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Dated: June 6, 1997.

David A. Longanecker,

Assistant Secretary for Postsecondary Education.

[FR Doc. 97-16472 Filed 6-23-97; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF ENERGY

Office of Energy Efficiency and Renewable Energy

[Rheem (Case No. F-089)]

Energy Conservation Program for Consumer Products: Decision and Order Granting a Waiver From the Furnace Test Procedure to Rheem Manufacturing Company

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Decision and order.

SUMMARY: Notice is given of the Decision and Order (Case No. F-089) granting a Waiver to Rheem Manufacturing Company (Rheem) from the existing Department of Energy (DOE or Department) test procedure for furnaces. The Department is granting Rheem's Petition for Waiver regarding blower time delay in calculation of Annual Fuel Utilization Efficiency (AFUE) for its GFD upflow residential, modulating type, gas-fired furnaces.

FOR FURTHER INFORMATION CONTACT: Mr. Cyrus H. Nasser, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Mail Station EE-431, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585-0121, (202) 586-9138, or Mr. Eugene Margolis, Esq., U.S. Department of Energy, Office of General Counsel, Mail Station GC-72, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585-0103, (202) 586-9507.

SUPPLEMENTARY INFORMATION: In accordance with 10 CFR 430.27(j), notice is hereby given of the issuance of the Decision and Order as set out below. In the Decision and Order, Rheem has been granted a Waiver for its GFD upflow residential, modulating type, gas-fired furnaces permitting the company to use an alternate test method in determining AFUE.

Issued in Washington, DC, on June 13, 1997.

Joseph J. Romm,

Acting Assistant Secretary, Energy Efficiency and Renewable Energy.

Decision and Order

Rheem (Case No. F-089).

Background

The Energy Conservation Program for Consumer Products (other than automobiles) was established pursuant to the Energy Policy and Conservation Act, Public Law 94-163, 89 Stat. 917, as amended (EPCA), which requires DOE to prescribe standardized test procedures to measure the energy consumption of certain consumer products, including furnaces. The intent of the test procedures is to provide a comparable measure of energy consumption that will assist consumers in making purchasing decisions. These test procedures appear at 10 CFR Part 430, Subpart B.

The Department amended the prescribed test procedures by adding 10 CFR 430.27 to create a waiver process. 45 FR 64108, September 26, 1980. Thereafter, DOE further amended its appliance test procedure waiver process to allow the Assistant Secretary for Energy Efficiency and Renewable Energy (Assistant Secretary) to grant an Interim Waiver from test procedure requirements to manufacturers that have petitioned DOE for a waiver of such prescribed test procedures. 51 FR 42823, November 26, 1986.

The waiver process allows the Assistant Secretary to waive temporarily test procedures for a particular basic model when a petitioner shows that the basic model contains one or more design characteristics which prevent testing according to the prescribed test procedures or when the prescribed test procedures may evaluate the basic model in a manner so unrepresentative of its true energy consumption as to provide materially inaccurate comparative data. Waivers generally remain in effect until final test procedure amendments become effective, resolving the problem that is the subject of the waiver.

Rheem filed a "Petition for Waiver," dated January 29, 1997, in accordance with section 430.27 of 10 CFR Part 430. The Department published in the **Federal Register** on April 4, 1997, Rheem's Petition and solicited comments, data, and information respecting the Petition. 62 FR 16146, April 4, 1997. Rheem also filed an "Application for Interim Waiver" under section 430.27(b)(2), which DOE granted

on March 31, 1997. 62 FR 16146, April 4, 1997.

No comments were received concerning either the "Petition for Waiver" or the "Application for Interim Waiver." The Department consulted with the Federal Trade Commission (FTC) concerning the Rheem Petition. The FTC did not have any objections to the issuance of the waiver to Rheem.

The Department on February 28, 1997, issued the Final Rule on test procedures for furnaces/boilers, vented home heating equipment, and pool heaters. 62 FR 26140, May 12, 1997. This Final Rule incorporates test procedure Waivers granted to different manufacturers for air circulation blower delay time at start-up for furnaces with unvarying control on blower delay time. This Waiver granted to Rheem expires on November 10, 1997, the date when the final test procedure rule becomes effective, resolving the issue necessitating this Waiver.

Assertions and Determinations

Rheem's Petition seeks a waiver from the DOE test provisions that require a 1.5-minute time delay between the ignition of the burner and the starting of the circulating air blower. Rheem requests the allowance to test using a 20-second blower time delay when testing its GFD upflow residential, modulating type, gas-fired furnaces. Rheem states that since the 20-second delay is indicative of how these models actually operate, and since such a delay results in an average of approximately 2.0 percent increase in AFUE, the Petition should be granted.

Under specific circumstances, the DOE test procedure contains exceptions which allow testing with blower delay times of less than the prescribed 1.5-minute delay. Rheem indicates that it is unable to take advantage of any of these exceptions for its GFD upflow residential, modulating type, gas-fired furnaces.

Since the blower controls incorporated on the Rheem furnaces are designed to impose a 20-second blower delay in every instance of start up, and since the current test procedure provisions do not specifically address this type of control, DOE agrees that a waiver should be granted to allow the 20-second blower time delay when testing the Rheem GFD upflow residential, modulating type, gas-fired furnaces. Accordingly, with regard to testing the GFD upflow residential, modulating type, gas-fired furnaces, today's Decision and Order exempts Rheem from the existing test procedure provisions regarding blower controls

and allows testing with the 20-second delay.

