

GPU Energy has served copies of the filing on regulatory agencies in New Jersey and Pennsylvania.

*Comment date:* December 5, 1997, in accordance with Standard Paragraph E at the end of this notice.

### 23. Florida Power & Light Company

[Docket No. ER98-529-000]

Take notice that on November 4, 1997, Florida Power & Light Company (FPL), tendered for filing a proposed notice of cancellation of an umbrella service agreement with NIPSCO Energy Services, 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 November 1, 1997.

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

*Comment date:* December 5, 1997, in accordance with Standard Paragraph E at the end of this notice.

### 24. Florida Power & Light Company

[Docket No. ER98-531-000]

Take notice that on November 4, 1997, Florida Power & Light Company, filed a letter notice dated September 26, 1997, from Florida Keys Electric Cooperative Association, Inc., to FPL. This letter contains information provided pursuant to Section 11.1 of the Long Term Agreement to Provide Capacity and Energy by Florida Power & Light Company to Florida Keys Electric Cooperative Association, Inc., dated August 15, 1991. FPL requests that the proposed notice be made effective January 1, 1998.

*Comment date:* December 5, 1997, in accordance with Standard Paragraph E at the end of this notice.

### 25. Northeast Utilities Service Company

[Docket No. ER98-532-000]

Take notice that on November 4, 1997, Northeast Utilities Service Company (NUSCO), tendered for filing, a Service Agreement with the New York State Electric & Gas Corporation under the NU System Companies' Sale for Resale, Tariff No. 7.

NUSCO states that a copy of this filing has been mailed to the New York State Electric & Gas Corporation.

NUSCO requests that the Service Agreement become effective November 1, 1997.

*Comment date:* December 5, 1997, in accordance with Standard Paragraph E at the end of this notice.

### 26. California Independent System Operator Corporation

[Docket No. ES98-9-000]

Take notice that on November 17, 1997, the California Independent System Operator Corporation (ISO) tendered for filing an Application under Section 204 of the Federal Power Act for authorization to issue securities and for certain waivers of Part 34 requirements.

The ISO requests authorization (1) to issue promissory notes to the ISO Restructuring Trust (ISO Trust) in exchange for the ISO's assets and for working capital; (2) to issue long-term bonds; and (3) for other evidences of indebtedness to be used for general corporate purposes.

*Comment date:* December 16, 1997, in accordance with Standard Paragraph E at the end of this notice.

### 27. California Power Exchange Corporation

[Docket No. ES98-10-000]

Take notice that on November 17, 1997, the California Power Exchange Corporation (PX) tendered for filing an Application under Section 204 of the Federal Power Act for authorization to issue securities and for certain waivers of Part 34 requirements.

The PX requests authorization (1) to issue promissory notes to the PX Restructuring Trust (PX Trust) in exchange for PX's assets and for working capital; (2) to other evidences of indebtedness to be used for general Corporate purposes.

*Comment date:* December 16, 1997, 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. 97-31378 Filed 11-28-97; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Sunshine Act Meeting

**AGENCY HOLDING MEETING:** Federal Energy Regulatory Commission.

**FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT:** November 21, 1997, 62 FR 62299.

**PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING:** November 25, 1997, 10:00 a.m.

**CHANGE IN THE MEETING:** The following Docket Number and Company has been added as Item CAG-1 on the Agenda scheduled for the November 25, 1997 meeting.

Item No.	Docket No. and company
CAG-1	RP96-312-000, Tennessee Gas Pipeline Company.

**Lois D. Cashell,**

*Secretary.*

[FR Doc. 97-31540 Filed 11-26-97; 1:06 pm]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Office of Hearings and Appeals

#### Notice of Issuance of Decisions and Orders During the Week of September 8 Through September 12, 1997

During the week of September 8 through September 12, 1997, 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. The following summary also contains a list of submissions that were dismissed by the Office of Hearings and Appeals.

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: November 20, 1997.

**George B. Breznay,**  
Director, Office of Hearings and Appeals.

**Decision List No. 50; Week of  
September 8 Through September 12,  
1997**

*Appeals*

Bruce Darrow Gaither, 9/8/97; VFA-0324

The Department of Energy denied a Freedom of Information Act Appeal filed by Bruce Darrow Gaither. In his Appeal, Gaither contested the adequacy of the search for responsive documents performed by the DOE's Freedom of Information and Privacy Act Division. After reviewing the scope of the search, the DOE concluded that the search was adequate.

