

Commission and are available for public inspection.

David P. Boergers,
Acting Secretary.

[FR Doc. 98-7394 Filed 3-20-98; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER98-1722-000]

Great Western Power Cooperatives Company; Notice of Issuance of Order

March 17, 1998.

Great Western Power Cooperatives Company (Great Western) submitted a rate schedule under which Great Western will engage in wholesale power and energy transactions as a marketer. Great Western also requested waiver of various Commission regulations. In particular, Great Western requested that the Commission grant blanket approval under 18 CFR Part 34 of all future issuances of securities and assumptions of liability by Great Western.

On March 9, 1998, pursuant to delegated authority, the Director, Division of Applications, Office of Electric Power Regulation, granted requests for blanket approval under Part 34, subject to the following:

Within thirty days of the date of the order, any person desiring to be heard or to protest the blanket approval of issuances of securities or assumptions of liability by Great Western 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 385.214).

Absent a request for hearing within this period, Great Western is authorized to issue securities and assume obligations or liabilities as a guarantor, indorser, surety, or otherwise in respect of any security of another person; provided that such issuance or assumption is for some lawful object within the corporate purposes of the applicant, and compatible with the public interest, and is reasonably necessary or appropriate for such purposes.

The Commission reserves the right to require a further showing that neither public nor private interests will be adversely affected by continued approval of Great Western's issuances of securities or assumptions of liability.

Notice is hereby given that the deadline for filing motions to intervene or protests, as set forth above, is April 8, 1998. Copies of the full text of the order are available from the Commission's Public Reference Branch, 888 First Street, N.E., Washington, D.C. 20426.

David P. Boergers,
Acting Secretary.

[FR Doc. 98-7387 Filed 3-20-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. SA98-12-000]

Estate of J.A. Mull, Jr.; Notice of Petition for Adjustment

March 17, 1998.

Take notice that on March 5, 1998, the Estate of J.A. Mull, Jr. (Mull Estate) filed a petition for adjustment, pursuant to section 502(c) of the Natural Gas Policy Act of 1978 [15 U.S.C. § 3142(c) (1982)], requesting that the Commission issue an order determining that the Kansas ad valorem tax refunds required by the Commission's September 10, 1997 order (in Docket No. RP97-369-000 *et al.*¹) on remand from the D.C. Circuit Court of Appeals,² are barred by operation of law. The subject refunds have been sought by Williams Gas Pipelines Central, Inc., formerly: Williams Natural Gas Company (Williams), in response to the Commission's September 10 order. Mull Estate's petition is on file with the Commission and open to public inspection.

Mull Estate explains that J.A. Mull is deceased, and that his estate is now closed. Mull Estate adds that Williams was notified that, although the estate was open and in probate, the estate was in the process of closing. Mull Estate further explains that, despite such notification, Williams did not protect its rights by establishing a claim with respect to the Kansas ad valorem tax reimbursements that Williams previously paid under Williams Contract Nos. 1518 and 1573. Since Mr. Mull's estate is now closed, the assets of the estate have passed to Mr. Mull's heirs.

In view of the above, Mull Estate contends that the Commission should

find that Williams' refund claim against the estate is barred by operation of law, specifically, by Kansas' K.S.A. 55-2239, nonclaim statute. Mull Estate contends that this Kansas statute establishes a statute of limitations and an absolute bar against claims against a deceased individual which are not properly asserted during the pendency of the probate proceedings.

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, 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 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. 98-7398 Filed 3-20-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2307-043]

Alaska Electric Light and Power Company; Notice of Availability of Environmental Assessment

March 17, 1998.

An environmental assessment (EA) is available for public review. The EA is for an application to amend the Salmon Creek Hydroelectric Project. The application is to decommission the Upper Salmon Creek powerplant because the newer lower powerplant renders the upper powerhouse uneconomical. In addition, the licensee will remove the two miles of primary transmission and communication lines. The EA finds that approval of the application would not constitute a major federal action significantly affecting the quality of the human environment. The Salmon Creek Project is located on Lower Salmon Creek, near the town of Juneau, Alaska.

¹ See 80 FERC ¶ 61,264 (1997); order denying reh'g issued January 28, 1998, 82 FERC ¶ 61,058 (1998).

² *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) (Public Service).

The EA was written by staff in the Office of Hydropower Licensing, Federal Energy Regulatory Commission. Copies of the EA can be viewed in the Public Reference Branch, Room 2A, of the Commission's offices at 888 First Street NE., Washington, DC.

For further information, please contact the project manager, Ms. Rebecca Martin, at (202) 219-2650.

David P. Boergers,

Acting Secretary.

[FR Doc. 98-7396 Filed 3-20-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Lease of Project Lands

March 17, 1998.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* Lease of Project Lands.

b. *Project No:* 2221-022.

c. *Date Filed:* June 25, 1997.

d. *Applicant:* The Empire District Electric Company.

e. *Name of Project:* Ozark Beach Hydroelectric Project.

f. *Project location:* Teney County, Missouri.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)-825(r).

h. *Applicant Contact:*

Ms. Christine Grant, The Empire District Electric Co., 602 Joplin Street, P.O. Box 127, Joplin, MO 64802, (417) 625-5100.

i. *FERC Contact:* Patti Pakkala, (202) 219-0025.

j. *Comment Date:* May 11, 1998.

k. *Description of Project:* The Empire District Electric Company, licensee for the Ozark Beach Hydroelectric Project, has filed a request to issue a 99-year lease to the City of Rockaway Beach. The lease will be for a public park to be located on approximately 23 acres of land within the boundary of the Ozark Beach Project. The park will provide such facilities as picnic tables, trails, a softball field, and pavilion space.

l. *This notice also consists of the following standard paragraphs:* B, C1, and D2.

B. Comments, Protests, or Motions to Intervene—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to

take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

C1. Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

D2. Agency Comments—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of surrender of Exemption (Conduit)

March 17, 1998.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* Surrender of Exemption (Conduit).

b. *Project No:* 5890-003.

c. *Date Filed:* January 22, 1998.

d. *Applicant:* Whale Rock Commission.

e. *Name of Project:* Whale Rock.

f. *Location:* On Old Creek, in San Luis Obispo County, California.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. § 791(a)-825(r).

h. *Applicant Contact:*

Bob Hamilton,
Water Supply Supervisor, Whale Rock Division,
City of San Luis Obispo,
955 Morro Street,
San Luis Obispo, CA 93401,
(805) 995-3701.

i. *FERC Contact:* Regina Saizan, (202) 219-2673.

j. *Comment Date:* April 27, 1998.

k. *Description of Proposed Action:* The exemptee is requesting surrender because the design of the facility has been changed to allow power generation only infrequently and the project has not operated for the past six years. The exemptee proposes to remove the six-inch supply conduit and regulating valve, and install a blind flange on the supply tap.

l. *This notice also consists of the following standard paragraphs:* B, C1, and D2.

B. Comments, Protests, or Motions to Intervene—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

C1. Filing and Service of Responsive documents—Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

D2. Agency Comments—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does