

Owner	Location	Presidential volt- age	Permit No.
New York Power Authority .....	Massena, NY .....	765-kV	PP-56
	Massena, NY .....	2-230-kV	PP-25
	Niagara Falls, NY .....	2-345-kV	PP-74
	Devils Hole, NY .....	230-kV	PP-30
Niagara Mohawk Power Corp .....	Devils Hole, NY .....	230-kV	PP-31
Northern States Power .....	Red River, ND .....	230-kV	PP-45
	Roseau County, MN .....	500-kV	PP-63
Vermont Electric Transmission Co .....	Norton, VT .....	±450-kV DC	PP-76

<sup>1</sup> These facilities were constructed at 345-kV but operated at 120-kV.

## Procedural Matters

Any persons desiring to become parties to these proceedings or be heard by filing comments or protests to these applications should file petitions to intervene, comments or protests 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 such petitions and protests should be filed with the DOE on or before the date listed above.

Comments on FES's request to export to Canada should be clearly marked with Docket EA-126. Additional copies are to be filed directly with: Douglas F. John, John, Hengerer & Esposito, 1200 17th Street, NW., Suite 600, Washington, DC 20036 FAX: 202-429-8805 AND Scott S. Towner, Federal Energy Sales, Inc. 20525 Detroit Road, Suite 2 Rocky River, Ohio 44146 (Phone 216-333-7071) (FAX 216-333-7577).

Comments on Sonat's request to export to Canada should be clearly marked with Docket No. EA-131. Additional copies are to be filed directly with: Linda K. Browning, Director-Legal and Regulatory Affairs, Sonat Power Marketing L.P., 1900 Fifth Avenue North, Birmingham, AL 35203-2563 (Phone 205-325-3851) (FAX 205-327-2413).

Comments on Coastal's request to export to Canada should be clearly marked with Docket EA-133. Additional copies are to be filed directly with: James E. Miller, Counsel, Coastal Electric Services Company, Nine Greenway Plaza, Houston, Texas 77046 (Phone 713-877-7563) (FAX 713-877-6714).

A final decision will be made on these applications after the environmental impacts of the proposed actions have been evaluated pursuant to the National Environmental Policy Act of 1969 (NEPA), and a determination is made by the DOE that the proposed action 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.

Issued in Washington, DC on November 1, 1996.

Anthony J. Como,

*Director, Office of Coal and Electricity, Office of Fuels Programs, Office of Fossil Energy.*

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## [Docket Nos. EA-127 and EA-128]

### Applications to Export Electricity; Southwestern Public Service Company & Quixx Corporation

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

**ACTION:** Notice of application.

**SUMMARY:** Southwestern Public Services Company (SPS) and Quixx Corporation (Quixx) have submitted applications to export electric energy to Mexico pursuant to section 202(e) of the Federal Power Act.

**DATES:** Comments, protests or requests to intervene must be submitted on or before December 9, 1996.

**ADDRESSES:** Comments, protests or requests to intervene should be addressed as follows: Office of Coal & Electricity (FE-52), Office of Fuels Programs, Office of Fossil Energy, Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585 (FAX 202-586-0678).

**FOR FURTHER INFORMATION CONTACT:** William H. Freeman (Program Office) 202-586-9629 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)).

On October 11, 1996, SPS and Quixx each filed an application with the Office of Fossil Energy (FE) of the Department of Energy (DOE) for authorization to export electric energy to Mexico pursuant to section 202(e) of the FPA. SPS is an electric utility with primary

retail sales to customers in Texas and New Mexico and having its principal place of business in Amarillo, Texas. Quixx, a wholly-owned subsidiary of SPS, has no native load customers, but is involved in non-utility power generation projects, such as exempt wholesale generators and qualifying facilities. Quixx's principal place of business is also Amarillo, Texas.

The electric energy SPS and Quixx propose to sell to Mexico would be sold to Comision Federal de Electricidad (CFE), the national electric utility of Mexico, and would be delivered to Mexico using El Paso Electric Company's (EPE) 115-kilovolt (kV) lines at Ascarate, Texas, and Diablo, New Mexico. The construction, operation, and maintenance of these international transmission lines was previously authorized by Presidential Permit Nos. PP-48, as amended, and PP-92, respectively.

On October 29, 1996, the Secretary of Energy signed Delegation Order No. 0204-163, which delegated and assigned to the Federal Energy Regulatory Commission (FERC) authority to carry out such functions vested in the Secretary to regulate access to, and the rates, terms and conditions for, transmission services over these EPE facilities. This authority was delegated to FERC for the sole purpose of authorizing FERC to take any actions necessary to effectuate open access transmission over the United States portion of EPE's electric transmission lines connecting the Diablo and Ascarate substations in the United States with the Insurgentes and Riverena substations in Mexico. Notice and a copy of the Delegation Order were published in the Federal Register on November 1, 1996, at 61 FR 56525.

## Procedural Matters

Any persons desiring to become parties to these proceedings or be heard by filing comments or protests to these applications 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 such petitions and protests should be filed with the DOE on or before the date listed above. Comments on the application by Quixx should be clearly marked with Docket No. EA-127. Comments on SPS's request to export to Mexico should be clearly marked with Docket No. EA-128.

