

On January 17, 1996, the complainant filed a request for Federal arbitration with the Secretary of Education concerning this grievance. An arbitration hearing on this matter was held on September 10, 1996.

#### Arbitration Panel Decision

The issues before the arbitration panel were—(1) whether the complainant, Valerie Hazimeh, in accordance with the permit between the SLA and DVA, should be permitted to sell lottery tickets at the DVA Medical Center; and (2) whether the SLA should be required to file a complaint with the Secretary of Education against DVA with respect to the restriction on the sale of lottery tickets at the DVA Medical Center.

Regarding the first issue concerning the permit between the SLA and DVA which allowed lottery sales, the arbitration panel stated that the permit for the Medical Center operation, initially signed in 1990, was still valid and had not been modified prior to complainant's filing for grievance. The panel ruled that the existing permit binds the parties to the original agreement. Consequently, when Ms. Hazimeh signed the operator's agreement on June 15, 1995, her contract rights as a third party beneficiary were fixed pursuant to the existing permit. Therefore, by prohibiting the sale of Massachusetts lottery tickets at the Medical Center, DVA violated its contract with the SLA.

The second issue concerned whether the SLA should be required to file a complaint with the Secretary of Education against DVA on behalf of complainant. The panel ruled that 34 CFR 395.37 provides that whenever any State licensing agency determines that any department is failing to comply with the provisions of the Act (here, the terms and conditions of the permit), and all informal attempts to resolve the issues have been unsuccessful, that licensing agency may file a complaint with the Secretary. The arbitration panel concluded that the operative term was the word "may," and, therefore, the SLA had no obligation to file a complaint.

The views and opinions expressed by the panel do not necessarily represent the views and opinions of the U.S. Department of Education.

Dated: April 4, 1997.

**Judith E. Heumann,**

*Assistant Secretary for Special Education and Rehabilitative Services.*

[FR Doc. 97-9183 Filed 4-9-97; 8:45 am]

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#### DEPARTMENT OF ENERGY

##### Notice of Competitive Financial Assistance for the Office of Industrial Technologies

**AGENCY:** U.S. Department of Energy.

**ACTION:** Notice of Competitive Financial Assistance Solicitation.

**SUMMARY:** The Department of Energy announces that competitive applications will be solicited for regional field management of the Industrial Assessment Center (IAC) program, formerly the Energy Analysis and Diagnostic Center program. The IAC program provides practical training in industrial energy and waste management generating improvements while giving engineering students and young professionals practical experience in the application of these techniques. Estimated total funding in the amount of \$33,000,000 will be provided over a five year period of performance.

**ADDRESSES:** Solicitation number DE-PS01-97EE41240 will be available through the Department of Energy's "Current Business Opportunities at Headquarters Procurement Operations" Homepage located at [www.pr.doe.gov/solicit.html](http://www.pr.doe.gov/solicit.html). Interested applicants that do not have internet access may request a copy of the solicitation by sending a request with a virus-free diskette and diskette mailer to U.S. Department of Energy, Office of Placement and Administration, Attn: Document Control Specialist, HR-562, 1000 Independence Ave., SW., Washington, D.C. 20585.

**FOR FURTHER INFORMATION CONTACT:** Ms. Jackie Kniskern, HR-561.21, Office of Placement and Administration, U.S. Department of Energy, 1000 Independence Ave., SW., Washington, D.C. 20585, telephone number (202) 426-0049, e-mail at [jacqueline.kniskern@hq.doe.gov](mailto:jacqueline.kniskern@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:** The IAC program, in operation for twenty years, has been guided by field management working under policy guidelines established by the Department of Energy (DOE). The program has expanded to provide in-depth, on-site energy, waste management and productivity assessments for small- and medium-size manufacturers, followed by recommendations for specific dollar savings. These assessments, conducted by faculty and students of IAC schools, are designed to identify energy, waste, and productivity improvements as assessment recommendations (ARs) throughout the plant, e.g., production-related services, HVAC, and housekeeping. During the 6 to 9 month

period following audit report submission to the client plant, the IAC conducts a survey of the client to determine which ARs have been implemented. This provides a reasonably accurate and on-going measure of the effectiveness of the program.

The Industrial Assessment Center program provides practical training in industrial energy and waste management generating improvements for increased productivity while giving young engineering professionals practical experience in the application of these techniques, in a working manufacturing environment. These young professionals assist senior faculty and professionals in the collection and evaluation of energy, waste and productivity data for client firms. Students with this background are better equipped, upon graduation, to perform energy and waste management responsibilities in the industrial sector. Their employment potential is enhanced because of the practical work experience they have acquired.

