

Sincerely,  
Troy H. Cribb,  
*Chairman, Committee for the Implementation  
of Textile Agreements.*  
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## DEPARTMENT OF DEFENSE

### Reinstatement of Small Business Set-Asides for Certain Acquisitions Under the Small Business Competitiveness Demonstration Program

**AGENCY:** Department of Defense (DoD).  
**ACTION:** Notice of reinstatement of small business set-asides under the Small Business Competitiveness Demonstration Program.

**SUMMARY:** The Director of Defense Procurement has reinstated the use of small business set-aside procedures for certain construction acquisitions issued by the Departments of the Army and Navy. Included in the reinstatement are solicitations issued under Standard Industrial Category Major Group 15 and

Standard Industrial Category Code 1629 (Navy only).

**EFFECTIVE DATE:** June 17, 1998.

**FOR FURTHER INFORMATION CONTACT:** Mr. Michael Sipple, OUSD (A&T), Director of Defense Procurement, Contract Policy Administration, Room 3C838, 3060 Defense Pentagon, Washington, DC 20301-3060, telephone (703) 695-8567.

**SUPPLEMENTARY INFORMATION:** The Office of Federal Procurement Policy (OFPP) implemented Title VII of Pub. L. 100-656 (15 U.S.C. 644 note) by issuance of the "Small Business Competitiveness Demonstration Program Test Plan" on August 31, 1989, amended April 16, 1993. The program was further implemented in Subpart 19.10 of the Federal Acquisition Regulation (FAR) and Subpart 219.10 of the Defense FAR Supplement (DFARS).

Under the program, small business set-asides were initially suspended for certain designated industry groups (DIGs). Agencies are required by paragraphs III.D.2.a and IV.A.4. of the OFPP test plan to reinstate the use of

small business set-asides whenever the small business awards under any designated industry group falls below 40 percent or whenever small business awards under an Individual Standard Industrial Classification (SIC) Code within the designated industry group falls below 35 percent. Reinstatement is to be limited to the organizational elements (in the case of DoD, the individual military departments or other components) that failed to meet the small business participation goals.

For the 12 months ending March 1998, DoD awards in the industries shown below fell below the 40 percent (SIC Major Group 15) or 35 percent (SIC Code 1629) thresholds. Accordingly, pursuant to DFARS 219.1006(b)(2), the Director of Defense Procurement has directed reinstatement of small business set aside procedures for solicitations that involve the industry categories shown below. The reinstatement applies to solicitations issued by the applicable buying activities on or after June 17, 1998, or as soon thereafter as practicable:

Industry	Applicable to
Construction: Major Group 15 (including SIC 1521, 1522, 1531, 1541, and 1542) Major Group 16—SIC, Code 1629 only .....	All Army and Navy Activities. All Navy Activities.

Consistent with the OFPP test plan, this reinstatement of set-asides will be periodically reviewed for continuation. Small business set-asides were reinstated DoD-wide for the DIG titled "Architectural and Engineering Services," by memorandum of September 30, 1991. That reinstatement remains in effect.

**Michele P. Peterson,**  
*Executive Editor, Defense Acquisition  
Regulations Council.*  
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## DEPARTMENT OF ENERGY

[Docket Nos. EA-105-A-CN, EA-168-A and EA-187]

### Applications To Export Electric Energy; NorAm Energy Services, PG&E Energy, Merchant Energy Group

**AGENCY:** Office of Fossil Energy, DOE.

**ACTION:** Notice of applications.

**SUMMARY:** NorAm Energy Services, Inc. (NES) has applied for renewal of its authority to transmit electric energy from the United States to Canada pursuant to section 202(e) of the Federal Power Act. PG&E Energy Trading-Power, L.P. (PG&E) has applied to amend its authorization to export electric energy to Canada by adding additional transmission facilities, and Merchant Energy Group of the Americas, Inc. (MEGA) has applied for authority to transmit electric energy to Canada.

**DATES:** Comments, protests or requests to intervene must be submitted on or before August 10, 1998.

**ADDRESSES:** Comments, protests or requests to intervene should be addressed as follows: Office of Coal & Power Im/Ex (FE-27), Office of Fossil Energy, U.S. Department of Energy, 1000 Independence Avenue, SW,

Washington, DC 20585-0350 (FAX 202-287-5736).

**FOR FURTHER INFORMATION CONTACT:** Ellen Russell (Program Office) 202-586-9624 or Michael Skinker (Program Attorney) 202-586-6667.

**SUPPLEMENTARY INFORMATION:** Exports of electricity from the United States to a foreign country are regulated and require authorization under section 202(e) of the Federal Power Act (FPA) (16 U.S.C. 824a(e)).

The Office of Fossil Energy (FE) of the Department of Energy (DOE) has received applications from the following companies for authorization to export electric energy to Canada:

Applicant	Application date	Docket No.
NorAm Energy Services Inc .....	6/18/98	EA-105-A-CN
PG&E Energy Trading-Power, L.P .....	6/23/98	EA-168-A
Merchant Energy Group of the Americas, Inc .....	6/25/98	EA-187

On August 16, 1996, FE authorized NES, a power marketer, to transmit electric energy from the United States to Canada. That authorization will expire on August 16, 1998. In Docket EA-105-A-CN, NES filed an application with FE for renewal of its export authority for a five year period.

On February 24, 1998, FE authorized PG&E to export electric energy from the United States to Canada using the transmission facilities of The Detroit Edison Company, Minnesota Power & Light Company, the New York Power Authority, and Niagara Mohawk Power Corporation. In the application in Docket No. EA-168-A, PG&E now seeks to add additional international transmission facilities to those already authorized.

