

**ACTION:** Notice of intent to fund down the fiscal year (FY) 2008 grant slate for the GEAR UP Program.

**SUMMARY:** The Secretary intends to use the grant slate developed in FY 2008 for the GEAR UP Program authorized by Title IV, Part A, of the Higher Education Act of 1965, as amended (HEA), to make new grant awards in FY 2009. The Secretary takes this action because a significant number of high-quality applications remain on last year's grant slate. We expect to use an estimated \$9,789,000 for new awards in FY 2009.

**FOR FURTHER INFORMATION CONTACT:**

James Davis, U.S. Department of Education, 1990 K Street, NW., room 6109, Washington, DC 20006-8524. Telephone: (202) 502-7676 or via Internet: [James.Davis@ed.gov](mailto:James.Davis@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, audiotope, or computer diskette) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

**SUPPLEMENTARY INFORMATION:**

**Background**

On November 5, 2007, we published a notice in the **Federal Register** (72 FR 62499) inviting applications for new awards under the GEAR UP Program.

In response to this notice, we received a significant number of high-quality applications and made seven new State grant awards and 31 new Partnership grant awards. However, many applications that were awarded high scores by peer reviewers did not receive funding in FY 2008 due to the level of appropriations.

The Department's FY 2009 appropriation is sufficient to allow the Department to make continuation awards to the 38 current grantees, and have funds still available for new awards under this program for FY 2009. Rather than using program funds for a new peer review process, the Department has decided to use the remaining funds after continuation awards are made to select grantees in FY 2009 from the existing slate of applicants. This slate was developed during the FY 2008 competition using the selection criteria referenced in the **Federal Register** notice.

**Note:** To be eligible to receive a grant pursuant to this notice, all applicants being considered for funding based on the funding slate for the FY 2008 competition must meet

all statutory and regulatory eligibility criteria and other requirements for this program.

**Program Authority:** 20 U.S.C. 1070a-21-1070-28.

**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: [www.gpoaccess.gov/nara/index.html](http://www.gpoaccess.gov/nara/index.html).

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

Dated: May 5, 2009.

**Daniel T. Madzelan,**

*Director, Forecasting and Policy Analysis.*

[FR Doc. E9-10810 Filed 5-7-09; 8:45 am]

**BILLING CODE 4000-01-P**

**ELECTION ASSISTANCE COMMISSION**

**Sunshine Act Notice**

**AGENCY:** U.S. Election Assistance Commission.

**ACTION:** Notice of Virtual Public Forum for EAC Board of Advisors (Amended).

**DATE AND TIME:** Monday, May 11, 2009, 9 a.m. EDT through Friday, May 15, 2009, 9 p.m. EDT.

**PLACE:** EAC Board of Advisors Virtual Meeting Room at <http://www.eac.gov>. Once at the main page of EAC's Web site, viewers should click the link to the Board of Advisors Virtual Meeting Room. The virtual meeting room will open on Monday, May 11, 2009, at 9 a.m. EDT and will close on Friday, May 15, 2009, at 9 p.m. EDT. The site will be available 24 hours per day during that 5-day period.

**PURPOSE:** The EAC Board of Advisors will review and provide comment on Phase I of the draft Election Operations Assessment. Phase I of the project is an information gathering and modeling phase designed to create the framework

for the remaining two phases of the project. The scope of the document and the project that created it are geared toward the procedures and equipment that move the ballot through the electoral process. The end goal of the election operations assessment is to create a work product that will allow the EAC to evaluate security risks to various types of voting systems (*i.e.* hand counted paper ballots, Precinct Based Optical Scan, or Remote Electronic Systems, etc.) and in order to better inform their work with future iterations of the Voluntary Voting System Guidelines. In addition, the assessment will allow policy makers and election officials to assess the potential risks to systems that they are looking to purchase in the future.

The EAC Board of Advisors Virtual Meeting Room was established to enable the Board of Advisors to conduct business in an efficient manner in a public forum, including being able to review and discuss draft documents, when it is not feasible for an in-person board meeting. The Board of Advisors will not take any votes or propose any resolutions during the 5-day forum of May 11-15, 2009.

This activity is open to the public. The public may view the Proceedings of this forum by visiting the eac board of advisors Virtual meeting room at <http://www.eac.gov> at any time between Monday, May 11, 2009, 9 a.m. EDT and Friday, May 15, 2009, 9 p.m. EDT. The public also may view the election operations assessment, which will be posted on EAC's Web site beginning May 11, 2009. The public may file written statements to the EAC board of advisors at [boardofadvisors@eac.gov](mailto:boardofadvisors@eac.gov). Data on EAC's Web site is accessible to visitors with disabilities and meets the requirements of section 508 of the rehabilitation act.

