

(NMPC) tendered for filing an Amendment No. 1 to the Service Agreement between NMPC and USGen Power Services L.P. (USGen). The Amendment unbundles this power sales agreement by reducing the NMPC Sales Tariff ceiling rates by the applicable transmission rates.

NMPC requests an effective date of August 16, 1996. NMPC has requested waiver of the notice requirements for good cause shown.

NMPC will serve copies of the filing upon the New York State Public Service Commission and USGen.

Comment date: October 23, 1996, in accordance with Standard Paragraph E at the end of this notice.

16. NGST Energy Services

[Docket No. ER96-2892-000]

Take notice that on October 7, 1996, NGST Energy Services tendered for filing an amendment in the above-referenced docket.

Comment date: October 23, 1996, in accordance with Standard Paragraph E at the end of this notice.

17. CNG Energy Services Corporation

[Docket No. ER96-3068-000]

Take notice that on October 2, 1996, CNG Energy Services Corporation (CNGESC) supplemented its September 20, 1996, petition seeking authority to sell electricity at market-based rates. The Supplemental material included clarifications sought by the Commission Staff.

Comment date: October 22, 1996, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraph

E. Any person desiring to be heard or to protest said 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 Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. 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.

Lois D. Cashell,
Secretary.

[FR Doc. 96-26406 Filed 10-15-96; 8:45 am]

BILLING CODE 6717-01-P

[Docket No. ER96-3120-000, et al.]

Kentucky Utilities Company, et al.; Electric Rate and Corporate Regulation Filings

October 7, 1996.

Take notice that the following filings have been made with the Commission:

1. Kentucky Utilities Company

[Docket No. ER96-3120-000]

Take notice that on September 27, 1996, Kentucky Utilities Company (KU), tendered for filing non-firm transmission service agreements with PacifiCorp Power Marketing, Inc., Jacksonville Electric Authority, PanEnergy Power Services, Inc., Virginia Electric and Power Company and Southern Energy Marketing, Inc. under its Transmission Services (TS) Tariffs.

Comment date: October 21, 1996, in accordance with Standard Paragraph E at the end of this notice.

2. Kentucky Utilities Company

[Docket No. ER96-3121-000]

Take notice that on September 27, 1996, Kentucky Utilities Company (KU), tendered for filing service agreements with PacifiCorp Marketing, Inc., PanEnergy Power Services, Inc., Jacksonville Electric Authority and Southern Energy Marketing, Inc. under its Power Services (PS) Tariff.

Comment date: October 21, 1996, in accordance with Standard Paragraph E at the end of this notice.

3. Delmarva Power & Light Company

[Docket No. ER96-3122-000]

Take notice that on September 27, 1996, Delmarva Power & Light Company (Delmarva), tendered for filing a service agreement providing for non-firm point-to-point transmission service from time to time to Duke/Louis Dreyfus pursuant to Delmarva's open access transmission tariff. Delmarva asks that the Commission set an effective date for the service agreement of September 18, 1996, the date on which it was executed.

Comment date: October 21, 1996, in accordance with Standard Paragraph E at the end of this notice.

4. Delmarva Power & Light Company

[Docket No. ER96-3123-000]

Take notice that on September 27, 1996, Delmarva Power & Light Company (Delmarva), tendered for filing a service agreement providing for firm point-to-point transmission service from October 1, 1996, through December 31, 1996, to the City of Dover pursuant to

Delmarva's open access transmission tariff.

Delmarva states that copies of the filing were provided to the City of Dover and its agent, Duke/Louis Dreyfus.

Comment date: October 21, 1996, in accordance with Standard Paragraph E at the end of this notice.

5. Delmarva Power & Light Company

[Docket No. ER96-3124-000]

Take notice that on September 27, 1996, Delmarva Power & Light Company (Delmarva), tendered for filing a service agreement providing for non-firm point-to-point transmission service from time to time to Western Power Systems, Inc., pursuant to Delmarva's open access transmission tariff. Delmarva asks that the Commission set an effective date for the service agreement of September 9, 1996, the date on which it was executed.