In Docket No. EA-187, MEGA, a power marketer, proposes to export to Canada electric energy purchased from U.S. electric utilities, Federal power marketing agencies, and other entities authorized to sell power for resale.

Each of the above exporters propose to arrange for the delivery of electric energy to Canada over transmission facilities owned by Basin Electric Power Cooperative, Bonneville Power Administration, Bradfield Electric, Citizens Utilities, Detroit Edison Company, Eastern Maine Electric Cooperative, Joint Owners of the Highgate Project, Long Sault Incorporated, Maine Electric Power Company, Maine Public Service Company, Minnesota Power and Light Company, Minnkota Power Cooperative, New York Power Authority, Niagara Mohawk Power Corporation, Northern States Power and Vermont Electric Transmission Company.

The construction of each of the international transmission facilities to be utilized by these applicants, as more fully described in the applications, has previously been authorized by a Presidential permit issued pursuant to Executive Order 10485, as amended.

#### Procedural Matters

Any person desiring to become a party to this proceeding or to be heard by filing comments or protest to this application should file a petition to intervene, comment or protest at the address provided above in accordance with §§ 385.211 or 385.214 of the FERC's Rules of Practice and Procedures (18 CFR 385.211, 385.214). Fifteen copies of each petition and protest should be filed with the DOE on or before the date listed above.

Comments on NES's request to renew its export authorization to Canada should be clearly marked with Docket EA-105-A-CN. Additional copies are to

be filed directly with Kevin P. Erwin, General Attorney, NorAm Energy Service, Inc., P.O. Box 4455, 1111 Louisiana, 7th Floor, Houston, Texas 77210-4455.

Comments on PG&E's application to amend its authorization to export electric energy to Canada should be marked with Docket EA-168-A. Additional copies are to be filed directly with Christopher A. Wilson, Esq., Assistant General Counsel, U.S. Generating Company, 7500 Old Georgetown Road, Suite 1300, Bethesda, MD 20814-6161 and Ms. Sarah Barpoulis, Senior Vice President, PG&E Energy Trading—Power, L.P., 7500 Old Georgetown Road, Suite 1300, Bethesda, MD 20814-6161.

Comments on MEGA's application to export electric energy to Canada should be clearly marked with Docket EA-187. Additional copies are to be filed directly with Joseph P. Limone, Esq., Legal Department, Merchant Energy Group of the Americas, Inc., 275 West Street, Suite 320, Annapolis, MD 21401.

A final decision will be made on these applications after the environmental impacts have been evaluated pursuant to the National Environmental Policy Act of 1969 (NEPA), and a determination is made by the DOE that the proposed actions will not adversely impact on the reliability of the U.S. electric power supply system.

Copies of these applications will be made available, upon request, for public inspection and copying at the address provided above. Further information may also be obtained on the program through the World Wide Web by accessing the Fossil Energy Home Page at <http://www.fe.doe.gov> then selecting "Regulatory" and "Electricity" from the options menus.

Issued in Washington, DC on July 2, 1998.

**Ellen Russell,**

*Acting Manager, Electric Power Regulation, Office of Coal & Power Im/Ex, Office of Coal & Power Systems, Office of Fossil Energy.*

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#### DEPARTMENT OF ENERGY

[FE Docket No. PP-188]

#### Application for Presidential Permit; Dynegy Power Corporation

**AGENCY:** Office of Fossil Energy, DOE.

**ACTION:** Notice of Application.

**SUMMARY:** Dynegy Power Corp. (Dynegy), an independent power producer, has applied for a Presidential permit to construct, connect, operate

and maintain a new electric transmission facility across the U.S. border with Mexico.

**DATES:** Comments, protests, or requests to intervene must be submitted on or before August 10, 1998.

**ADDRESSES:** Comments, protests, or requests to intervene should be addressed as follows: Office of Coal & Power Import and Export (FE-27), Office of Fossil Energy, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585-0350.

**FOR FURTHER INFORMATION CONTACT:** Ellen Russell (Program Office) 202-586-9506 or Michael T. Skinker (Program Attorney) 202-586-6667.

**SUPPLEMENTARY INFORMATION:** The construction, connection, operation, and maintenance of facilities at the international border of the United States for the transmission of electric energy between the United States and a foreign country is prohibited in the absence of a Presidential permit issued pursuant to Executive Order (EO) 10485, as amended by EO 12038.

On July 1, 1998, Dynegy, formerly known as Destec Energy, Inc., a subsidiary of NGC Corporation, filed an application with the Office of Fossil Energy (FE) of the Department of Energy (DOE) for a Presidential permit. Dynegy proposes to construct a one-quarter mile double circuit 230-kilovolt (kV) transmission line to the U.S. border with Mexico from a 400 megawatt (MW) gas-fired electric powerplant it proposes to construct adjacent in Santa Teresa, Dona Ana County, New Mexico. At the border, the Dynegy transmission lines will interconnect with similar facilities owned by Comision Federal de Electricidad (CFE), the national electric utility of Mexico, and continue approximately 17 additional miles in Mexico to CFE's future Paso Del Norte Substation.

In its application Dynegy asserts that the facilities proposed herein are not to be interconnected with any other part of the U.S. electric power system thereby precluding third party use of these transmission facilities.

Prior to exporting electric energy to Mexico Dynegy will be required to obtain an authorization from DOE pursuant to section 202(e) of the Federal Power Act (FPA) (16 U.S.C. § 824a(e)).

#### Procedural Matters

Any person desiring to be heard or to protest this application should file a petition to intervene or protest at the address provided above in accordance with section 385.211 or 385.214 of the Federal Energy Regulatory