This meeting will be open to the public.

**STATEMENT OF EXCEPTIONAL**

**CIRCUMSTANCES:** The May 5, 2009 notice of the EAC Board of Advisors Virtual Meeting inadvertently omitted the following important information: Notice of the special forum will not be published in the **Federal Register** 15 days prior to the dates that the forum will be open. Late notice was unavoidable due to the short timeline remaining in Phase I of the Elections Operation Assessment project. The timetable for the noticed forum was expedited to allow the EAC Board of Advisors an opportunity to review and comment on the draft document.

**PERSON TO CONTACT FOR INFORMATION:**  
Bryan Whitener, *Telephone:* (202) 566-3100.

**Gineen Bresso Beach,**  
*Chair, U.S. Election Assistance Commission.*  
[FR Doc. E9-10843 Filed 5-6-09; 11:15 am]  
**BILLING CODE 6820-KF-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 1881-054]

#### **PPL Holtwood, LLC; Notice of Application for Amendment of License and Soliciting Comments, Motions To Intervene, and Protests**

May 1, 2009.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Renewed amendment of license to increase the installed capacity.

b. *Project No.:* 1881-054.

c. *Date Filed:* April 9, 2009.

d. *Applicant:* PPL Holtwood, LLC (PPL).

e. *Name of Project:* Holtwood Hydroelectric Project.

f. *Location:* The project is located on the Susquehanna River, in Lancaster and York Counties, Pennsylvania.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a-825r.

h. *Applicant Contact:* Dennis J. Murphy, Vice President & Chief Operating Officer, PPL Holtwood, LLC, Two North Ninth Street (GENPL6), Allentown, Pennsylvania 18101; telephone (610) 774-4316.

i. *FERC Contact:* Linda Stewart, telephone (202) 502-6680, and e-mail address [linda.stewart@ferc.gov](mailto:linda.stewart@ferc.gov).

j. *Deadline for filing comments, motions to intervene, and protests:* June 1, 2009.

Comments, protests, and interventions may be filed electronically via the Internet in lieu of paper. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (<http://www.ferc.gov>) under the "e-filing" link. The Commission strongly encourages electronic filings.

All documents (original and eight copies) filed by paper should be sent to: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Please include the project number (P-1881-054) on any comments or motions filed.

The Commission's Rules of Practice and Procedure require all interveners

filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

k. *Background:* On December 20, 2007, and supplemented on January 4, February 20, June 19, July 7, August 27, and October 3, 2008, PPL filed an application to amend its license for the Holtwood Project (sub docket P-1881-050). By letter filed December 8, 2008, PPL withdrew its license amendment application. The withdrawal became effective 15 days later, on December 23, 2008.

In its application, PPL proposed to: (1) Construct a new powerhouse and install new turbines that would increase the total installed capacity of the project from 107.2 megawatts (MW) to 195.5 MW; (2) construct a new skimmer wall and larger forebay; (3) reconfigure the existing fish lift, reroute the discharge of Unit 1 in the existing powerhouse, and excavate in the project tailrace and Piney Channel to improve migratory fish passage; (4) provide minimum flows and conduct studies of the effectiveness of the modified fish passage facilities and flow releases; (5) improve existing and construct new recreational facilities; and (6) establish protocols to ensure protection of special status plants, wildlife, and cultural resources during construction.

Because of the substantial costs associated with the proposed modifications, PPL also requested in its license amendment application a 16-year extension of the current license term through August 31, 2030.

l. *Description of Request:* In its renewed application for amendment of license, PPL requests that the Commission incorporate by reference the record fully developed in the proceeding for the previously withdrawn license amendment application (sub docket P-1881-050).

m. Since Commission staff recently completed the Final Environmental Impact Statement (FEIS) for the Holtwood Project No. 1881-050, we believe the environmental record is complete and are not seeking new recommendations, terms and conditions, or fishway prescriptions for the renewed license amendment

application. The fishway prescription previously filed by the U.S. Department of the Interior (Interior), as well as the recommendations previously filed by Interior and the Pennsylvania Fish and Boat Commission were analyzed in the FEIS and will remain as part of the renewed amendment application proceeding.

n. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 502-8371. This filing may also be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item (h) above.

o. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

p. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

q. Any entity who intervened in the prior license amendment proceeding (sub docket P-1881-050) need not intervene again.

r. Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers.

s. *Agency Comments:* Federal, State, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file