Greenpeace USA, 9/11/97; VFA-0311

Greenpeace USA appealed a Determination issued to it in response to a request made under the Freedom of Information Act (FOIA) for information on contracts for technical assistance that DOE's Idaho Operations Office (ID) provided to California in the development of new commercial low-level radioactive waste management systems. ID withheld some documents under Exemptions 3, 4, and 6 of the FOIA. Material withheld under Exemption 3 was categorized as exempt under the National Defense Authorization Act of 1997 (NDAA), which generally prohibits the release of proposals. The DOE found on Appeal that some of the withheld material did not meet the NDAA's requirement of a solicitation for a competitive proposal. In addition, the DOE found that some material withheld was non-exempt. Accordingly, the Appeal was granted in part and the case was remanded to ID for further action.

Janice C. Curry, 9/9/97; VFA-0313

The DOE granted an Appeal by a former DOE contractor employee for documents related to her employment. The DOE found that the Office of Environmental Management (EM) did not adequately address the basis for its withholding of information under FOIA Exemption 6, and that EM's search for responsive documents was inadequate. The matter was, therefore, remanded to EM.

Ralph C. Elkins, 9/12/97; VFA-0317

Ralph C. Elkins appealed a denial by the Freedom of Information and Privacy Act Division of a request for his security clearance file that he submitted under the Privacy Act. The FOIA Division had not found the requested file. In

considering the Appeal, the DOE found that the FOIA Division had conducted an adequate search for responsive documents, and it accordingly denied the Appeal.

*Personnel Security Hearing*

Personnel Security Hearing, 9/10/97; VSO-0151

A Hearing Officer 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 the individual had harassed his ex-spouse and three co-workers and that this conduct, as specified by Criterion L, indicated that he may not be honest, reliable or trustworthy or may be subject to pressure, coercion, exploitation or duress. The Hearing officer found that the individual had engaged in a number of harassing acts towards his ex-spouse and three co-workers and that he had not demonstrated sufficient evidence of reformation. The Hearing officer also found that the individual had been diagnosed by a psychiatrist as suffering from mixed personality disorder and depressive disorder and that in the psychiatrist's opinion these illnesses could cause a significant defect in judgment and reliability, as specified by Criterion H. Although the individual presented witnesses testifying that he did not exhibit the personality characteristics described by the DOE psychiatrist, the Hearing Officer concluded that he had not presented sufficient evidence to warrant rejection of the psychiatrist's opinion. Given the above findings, the Hearing Officer recommended that the individual's access authorization should not be restored.

**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.

Buttler County Commission, et al:

RF272-76385, 9/10/97

Crude Oil Ref. Dist.: RB272-00117,  
9/11/97

Empire Gas Corp./Howe Laundry: et al:  
RF335-00001, 9/12/97

Estate of Victor G. Zonver et al: RK272-01788, 9/11/97

Godwin Construction Co. et al: RF272-98611, 9/11/97

Worley's Asphalt & Paving Co. et al:  
RK272-04466, 9/11/97

**Dismissals**

The following submissions were dismissed.

American Building Components Co.,  
Case No. RF272-57013

Arka, Inc., Case No. RF272-94509

Damar Worldwide, Inc., Case No. VEE-0048

Houston Slag Materials Company, Case  
No. RK272-04476

Midwest Paving Company, Case No.  
RG272-00836

[FR Doc. 97-31386 Filed 11-28-97; 8:45 am]

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**ENVIRONMENTAL PROTECTION  
AGENCY**

[FRL-5930-3]

**Agency Information Collection  
Activities: Proposed Collection;  
Comment Request; National Oil and  
Hazardous Substances Pollution  
Contingency Plan**

**AGENCY:** Environmental Protection  
Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit the following continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB): National Oil and Hazardous Substances Pollution Contingency Plan, EPA ICR No. 1463.03, OMB No. 2050-0096, expiring on January 31, 1998. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted on or before January 30, 1998.

**ADDRESSES:** Community Involvement and Outreach Center, Office of Emergency and Remedial Response, 401 M Street, SW, Washington, DC 20460, Mail Code: 5204-G, 703-603-8889. Persons interested in obtaining a copy of the ICR without charge may call the telephone number above to request a free copy.

**FOR FURTHER INFORMATION CONTACT:** Lois Gartner, telephone number: 703-603-8889, facsimile number: 703-603-9100, e-mail address: gartner.lois@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:**

*Affected entities:* Entities potentially affected by this action are those states and members of the public that