Comment date: October 21, 1996, in accordance with Standard Paragraph E at the end of this notice.

6. Louisville Gas and Electric Company

[Docket No. ER96-3126-000]

Take notice that on September 30, 1996, Louisville Gas and Electric Company, tendered for filing copies of service agreements between Louisville Gas and Electric Company and Enron Power Marketing, Inc. under Rate GSS.

Comment date: October 21, 1996, in accordance with Standard Paragraph E at the end of this notice.

7. Central Illinois Public Service Company

[Docket No. ER96-3127-000]

Take notice that on September 30, 1996, Central Illinois Public Service Company (CIPS), submitted for filing a service agreement, dated September 23, 1996, establishing Western Power Services, Inc. (Western) as a customer under the terms of CIPS' Open Access Transmission Tariff.

CIPS requests an effective date of September 23, 1996 for the service agreement. Accordingly, CIPS requests waiver of the Commission's notice requirements. Copies of this filing were served upon Western and the Illinois Commerce Commission.

Comment date: October 21, 1996, in accordance with Standard Paragraph E at the end of this notice.

8. Central Illinois Public Service Company

[Docket No. ER96-3128-000]

Take notice that on September 30, 1996, Central Illinois Public Service Company (CIPS), submitted for filing three executed service agreements,

dated September 20, 1996, establishing PanEnergy Power Services, Inc. (PanEnergy), TransCanada Power Corp. (TransCanada), and Williams Energy Services Company (Williams) as customers under the terms of CIPS' Open Access Transmission Tariff.

CIPS requests an effective date of September 20, 1996 for the service agreements. Accordingly, CIPS requests waiver of the Commission's notice requirements. Copies of this filing were served upon PanEnergy, TransCanada and Williams and the Illinois Commerce Commission.

Comment date: October 21, 1996, in accordance with Standard Paragraph E at the end of this notice.

9. Illinois Power Company

[Docket No. ER96-3129-000]

Take notice that on September 30, 1996, Illinois Power Company (Illinois Power), 500 South 27th Street, Decatur, Illinois 62526, tendered for filing a Power Sales Tariff, Service Agreement under which Rainbow Energy Marketing Corporation will take service under Illinois Power Company's Power Sales Tariff. The agreements are based on the Form of Service Agreement in Illinois Power's tariff.

Illinois Power has requested an effective date of October 24, 1996.

Comment date: October 21, 1996, in accordance with Standard Paragraph E at the end of this notice.

10. Illinois Power Company

[Docket No. ER96-3130-000]

Take notice that on September 30, 1996, Illinois Power Company (Illinois Power), 500 South 27th Street, Decatur, Illinois 62526, tendered for filing firm and non-firm transmission agreements under which MidAmerican Energy Company will take transmission service pursuant to its open access transmission tariff. The agreements are based on the Form of Service Agreement in Illinois Power's tariff.

Illinois Power has requested an effective date of October 1, 1996.

Comment date: October 21, 1996, in accordance with Standard Paragraph E at the end of this notice.

11. Illinois Power Company

[Docket No. ER96-3131-000]

Take notice that on September 30, 1996, Illinois Power Company (Illinois Power), 500 South 27th Street, Decatur, Illinois 62526, tendered for filing a Power Sales Tariff, Service Agreement under which Federal Energy Sales Company will take service under Illinois Power Company's Power Sales Tariff. The agreements are based on the

Form of Service Agreement in Illinois Power's tariff.

Illinois Power has requested an effective date of October 1, 1996.

Comment date: October 21, 1996, in accordance with Standard Paragraph E at the end of this notice.

12. Tampa Electric Company

[Docket No. ER96-3132-000]

Take notice that on September 30, 1996, Tampa Electric Company (Tampa Electric), tendered for filing amendments to interchange agreements with the Florida Municipal Power Agency, the Kissimmee Utility Authority, and the Orlando Utilities Commission, in order to reflect the establishment of direct interconnections between the electric systems of Tampa Electric and these entities.