It is, therefore, ordered that:

(1) The "Petition for Waiver" filed by Rheem Manufacturing Company (Case No. F-089) is hereby granted as set forth in paragraph (2) below, subject to the provisions of paragraphs (3), (4), and (5).

(2) Notwithstanding any contrary provisions of Appendix N of 10 CFR Part 430, Subpart B, Rheem shall be permitted to test its GFD upflow residential, modulating type, gas-fired furnaces on the basis of the test procedure specified in 10 CFR Part 430, with modifications set forth below:

(I) Section 3.0 of Appendix N is deleted and replaced with the following paragraph:

3.0 Test Procedure. Testing and measurements shall be as specified in section 9 in ANSI/ASHRA Standard 103-82 with the exception of sections 9.2.2, 9.3.1, and 9.3.2, and the inclusion of the following additional procedures:

(ii) Add a new paragraph 3.10 to Appendix N as follows:

3.10 Gas-and Oil-Fueled Central Furnaces. The following paragraph is in lieu of the requirement specified in section 9.3.1 of ANSI/ASHRA Standard 103-82. After equilibrium conditions are achieved following the cool-down test and the required measurements performed, turn on the furnace and measure the flue gas temperature, using the thermocouple grid described above, at 0.5 and 2.5 minutes after the main burner(s) comes on. After the burner start-up, delay the blower start-up by 1.5 minutes (t-), unless: (1) the furnace employs a single motor to drive the power burner and the indoor air circulating blower, in which case the burner and blower shall be started together; or (2) the furnace is designed to operate using an unvarying delay time that is other than 1.5 minutes, in which case the fan control shall be permitted to start the blower; or (3) the delay time results in the activation of a temperature safety device which shuts off the burner, in which case the fan control shall be permitted to start the blower. In the latter case, if the fan control is adjustable, set it to start the blower at the highest temperature. If the fan control is permitted to start the blower, measure time delay, (t-), using a stopwatch. Record the measured temperatures. During the heat-up test for oil-fueled furnaces, maintain the draft in the flue pipe within ± 0.01 inch of water column of the manufacturer's recommended on-period draft.

(iii) With the exception of the modifications set forth above, Rheem shall comply in all respects with the test

procedures specified in Appendix N of 10 CFR Part 430, Subpart B.

(3) The Waiver shall remain in effect from the date of issuance of this Order until November 10, 1997, the date when the Department's final test procedure appropriate to the GFD upflow residential, modulating type, gas-fired furnaces manufactured by Rheem goes into effect.

(4) This Waiver is based upon the presumed validity of statements, allegations, and documentary materials submitted by the petitioner. This Waiver may be revoked or modified at any time upon a determination that the factual basis underlying the Petition is incorrect.

(5) Effective 6-13-97, this Waiver supersedes the Interim Waiver granted Rheem on March 31, 1997. 62 FR 16146, April 4, 1997 (Case No. F-089).

Issued in Washington, DC, on June 13, 1997.

Joseph J. Romm,

Acting Assistant Secretary,

Energy Efficiency and Renewable Energy.

[FR Doc. 97-16383 Filed 6-23-97; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP95-408-020]

Columbia Gas Transmission Corporation; Notice of Proposed Changes in FERC Gas Tariff

June 18, 1997.

Take notice that on June 13, 1997, Columbia Gas Transmission Corporation (Columbia) tendered for filing with the Commission the following revised tariff sheets to its FERC Gas Tariff, Second Revised Volume No. 1:

To Be Effective June 1, 1997

Sixth Revised Sheet No. 262

Fifth Revised Sheet No. 483

Fourth Revised Sheet No. 484

To Be Effective February 1, 1997

Fourth Revised Sheet No. 405

Third Revised Sheet No. 406

Columbia is making the instant filing to correct the title of Section 46 of the General Terms and Conditions of its FERC Gas Tariff. The title was incorrectly set forth in Columbia's May 30, 1997 tariff filing made to effectuate revisions to its tariff approved by the Commission by order issued April 17, 1997, as part of a comprehensive settlement in Docket Nos. RP95-408, et al. ("Settlement"). Columbia has made no change to the substantive provisions

of Section 46, from that shown in the May 30, 1997 filing. In addition, Columbia states that the effective dates appearing on the bottom of the tariff sheets in the May 30, 1997 filing were transposed between the two sets. Specifically,

Columbia states that Sheet Nos. 405 and 406 showed an effective date of June 1, 1997, when they should have shown an effective date of February 1, 1997 and that Sheet Nos. 483 and 484 showed an effective date of February 1, 1997, when they should have shown an effective date of June 1, 1997. Columbia states that it has corrected this transposition error to make the sheets conform to the Settlement.

Columbia states further that it has served the filing to its customers, affected state regulatory commissions, and to the parties in the proceeding.

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 must be filed as provided in 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. 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. 97-16443 Filed 6-23-97; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP97-396-000]

Columbia Gulf Transmission Company; Notice of Filing of Report on Calculations of Excess Revenues

June 18, 1997.

Take notice that on June 13, 1997, Columbia Gulf Transmission Company (Columbia Gulf), filed its Calculations of Excess Revenues.

Columbia Gulf States that prior to May 1, 1997, in accordance with the Former Section 34 (Crediting of Excess Revenues) of the General Terms and Conditions (GTC) of Columbia Gulf's FERC Gas Tariff, Second Revised Volume No. 1, Columbia Gulf was required to calculate revenues applicable to Rate Schedules ITS-1 and