Each IAC Region is administered by a Regional Field Manager. IAC field management conducts performance reviews and evaluations and prepares analytical and statistical summaries of all regional data. Schools report assessment data on line to the IAC data base. The directors of all IACs meet annually to review program progress and to exchange information with each other. The field manager should be prepared to provide creative leadership in the area of industrial energy, waste, and productivity management, database management, data aggregation and analysis, and the preparation of information and reports for use in developing training aids and technical assistance documents.

This assistance action provides funding for the ultimate operation of schools participating in the IAC Program. The field management responsibility will be awarded for an eastern field management region and a western field management region of the United States as divided by the Mississippi River. Competitors may receive awards in either field management territory. The purpose of the awards is to provide coordination and management of the schools participating in the IAC Program. In addition, the management of the national database of the audit and assessment data from the IAC program will be awarded.

Pursuant to 10 CFR 600.9, a solicitation, which will include the project objectives, application instructions, evaluation criteria, and a

model grant, is expected to be issued in mid April 1997. The due date for proposals will be indicated in the solicitation; but will not be earlier than 30 days after the issuance of the solicitation. The Department intends to award two cooperative agreements as a result of this solicitation.

Issued in Washington, D.C. on April 3, 1997.

**Scott Sheffield,**

*Director, Headquarters Operations Division B, Office of Headquarters Procurement Operations.*

[FR Doc. 97-9199 Filed 4-9-97; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP97-311-000]

#### ANR Pipeline Company; Notice of Proposed Changes in FERC Gas Tariff

April 4, 1997.

Take notice that on April 1, 1996, ANR Pipeline Company (ANR) tendered for filing as part of its FERC Gas Tariff, Second Revised Volume No. 1, the following revised tariff sheet to be effective June 1, 1997:

Third Revised Sheet No. 109

ANR submits that the purpose of this filing is to propose a modification to its General Terms and Conditions to permit shippers to make pool-to-pool transfers at the Headstations in its Southeast and Southwest supply areas.

ANR states that copies of the filing have been mailed to all affected customers and state regulatory commissions.

Any person desiring to be heard or to protest this filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Sections 385.214 and 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed in accordance with 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. Any person wishing to become a party must file a motion to intervene. 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.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP97-172-002]

#### ANR Storage Company; Notice of Compliance Filing

April 4, 1997.

Take notice that on April 1, 1997, ANR Storage Company (ANRS) tendered for filing as part of its FERC Gas Tariff, Original Volume No. 1, the tariff sheets listed on the Appendix A to the filing, to be effective June 1, 1997.

ANRS states that the attached tariff sheets are being filed in compliance with the Commission's Order issued on February 13, 1997 in the above captioned docket. The tariff sheets incorporate changes to conform to the standards adopted by the Gas Industry Standards Board at Docket No. RM96-1-000.

ANRS states that copies of the filing were served upon the company's Jurisdictional customers.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Section 385.211 of the Commission's Rules and Regulations. All such protests should be filed on or before April 21, 1997. 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. 97-9267 Filed 4-9-97; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP97-187-003]

#### Arkansas Western Pipeline Company; Notice of Proposed Changes in FERC Gas Tariff

April 4, 1997.

Take notice that on April 1, 1997, Arkansas Western Pipeline Company (AWP) tendered for filing as part of its FERC Gas Tariff, pro forma tariff sheets to become effective June 1, 1997.

AWP states that the filing sets forth the revisions to AWP's tariff sheets that are necessary to comply with Order No. 587 in Docket No. RM96-1-000.

Any person desiring to be heard or protest this filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426, in accordance with Sections 385.211 and 385.214 of the Commission's Rules and Regulations. All such petitions or protests must be filed on or before April 21, 1997. 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 motion to intervene. Copies of this filing are on file with the Commission and available for public inspection.

**Lois D. Cashell,**

*Secretary.*

[FR Doc. 97-9268 Filed 4-9-97; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP97-181-002]

#### CNG Transmission Corporation; Notice of Compliance Tariff Filing

April 4, 1997.

Take notice that on April 1, 1997, CNG Transmission Corporation (CNG), tendered for filing as part of its FERC Gas Tariff, Second Revised Volume No. 1, various tariff sheets listed on Appendix A of CNG's filing. CNG requests an effective date of June 1, 1997, for its proposed tariff sheets.

CNG states that the purpose of this filing is to revise CNG's FERC Gas Tariff, to implement certain business practice standards that have been developed by the Gas Industry Standards Board ("GISB"). These GISB standards have been incorporated by