Tampa Electric proposes an effective date of March 13, 1996, for the amendments, and therefore requests waiver of the Commission's notice requirement.

Copies of the filing have been served on the other parties to the interchange agreements and the Florida Public Service Commission.

Comment date: October 21, 1996, in accordance with Standard Paragraph E at the end of this notice.

13. Oklahoma Gas and Electric Company

[Docket No. ER96-3133-000]

Take notice that on September 30, 1996, Oklahoma Gas and Electric Company (OG&E), tendered for filing an Extension of Settlement Agreement with Arkansas Valley Electric Cooperative Corporation (AVEC) under which OG&E would continue to supply electric service to AVEC under the Company's Rate Schedule WC-1. OG&E has also filed revised electric service agreements applicable to AVEC.

Copies of this filing have been served on each cooperative to whom the Company supplies wholesale electric service, the Oklahoma Corporation Commission and the Arkansas Public Service Commission.

Comment date: October 21, 1996, in accordance with Standard Paragraph E at the end of this notice.

14. Pennsylvania Power & Light Company

[Docket No. ER96-3134-000]

Take notice that on September 30, 1996, Pennsylvania Power & Light Company (PP&L), filed a Service Agreement, dated September 30, 1996, with Aquila Power Corporation (Aquila) for non-firm point-to-point transmission service under PP&L's Open Access

Transmission Tariff. The Service Agreement adds Aquila as an eligible customer under the Tariff.

PP&L requests an effective date of September 1, 1996, for the Service Agreement.

PP&L states that copies of this filing have been supplied to Aquila and to the Pennsylvania Public Utility Commission.

Comment date: October 21, 1996, in accordance with Standard Paragraph E at the end of this notice.

15. Pennsylvania Power & Light Company

[Docket No. ER96-3135-000]

Take notice that on September 30, 1996, Pennsylvania Power & Light Company (FP&L) filed a Service Agreement, dated September 26, 1996, with Enron Power Marketing, Inc. (Enron) for non-firm point-to-point transmission service under FP&L's Open Access Transmission Tariff. The Service Agreement adds Enron as an eligible customer under the Tariff.

FP&L requests an effective date of September 3, 1996, for the Service Agreement.

FP&L states that copies of this filing have been supplied to Enron and to the Pennsylvania Public Utility Commission.

Comment date: October 21, 1996, in accordance with Standard Paragraph E at the end of this notice.

16. Florida Power & Light Company

[Docket No. ER96-3136-000]

Take notice that on September 30, 1996, Florida Power & Light Company (FPL), tendered for filing a proposed Service Agreement with PECO Energy Company-Power Team for non-firm transmission service under FPL's Open Access Transmission Tariff.

FPL requests that the proposed service agreement be permitted to become effective on September 1, 1996.

FPL states that this filing is in accordance with Part 35 of the Commission's Regulations.

Comment date: October 21, 1996, in accordance with Standard Paragraph E at the end of this notice.

17. Florida Power & Light Company

[Docket No. ER96-3137-000]

Take notice that on September 30, 1996, Florida Power & Light Company (FPL), tendered for filing a proposed notice of cancellation of an umbrella service agreement with Engelhard Power Marketing, Inc. for Firm Short-Term transmission service under FPL's Open Access Transmission Tariff.

FPL requests that the proposed cancellation be permitted to become effective on August 31, 1996.

FPL states that this filing is in accordance with Part 35 of the Commission's Regulations.

Comment date: October 21, 1996, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraph

E. Any person desiring to be heard or to protest said 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 Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. 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.

Lois D. Cashell,

Secretary.

[FR Doc. 96-26399 Filed 10-15-96; 8:45 am]

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Office of Hearings and Appeals

Notice of Issuance of Decisions and Orders During the Week of April 15 Through April 19, 1996

During the week of April 15 through April 19, 1996, the decisions and orders summarized below were issued with respect to appeals, applications, petitions, or other requests filed with the Office of Hearings and Appeals of the Department of Energy.

