

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Columbia to appear or be represented at the hearing.

David P. Boergers,
Acting Secretary.

[FR Doc. 98-7253 Filed 3-19-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. TM98-7-23-000]

Eastern Shore Natural Gas Company; Notice of Proposed Changes in FERC Gas Tariff

March 16, 1998.

Take notice that on March 10, 1998, Eastern Shore Natural Gas Company (ESNG) tendered for filing as part of its FERC Gas Tariff, First Revised Volume No. 1, certain revised tariff sheets in the above captioned docket, bear a proposed effective date of April 1, 1998.

ESNG states that the purpose of the instant filing is to track rate changes attributable to storage services purchased from Transcontinental Gas Pipe Line Corporation (Transco) and Columbia Gas Transmission Corporation (Columbia). The storage services purchased from Transco are under its Rate Schedules GSS and LSS, the costs of which comprise the rates and charges payable under ESNG's Rate Schedule GSS and LSS. The storage service purchased from Columbia is under its Rate Schedule SST and FSS, the costs of which comprise the rates and charges under ESNG's Rate Schedule CFSS. This tracking filing is being made pursuant to Section 3 of ESNG's Rate Schedules GSS, LSS, and CFSS, respectively.

ESNG states that copies of the filing have been served upon its jurisdictional customers and interested State Commissions.

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 Sections 385.214 and 385.211 of the Commission's Rules and Regulations. All such motions or 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 proceedings. 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 in the Public Reference Room.

David P. Boergers,
Acting Secretary.

[FR Doc. 98-7262 Filed 3-19-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Enogex Interstate Transmission L.L.C. and Ozark Gas Transmission, L.L.C.; Notice of Application

March 16, 1998.

Take notice that on March 5, 1998, Enogex Interstate Transmission L.L.C. (Enogex Interstate) and Ozark Gas Transmission, L.L.C. (Applicants) filed an abbreviated application under Section 7(c) of the Natural Gas Act, requesting that the Commission grant to Enogex Interstate certificate authorization to acquire the assets of Ozark Gas Transmission System (Ozark), an existing interstate natural gas pipeline subject to the Commission's jurisdiction under the Natural Gas Act. Applicants further seek authorization to dedicate to interstate service the assets of NOARK Pipeline System, Limited Partnership (NOARK), an existing intrastate pipeline operating within the state of Arkansas, and to integrate the Ozark and NOARK systems into a single interstate pipeline system. Applicants propose, and seek authorization to, operate the integrated pipeline system as a single interstate pipeline, providing open access transportation services pursuant to Part 284 of the Commission's Regulations, and to perform all services currently performed by Ozark, subject to the terms and conditions, including the maximum rates, set forth in Ozark's currently effective FERC Gas Tariff. To this end, Applicants propose to adopt Ozark's existing FERC Gas Tariff, First Revised Volume No. 1, as revised in certain minor respects, pursuant to Part 154, Subpart G of the Commission's Regulations, all as more fully set forth in the application on file with the Commission and open to public inspection.

It is stated that in order to effectuate the integration of the Ozark and NOARK systems, Applicants request certificate authorization to construct new facilities necessary to interconnect the existing Ozark system with the intrastate pipeline and related facilities of NOARK. Applicants also propose to construct certain minor facilities in

order to expand capacity at a point located in Latimer County, Oklahoma (known as the Boiling Springs interconnect) at which the existing Ozark system currently receives gas from Enogex Inc., an Oklahoma interstate pipeline which provides interstate transportation service under Section 311 of the Natural Gas Policy Act of 1978.

The Applicants request an advance determination that rolled-in treatment of the costs associated with Enogex Interstate's acquisition of the NOARK system and its construction of the facilities required to interconnect the Ozark and NOARK systems is appropriate under the Commission's Pricing Policy Statement.

Applicants also request blanket certificates under Part 284 of the Commission's Regulations to provide open access service and Part 157 to engage in routine construction activities.

Applicants state that, immediately following Enogex Interstate's acceptance of certificate authorization relating to its acquisition of Ozark and the consummation of the contemplated purchase and sale transaction, Enogex Interstate intends, and therefore requests authorization from this Commission, to change its name (and thus the name of the certificate holder) from Enogex Interstate Transmission L.L.C. to Ozark Gas Transmission, L.L.C.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 6, 1998, file with Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211 or 385.214) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's rule.

Take further notice that pursuant to the authority contained in and subject to the jurisdiction conferred upon the Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the

time required herein or if the Commission on its own review of the matter finds that a grant of the application is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission, on its own motion, believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

David P. Boergers,

Acting Secretary.

