

("Investments"), its wholly-owned non-utility subsidiary (collectively "Applicants"), both located at 139 East Fourth Street, Cincinnati, Ohio 45202, have filed an application-declaration under sections 6(a), 7, 12(b), 32 and 33 of the Act and rules 45, 53, and 54 thereunder.

Applicants are currently authorized, under the terms of orders and supplemental orders issued under File Nos. 70-8477 [HCAR Nos. 26159 (November 18, 1994) and 26477 (February 23, 1996)], 70-8521 [HCAR Nos. 26215 (January 11, 1995) and 26488 (March 12, 1996)], and 70-8589 [HCAR Nos. 26376 (September 21, 1995) and 26486 (March 8, 1996)] (collectively, the "Prior Orders"), among other things, to use the proceeds of the issuance of short term debt and common stock to invest, directly or indirectly through one or more special purpose subsidiaries or project parents, in exempt wholesale generators ("EWGs") and foreign utility companies ("FUCOs"), and to issue guarantees of the obligations of such entities, provided that the total of the net proceeds used for such investments and guarantees outstanding at any one time shall not, when added to Cinergy's "aggregate investment" (as defined in rule 53(a) under the Act) in all EWGs and FUCOs, exceed 50% of Cinergy's "consolidated retained earnings" (as defined in rule 53(a)). This investment limitation is consistent with the investment limitation contained in rule 53(a)(1).

Applicants request the Commission to modify this limitation, and exempt them from the requirements of rule 53(a)(1), to permit Cinergy to use the net proceeds of common stock sales and borrowings to acquire, directly or indirectly, the securities of, or other interests in, EWGs and FUCOs, and to issue guarantees of the obligations of such entities (all as authorized by and in accordance with the terms of the Prior Orders) in an aggregate amount that, when added to Cinergy's direct and indirect "aggregate investment," as defined, in all EWGs and FUCOs, would not at any time exceed 100% of Cinergy's "consolidated retained earnings," as defined ("100% authority").³ The current amount of

Cinergy's "aggregate investment," as defined, in EWGs and FUCOs (approximately \$495 million as of January 31, 1997) represents approximately 50% of its "consolidated retained earnings," as defined (approximately \$990 million as of December 31, 1996). Increasing this limitation as Applicants propose would allow financing of additional investments in EWGs and FUCOs of approximately \$495 million based on Cinergy's consolidated retained earnings as of December 31, 1996.

Applicants state that Cinergy is committed to making additional investments in EWGs and FUCOs, primarily because (1) current projections indicate that for at least the next eight years Cinergy will not need to make any new equity investment in any of its utility subsidiaries; (2) acquisitions of EWGs and FUCOs give Cinergy the opportunity to continue to grow through reinvestment of retained earnings in an industry sector that Cinergy has decades of experience in, while at the same time diversifying overall asset risk; and (3) Cinergy has purposely invested in utility systems in foreign countries where deregulation of and competition in retail and wholesale electricity markets is more fully developed than in the United States in order to gain experience with deregulated markets that will enhance Cinergy's ability to make its core domestic utility operations more competitive and efficient in the future as the United States moves toward deregulation and increased competition. Applicants also describe comprehensive procedures that Cinergy has established to identify and address risks involved in EWG and FUCO investments.

Cinergy states that the use of financing proceeds and guarantees to make investments in EWGs and FUCOs to the proposed increased level will not have a substantial adverse impact on the financial integrity of the Cinergy system or an adverse impact on any utility subsidiary of Cinergy or its customers or on the ability of the affected state commissions to protect such customers. Applicants also state that Cinergy will not seek recovery through higher rates to its utility subsidiaries' customers in order to compensate Cinergy for any possible losses that it may sustain on investments in EWGs and FUCOs or for any inadequate returns on such investments. In addition, Cinergy will not cause or permit its utility subsidiaries to mortgage, pledge or otherwise encumber or use as collateral any of their properties or assets in connection with any direct or indirect

acquisition by Cinergy of any interest in any EWG or FUCO.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

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SOCIAL SECURITY ADMINISTRATION

Agency Information Collection Activities: Proposed Collection Requests

This notice lists information collection packages that will require submission to the Office of Management and Budget (OMB), in compliance with Pub. L. 104-13 effective October 1, 1995, The Paperwork Reduction Act of 1995.

1. Request for Withdrawal of Application—0960-0015. In certain situations receiving social security benefits may be to the applicant's disadvantage and they wish to withdraw their application. The information collected on Form SSA-521 is used by the Social Security Administration to process a request for withdrawal of an application for benefits. The respondents are individuals who file a claim and later wish to withdraw it.

Number of Respondents: 100,000.

Frequency of Response: 5 minutes.

Average Burden Per Response: 5 minutes.

Estimated Annual Burden: 8,333 hours.

2. SSA/DDS Cost-Effectiveness Measurement System Data Reporting Form—0960-0384. The information collected on Form SSA-1461 is used by the Social Security Administration (SSA) to analyze and evaluate the costs incurred by the State Disability Determination Services (DDS) in making determinations of disability for SSA. The data is also used in determining funding levels. The respondents are the State DDS offices.

Number of Respondents: 52.

Frequency of Response: 4 per year.

Average Burden Per Response: 6 hours.

Estimated Annual Burden: 1,248 hours.

3. Claim for Amounts Due in the Case of a Deceased Beneficiary—0960-0101. Section 204(d) of the Social Security Act provides that if a beneficiary dies before payment of Social Security title II benefits has been completed, the amount due will be paid to persons meeting specified qualifications. The information collected on Form SSA-

³ Applicants request that the 100% authority sought herein in connection with the Prior Orders be extended to apply as well to the use of proceeds from the issuance and sale of debt securities by Cinergy pursuant to the authority sought in the pending application in file no. 70-8993 and to another application Cinergy expects to file shortly seeking authority to issue and sell additional securities, including common stock and short-term notes, the proceeds of which would be used to invest in, among other things, EWGs and FUCOs.