Copies of the full text of these decisions and orders are available in the Public Reference Room of the Office of Hearings and Appeals, Room 1E-234, Forrestal Building, 1000 Independence Avenue, SW, Washington, D.C. 20585-0107, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays. They are also available in Energy Management: Federal Energy Guidelines, a commercially published loose leaf

reporter system. Some decisions and orders are available on the Office of Hearings and Appeals World Wide Web site at <http://www.oha.doe.gov>.

Dated: October 7, 1996.

George B. Breznay,

Director, Office of Hearings and Appeals.

Decision List No. 968

Personnel Securing Hearings

Headquarters, 4/18/96, VSO-0075

A Hearing Officer from the Office of Hearings and Appeals issued an Opinion regarding the eligibility of an individual for access authorization under the provisions of 10 C.F.R. Part 710. The Hearing Officer found that: (i) The individual submitted several altered documents to the U.S. Army and provided false information to the DOE in a Personnel Security Interview; (ii) the acts of the individual tend to show that the individual is not honest, reliable, or trustworthy; (iii) the DOE's security concerns regarding these behaviors were not overcome by evidence mitigating the derogatory information underlying the DOE's charges. Accordingly, the Hearing Officer found that the individual's access authorization should not be restored.

Oak Ridge Operations Office, 4/15/96, VSO-0065

A Hearing Officer recommended that access authorization not be restored to an employee whose access was suspended due to evidence of marijuana use. The Hearing Officer found that the employee had not presented sufficient evidence of rehabilitation to mitigate valid security concerns.

Supplemental Order

Howard W. Spaletta, 4/19/96, VWX-0004

In Howard W. Spaletta, 24 DOE 87,511 (1995), a Hearing Officer found that Mr. Spaletta has been retaliated against in violation of the DOE's Contractor Employee Protection Program, 10 C.F.R. Part 708. This supplemental determination awarded Mr. Spaletta \$12,321 in back pay, interest, attorney's fees, and other expenses.

Refund Application

Atlantic Richfield Company/Little America Refining Company, 4/15/96, RF304-9095

Little America Refining Company (LARCO) sought a refund in the Atlantic Richfield Company Subpart V Special Refund Proceeding based upon purchases of 1.333 billion gallons of ARCO products. During much of the refund period, LARCO had received "Delta/Beacon" exception relief from the Oil Entitlement Program. The DOE noted that *Delta/Beacon* exception relief generally insulated the recipient from the affects of any overcharges, since any overcharges the firm may have experienced would have been compensated for by greater *Delta/Beacon* relief. Accordingly, the DOE found that LARCO could not have been injured by any overcharges for those periods for which LARCO received entitlement exception relief, and a refund is inappropriate.

Moreover, the DOE determined that LARCO is ineligible for any refund, because its settlement of a private law suit against ARCO resolved all claims involving the petroleum price and allocation laws and regulations. The DOE found that the settlement constituted full compensation for any ARCO overcharges that LARCO may have experienced and that a refund would result in double compensation at the expense of other injured parties. Consequently, the DOE determined that LARCO is not eligible to receive any Subpart V refund from the ARCO consent order funds. Furthermore, even if the effects of the settlement and receipt of *Delta/Beacon* exception relief were discounted, LARCO was at a competitive disadvantage with respect to only about 15 percent of the ARCO products it purchased, as its other ARCO purchases were priced below the prevailing market prices. Accordingly, LARCO's Application for Refund was denied.

Refund Applications

The Office of Hearings and Appeals issued the following Decisions and Orders concerning refund applications, which are not summarized. Copies of the full texts of the Decisions and Orders are available in the Public Reference Room of the Office of Hearings and Appeals.

COOLEY FARMS ET AL	RK272-0126	04/15/96
CRUDE OIL SUPPLE REF DIST	RB272-00072	04/18/96
DALE OLSEN ET AL	RK272-00008	04/16/96
GULF OIL CORPORATION/PINEY GROVE HARDWARE ET AL	RF300-13196	04/15/96