Additional copies are to be filed directly with: Michael E. Small, Wright & Talisman, P.C., 1200 G Street, N.W., Suite 600, Washington, D.C. 20005 and Louis Ridings, President, Quixx Corporation, 6th & Tyler, Suite 1510, P.O. Box 12033, Amarillo, Texas 79101.

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.

Issued in Washington, DC, on November 1, 1996.

Anthony J. Como,

*Director, Office of Coal & Electricity, Office of Fuels Programs, Office of Fossil Energy.*

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**[Docket No. EA-102-A]**

**Application for Supplemental Order; Enron Power Marketing, Inc.**

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

**ACTION:** Notice of application.

**SUMMARY:** Enron Power Marketing, Inc. (Enron) has submitted an application to supplement its Order in FE Docket EA-102 authorizing exports of electricity to Mexico. Specifically, Enron is seeking an order that will require El Paso Electric Company (EPE) to provide nondiscriminatory transmission access to Mexico using the two cross border transmission lines owned by EPE.

**DATES:** Comments, protests or requests to intervene must be submitted on or before December 9, 1996.

**ADDRESSES:** Comments, protests or requests to intervene should be addressed as follows: Office of Coal & Electricity (FE-52), Office of Fuels Programs, Office of Fossil Energy, Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585 (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)).

On February 6, 1996, the Office of Fossil Energy (FE) of the Department of Energy (DOE) issued Order EA-102 to EPMI authorizing it to export electric energy to Mexico pursuant to section 202(e) of the Federal Power Act (FPA). Among other things, Order EA-102 allowed EPMI to transmit the exported energy over the two 115-kV international transmission lines owned and operated by EPE. The construction and operation of these lines was previously authorized by Presidential Permits PP-48-3 and PP-92, issued by the DOE on December 13, 1990, and April 16, 1992, respectively. The authority contained in Order EA-102 was conditioned on EPMI obtaining the necessary transmission service to wheel the exported energy from the source(s) to the U.S. border with Mexico. However, Order EA-102 did not require any transmission system to provide service.

EPE presently has a contract for the sale of electric power to the Comision Federal de Electricidad (CFE, the national electric utility of Mexico). That contract expires in December 1996 and CFE has solicited bids from EPE and other entities for the supply of firm power starting in 1997. In order to complete a proposal in response to CFE's solicitation, on July 18, 1996, EPMI requested that EPE provide firm point-to-point transmission service under EPE's open access tariff filed with the Federal Energy Regulatory Commission (FERC) pursuant to Order 888. On August 30, 1996, EPE denied EPMI's request for several reasons.

On September 13, 1996, EPMI filed a complaint with the FERC under section 206 of the FPA alleging that EPE's denial of transmission service was unjust, unreasonable, unduly discriminatory, anticompetitive, and in violation of EPE's open-access transmission tariff on file with the FERC. On October 4, 1996, the FERC granted EPMI's requested relief and ordered EPE to provide transmission service (under its FERC-filed open-access tariff) from designated points of receipt between EPE and other U.S. utilities to EPE's Diablo and Ascarate substations in the United States. However, the FERC determined that it did not have jurisdiction to order EPE

to provide comparable transmission service over the U.S. portion of EPE's transmission lines connecting the Diablo and Ascarate substations with CFE's Insurgentes and Riverena substations in Mexico. Accordingly, on October 7, 1996, EPMI filed an application requesting the DOE to order EPE to provide nondiscriminatory transmission access over EPE's two 115-kV international transmission lines extending from EPE's Diablo and Ascarate substations. EPMI requested that this be accomplished by: (1) Supplementing Order EA-102; (2) amending EPE's electricity export authorization contained in Order EA-48-I; and (3) amending Presidential Permits PP-48-3 and PP-92.

On October 29, 1996, the Secretary of Energy signed Delegation Order No. 0204-163, which delegated and assigned to the FERC authority to carry out such functions vested in the Secretary to regulate access to, and the rates, terms and conditions for, transmission services over these EPE facilities. This authority was delegated to FERC for the sole purpose of authorizing FERC to take any actions necessary to effectuate open access transmission over the United States portion of EPE's electric transmission lines connecting the Diablo and Ascarate substations in the United States with the Insurgentes and Riverena substations in Mexico. Notice and a copy of the Delegation Order were published in the Federal Register on November 1, 1996 at 61 FR 56525.

**PROCEDURAL MATTERS:** Any person desiring to be heard or to protest this application should file comments, protests or petitions to intervene at the address provided above in accordance with §§ 385.211 or 385.214 of the Rules of Practice and Procedure (18 C.F.R. 385.211, 385.214). Fifteen copies of such comments, protests or petitions to intervene should be filed with the DOE on or before the date listed above. Additional copies are to be filed directly with: Richard S. Shapiro, Enron Power Marketing, Inc., 1400 Smith Street (77002), Post Office Box 1188, Houston, TX 77251-1188 (FAX: 713-646-8160) AND Joseph R. Hartsoe, Enron Washington, Inc., 750 17th Street, NW, Suite 400, Washington, DC 20006-4607 (FAX 202-466-3450).

Pursuant to 18 C.F.R. 385.211, protests and comments will be considered by the DOE 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 petition to intervene under 18 C.F.R.