1724 is used by the Social Security Administration to determine whether an individual is entitled to the underpayment. The respondents are applicants for the underpayment of a deceased beneficiary.

Number of Respondents: 300,000.

Frequency of Response: 1.

Average Burden Per Response: 10 minutes.

Estimated Annual Burden: 50,000 hours.

4. Supplement to Claim of Person Outside the United States—0960–0051. The information collected on Form SSA–21 is used to determine the continuing entitlement to Social Security benefits and the proper benefit amounts of alien beneficiaries living outside the United States. It is also used to determine whether benefits are subject to tax withholding. The respondents are individuals entitled to Social Security benefits who are, will be, or have been residing outside the United States.

Number of Respondents: 35,000.

Frequency of Response: 1.

Average Burden Per Response: 5 minutes.

Estimated Annual Burden: 2,917 hours.

5. Statement of Care and Responsibility for Beneficiary—0960–0109. When an individual requests to act as representative payee for someone not in their custody, the Social Security Administration must determine if this individual is the most qualified to serve in the beneficiary's best interests. The information collected on Form SSA–788 is used to corroborate the statements of concern made by the representative payee applicant and to identify other potential representative payees. The respondents are individuals who have custody of the beneficiaries for whom someone else has filed to be the representative payee.

Number of Respondents: 130,000.

Frequency of Response: 1.

Average Burden of Response: 10 minutes.

Estimated Annual Burden: 21,667 hours.

6. Statement of Claimant or Other Person—0960–0045. Form SSA–795 is completed by Social Security or SSI applicants when additional information is needed and there is no standard form which collects the information. The information is used by the Social Security Administration to process claims for benefits. The respondents are applicants for Social Security or SSI benefits.

Number of Respondents: 305,500.

Frequency of Response: 1.

Average Burden Per Response: 15 minutes.

Estimated Annual Burden: 75,375 hours.

7. Application for Disability Insurance Benefits—0960–0060. The information collected on Form SSA–16 by the Social Security Administration is used to determine an applicant's entitlement to Social Security disability benefits. The respondents are applicants for Social Security disability benefits.

Number of Respondents: 1,000,000.

Frequency of Response: 1.

Average Burden Per Response: 20 minutes.

Estimated Annual Burden: 333,333.

8. Statement for Determining Continuing Eligibility for Supplemental Security Income Payment—0960–0145. The information collected on Form SSA–8202 is used by the Social Security Administration to determine a beneficiary's continuing eligibility for and the amount of their SSI payments. The information collected also assists SSI recipients to obtain food stamps and is used by agencies administering Medicaid programs in ascertaining the legal liability of third parties to pay for care and services. The respondents are recipients of SSI benefits.

Number of Respondents: 818,000.

Frequency of Response: 1.

Average Burden Per Response: 11 minutes.

Estimated Annual Burden: 149,967 hours.

Written comments and recommendations regarding the information collection(s) should be sent within 60 days from the date of this publication, directly to the SSA Reports Clearance Officer at the following address: Social Security Administration, DCFAM; Attn: Judith T. Hasche; 6401 Security Blvd., 1–A–21 Operations Bldg.; Baltimore, MD 21235.

In addition to your comments on the accuracy of the agency's burden estimate, we are soliciting comments on the need for the information; its practical utility; ways to enhance its quality, utility and clarity; and on ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology.

To receive a copy of any of the forms or clearance packages, call the SSA Reports Clearance Officer on (410) 965–4123 or write to her at the address listed above.

Dated: March 31, 1997.

Frederick W. Brickenkamp,
Forms Management Officer, Social Security Administration.

[FR Doc. 97–8564 Filed 4–3–97; 8:45 am]

BILLING CODE 4190–29–P

Testing Modifications to the Disability Determination Procedures; Federal Processing Center Testing

AGENCY: Social Security Administration.

ACTION: Notice of the test site and the duration of testing involving modifications to the disability determination procedures.

SUMMARY: The Social Security Administration (SSA) is announcing the location and the duration of additional testing that it will conduct under the current rules at 20 CFR §§ 404.906, 404.943, 416.1406, and 416.1443. Those rules authorize the testing of several modifications to the disability determination procedures that we normally follow in adjudicating claims for disability insurance benefits under title II of the Social Security Act (the Act) and claims for supplemental security income (SSI) based on disability under title XVI of the Act. This notice announces the test site and duration of testing involving a combination of features of the proposed redesigned disability process. The notice also describes additional features that will allow us to test the effectiveness of processing cases under a combination of the models in a Federal processing center.

FOR FURTHER INFORMATION CONTACT: Harry Pippin, Disability Models Team Leader, Office of Disability, Disability Process Redesign Staff, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235, 410–965–9203.

SUPPLEMENTARY INFORMATION: Current regulations at 20 CFR §§ 404.906, 404.943, 416.1406, and 416.1443 authorize us to test different modifications to the disability determination procedures. We describe the use of all four features of the testing modifications to the disability determination procedures as the full process model. Those modifications are: the use of a single decisionmaker who may make the disability determination without requiring the signature of a medical consultant; the conducting of a predecisional interview in which a claimant, for whom SSA does not have sufficient information to make a fully favorable determination or the evidence requires an initial determination denying the claim, can present additional information to the decisionmaker; the elimination of the reconsideration step in the administrative review process; and the use of an adjudication officer who will conduct prehearing procedures and, if appropriate, will issue a decision wholly favorable to the claimant.