facility #299. The panel concluded that, while the findings of the audit were not conclusive, they were extraordinarily persuasive and were not satisfactorily rebutted. Further, the complainant's testimony and presentation of evidence did not satisfactorily rebut the evidence presented by TDHS. Accordingly, the panel found that in 1987 at Facility #299 the complainant underreported merchandise purchased by at least \$58,000 and underreported sales by approximately \$140,000 (this was a projected figure accepted by the panel). The panel further found that the underreporting was so significant that it could not be attributed to errors of negligence or inadvertence.

The panel found that TDHS had demonstrated by a preponderance of

evidence that the complainant knowingly and intentionally filed false reports with the SLA that were misleading and that misrepresented the true financial status of Facility #299. The panel found that by doing so, the complainant avoided the payment of set-aside assessments on tens of thousands of dollars for 1987. The panel estimated that the actions of the complainant resulted in TDHS being deprived of approximately sixteen thousand dollars in fees for the year 1987, after considering allowances for legitimate losses in business and the set-aside fees paid by the complainant.

Therefore, the panel concluded that the maintenance of financial accountability among the TDHS's licensed managers is vital to protect the stability, integrity, and future growth of the vending facility program. The panel considered that the SLA must have the authority to take extreme measures in those cases that threaten to undermine the basic principles on which the program operates. The panel ruled that the actions of TDHS were proper and appropriate in terminating the license of the complainant for violation of the State rule 1240-6-6.03 (4). The views and opinions expressed by the panel do not necessarily represent the views and opinions of the U.S. Department of Education.

Dated: February 12, 1996.

Howard R. Moses,
*Acting Assistant Secretary for Special
Education and Rehabilitative Services.*

[FR Doc. 96-3450 Filed 2-14-96; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. RP94-96-017 and RP94-213-014 (Consolidated)]

CNG Transmission Corporation; Notice of Proposed Changes in FERC Gas Tariff

February 9, 1996.

Take notice that on February 5, 1996, CNG Transmission Corporation (CNG), tendered for filing as part of its FERC Gas Tariff, Second Revised Volume No. 1, the following tariff sheets:

Original Sheet No. 37A
Substitute Third Rev. Sheet No. 349
Substitute Third Rev. Sheet No. 350

CNG requests an effective date of July 1, 1994, for these substitute tariff sheets.

CNG states that it has filed Original Sheet No. 37A in order to comply with a directive contained in the December

21, 1995, Letter Order in this proceeding, by providing a summary of rates applicable to CNG's separately-priced incremental rate schedules. CNG indicates that the purpose of substitute Sheet Nos. 349 and 350 is to revise the proposed effective date of these sheets from January 1, 1996 to July 1, 1994. According to CNG, this effective date revision is consistent with Article III, Paragraph B of the June 28, 1996 Stipulation and Agreement in the instant proceedings.

CNG states that copies of this letter of transmittal and enclosures are being mailed to the parties to the captioned proceedings.

Any person desiring to protest this filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426, in accordance with 18 CFR 385.211 of the Commission's Rules and Regulations. All such protests must be filed as provided in Section 154.210 of the Commission's Regulations. 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. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

Lois D. Cashell,

Secretary.

[FR Doc. 96-3370 Filed 2-14-96; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP85-221-062]

Frontier Gas Storage Company; Notice of Sale Pursuant to Settlement Agreement

February 9, 1996.

Take notice that on February 7, 1996, Frontier Gas Storage Company (Frontier), c/o Reid & Priest, Market Square, 701 Pennsylvania Ave., N.W., Suite 800, Washington, D.C. 20004, in compliance with provisions of the Commission's February 13, 1985, Order in Docket No. CP82-487-000, *et al.*, submitted an executed Service Agreement under Rate Schedule LVS-1 providing for the possible sale of up to a daily quantity of 50,000 MMBtu, not to exceed a 5 Bcf of Frontier's gas storage inventory on an "as metered" basis to Rainbow Gas Company, for term ending February 28, 1997.

Under Subpart (b) of Ordering Paragraph (F) of the Commission's February 13, 1985, Order, Frontier is "authorized to commence the sale of its inventory under such an executed service agreement fourteen days after

filing the agreement with the Commission, and may continue making such sale unless the Commission issues an order either requiring Frontier to stop selling and setting the matter for hearing or permitting the sale to continue and establishing other procedures for resolving the matter."

Any person desiring to be heard or to make a protest with reference to said filing should, within 10 days of the publication of such notice in the Federal Register, file with the Federal Energy Regulatory Commission (888 1st Street N.E., Washington, D.C. 20426) a motion to intervene or protest in accordance with the requirements of the Commission's Rules of Practice and Procedures, 18 CFR 385.214 or 385.211. 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. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 96-3371 Filed 2-14-96; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP95-5-008]

Northwest Pipeline Corporation; Notice of Compliance Filing

February 9, 1996.

Take notice that on February 6, 1996, Northwest Pipeline Corporation (Northwest) tendered for filing as part of its FERC Gas Tariff, Third Revised Volume No. 1, the following tariff sheets, to become effective November 6, 1994:

Fifth Substitute Original Sheet No. 237-A
Fourth Substitute Original Sheet No. 237-B
Substitute Second Revised Sheet No. 237-C
Original Sheet No. 237-D

Northwest states that the purpose of this filing is to comply with the Commission's directives in its Order on Rehearing issued January 23, 1996 in Docket No. RP95-5-005.¹ Northwest's proposed tariff language specifies that Northwest will extend a shipper imbalance make-up period if Northwest is unable to accommodate an imbalance make-up nomination to eliminate a shipper imbalance due to force majeure or operating conditions, provided that the nomination is from a shipper's primary receipt point.

Northwest states that the revised tariff sheets are being served upon all intervenors in this proceeding.

¹ 74 FERC ¶ 61,059.