[FR Doc. 98-7254 Filed 3-19-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. SA98-10-000]

Helmerich & Payne, Inc.; Notice of Petition for Adjustment

March 16, 1998.

Take notice that on March 3, 1998, Helmerich & Payne, Inc. (H&P), filed a petition, pursuant to section 502(c) of the Natural Gas Policy Act of 1978 (NGPA), for an adjustment of the Commission's refund procedures [15 U.S.C. 3142(c) (1982)] with respect to H&P's Kansas ad valorem tax refund liability.

The Commission's September 10, 1997 order on remand from the D.C. Circuit Court of Appeals,¹ in Docket No. RP97-369-000 *et al.*,² directed first sellers to make Kansas ad valorem tax refunds, with interest, for the period from 1983 to 1988. The Commission clarified the refund procedures in its *Order Clarifying Procedures* [82 FERC ¶ 61,059 (1998)], stating therein that producers [first sellers] could request additional time to establish the uncollectability of royalty refunds, and that first sellers may file requests for NGPA section 502(c) adjustment relief from the refund requirement and the timing and procedures for implementing the refunds, based on their individual circumstances.

H&P requests a 1-year deferral of payment, to the relevant Pipelines [Northern Natural Gas Company, Panhandle Eastern Pipe Line Company,

KN Interstate Gas Transmission Company, and Colorado Interstate Gas Company], of the principal and interest refunds attributable to royalties until March 9, 1999. In addition, H&P requests that it be allowed to place into an escrow account certain portions of the remaining refunds allegedly due to Pipelines. H&P asserts that these procedures are needed to ensure that it pays only that which is legitimately owed, and to ensure that it can recover the overpayment, if it is subsequently determined that its refund liability was less than that originally claimed by the Pipelines. H&P states that a 1-year deferral in the obligation to make royalty refunds is necessary in order to allow it to confirm the refund amounts due, to locate the prior royalty owners, and to seek recovery of such amounts from the proper royalty owners.

On or before March 9, 1999, H&P proposes to file with the Commission documentation of those royalties which were not collectible and disburse to Pipelines those royalty refunds which were recovered (principal only), except for refunds attributable to pre-October 3, 1983, production. At that time, H&P proposes to place the interest from royalty refunds which was recovered in its escrow account to protect the royalty owners. In addition, H&P asserts that its proposal for an escrow account is necessary to protect its property and that of its royalty owners. H&P also proposes to place the following amounts into that escrow account:

- (1) The principal amount of refunds and interest thereon attributable to royalty refunds (during the 1-year deferral period);
- (2) The principal and interest amount of refunds attributable to production prior to October 3, 1983 (excluding royalties attributable thereto during the 1-year deferral period); and
- (3) The interest due on principal refunds other than royalty refunds (during the 1-year deferral period) and pre-October 3, 1983, production refunds.

H&P requests the 1-year deferral and the authorization to place such monies into an escrow account pursuant to the Commission's January 28, 1998, *Order Clarifying Procedures*.

Any person desiring to be heard or to make any protest with reference to said petition should on or before 15 days after the date of publication in the **Federal Register** of this notice, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 384.214, 385.211,

385.1105, and 385.1106). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

David P. Boergers,

Acting Secretary.

[FR Doc. 98-7263 Filed 3-19-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. MG98-7-000]

Midcoast Interstate Transmission, Inc.; Notice of Filing

March 16, 1998.

Take notice that on March 5, 1998, Midcoast Interstate Transmission, Inc. (Midcoast) filed standards of conduct in response to a February 5, 1998 order from the Director, Office of Pipeline Regulation, requiring that Midcoast revise its standards of conduct to reflect the relocation of the offices of its marketing affiliate.¹

Midcoast states that it has served copies of its revised standards of conduct upon each person designated on the official service list compiled by the Secretary in this proceeding.

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.W., Washington, D.C. 20426, in accordance with Rules 211 or 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 or 385.214). All such motions to intervene or protest should be filed on or before March 31, 1998. 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.

David P. Boergers,

Acting Secretary.

[FR Doc. 98-7258 Filed 3-19-98; 8:45 am]

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¹ *Public Service Company of Colorado v. FERC*, 91 F.3d 1478 (D.C. 1996), cert. denied, Nos. 96-954 and 96-1230 (65 U.S.L.W. 3751 and 3754, May 12, 1997).

² See 890 FERC ¶ 61,264 (1997); order denying reh'g issued January 28, 1998, 82 FERC ¶ 61,058 (1998).

¹ 82 FERC ¶ 62,074 (1998).