

day and annual deliveries, that its existing tariff does not prohibit the addition of new delivery points, and that deliveries will be accomplished without detriment or disadvantage to its other customers and that the total volumes delivered will not exceed total volumes authorized prior to this request.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

David P. Boergers,

Acting Secretary.

[FR Doc. 98-11175 Filed 4-27-98; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP98-357-000]

El Paso Natural Gas Company; Notice of Application

April 22, 1998.

Take notice that on April 16, 1998, El Paso Natural Gas Company (El Paso), P.O. Box 1492, El Paso, Texas 79978, filed in Docket No. CP98-357-000, an application pursuant to Section 3 of the Natural Gas Act, Subpart B of Part 153 of the Commission's Regulations, and Executive Order Nos. 10485 and 12038. El Paso seeks a Presidential Permit and Section 3 authority to site, construct, operate, maintain, and connect the proposed pipeline facilities and the place of exit for exporting natural gas at the International Boundary between the United States and Mexico in Cochise County, Arizona. On April 6, 1998, in FE Docket No. 98-26-NG, Mexcobre filed with the Department of Energy its application for blanket authorization to export natural gas to Mexico, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

El Paso states that Mexicano de Cobre, S.A. de C.V. (Mexcobre) is a corporation organized under the laws of Mexico that currently operates a copper mine in Nacozari, Sonora, Mexico, located approximately 65 miles south of the town of Douglas, Cochise County, Arizona, and the International Boundary between the United States and Mexico. Mexcobre has been using high sulfur residual oil as fuel for its mining of copper. Mexcobre now desires to use clean burning natural gas as a fuel for its mining process.

El Paso further states that in support of Mexcobre's decision to use natural gas as fuel for its mining operations, Mexcobre has requested that El Paso provide transportation service for Mexcobre. In order for El Paso to provide the requested transportation service to Mexcobre, it will be necessary that certain additional facilities be constructed for the delivery of natural gas. El Paso and Mexcobre have entered into a Transportation Service Agreement dated March 17, 1998.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 13, 1998, 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 385.214 and 385.211 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 Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Section 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 motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its 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 El Paso to appear or be represented at the hearing.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 98-11176 Filed 4-27-98; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. SA98-71-001 and SA98-71-002]

Graham-Michaelis Corporation; Notice of Amendment To Petition for Adjustment and Request for Extension of Time

April 22, 1998.

Take notice that on March 26, 1998, Graham-Michaelis Corporation (GMC), filed a second supplement amending its March 10, 1998, petition for adjustment, pursuant to Section 502(c) of the Natural Gas Policy Act of 1978 (NGPA), regarding its Kansas ad valorem refund liability and the refund liability of the working interest owners for whom GMC operated.¹ On September 10, 1997, the Commission issued an order in Docket No. RP97-369-000, *et al.*,² order on remand from the D.C. Circuit Court of Appeals,³ directing first sellers to make Kansas ad valorem tax refunds, with interest, for the period from 1983 to 1988. GMC's March 10 petition, as amended, is on file with the Commission and open to public inspection.

The March 10 petition pertains to Kansas ad valorem tax refund claims submitted to GMC by Colorado Interstate Gas Company (CIG), for GMC and the working interest owners for whom GMC operated. GMC's March 10 petition requested that the Commission grant a 90-day extension of the Commission's March 9, 1998, refund deadline, to allow GMC, its working

¹ As set forth in the March 10, petition, GMC's working interest owners included: W.A. Michaelis, Jr. Revocable Trust; John L. James Revocable Trust; Ross Beach; Dail C. West; Graham Enterprises; William L. Graham Revocable Trust; Betty Harrison Graham Revocable Trust; GrahamCo.; Paul Ward Trust "B"; Margaret L. Roberts; David M. Dayvault Revocable Trust; Jack L. Yinger Revocable Trust; K & B Producers, Inc.; William Graham, Inc.; William Graham, Jr.; Chas. A. Neal & Company; March Oil Company; Minatome Corporation; Lake Forest Academy; and Melissa S. Elliott Trust.

² See 80 FERC ¶ 61,264 (1997); order denying reh'g, 82 FERC ¶ 61,058 (1998).

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

interest owners and CIG to come to an agreement on the proper amount of refunds due and to submit any unresolved dispute to the Commission. The March 10 petition also requested that the Commission grant an adjustment of its refund procedures:

(1) to allow GMC and its working interest owners a 1-year deferral (until March 9, 1999) on the payment of principal and interest attributable to royalties; and

(2) to allow GMC and its working interest owners to escrow refund amounts presently in dispute, and (a) the principal and interest attributable to royalty refunds which have not been collected, (b) the principal and interest attributable to production prior to October 4, 1983, (c) the interest on royalty amounts that have been recovered from the royalty owners where the principal has been refunded, and (d) the interest on all reimbursed principal determined to be refundable as being in excess of maximum lawful prices, excluding interest retained under (a), (b), and (c) above.

As set forth in the March 10 petition, GMC stated that it prepared schedules recalculating the aggregate total refund it believes is owed to CIG (\$359,688.28) and submitted this information to its working interest owners.

GMC's March 13, 1998, first supplement to the March 10 petition amended the March 10 petition by adding: 1) Frances B. Smith Trust; 2) North Dakota University; and 3) Fred and June MacMurray Trust to the list of working interest owners covered by the March 10 petition, and by revising GMC's aggregate total refund calculation from \$359,688.28 to \$365,973.60.

GMC's March 26, 1998, second supplement to the March 10 petition amended the petition by adding Notre Dame University to the list of working interest owners covered by the March 10 petition, and by further revising GMC's aggregate total refund calculation, from \$365,973.60 to \$370,220.01.

Any person desiring to answer GMC's March 13 and March 26 amendments should file such answer with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, on or before 15 days after the date of publication of this notice in the **Federal Register**, in accordance with the Commission's Rules of Practice and Procedure (18 CFR 385.213, 385.215, 385.1101, and 385.1106).

David P. Boergers,
Acting Secretary.

[FR Doc. 98-11171 Filed 4-27-98; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP98-361-000]

Koch Gateway Pipeline Company; Notice of Request Under Blanket Authorization

April 22, 1998.

Take notice that on April 17, 1998, Koch Gateway Pipeline Company, (Koch), P.O. Box 1478, Houston, Texas, 77251-1478, filed under Sections 157.205 and 157.211(a)(2) of the Commission's Regulations under the Natural Gas Act to construct delivery facilities to serve Savannah Foods' Colonial Sugars Processing Plant (Colonial), an end user, served under Koch's FTS Rate Schedule. This docket which is on file with the Commission and open to public inspection.

Koch proposes to install the new delivery point on its transmission line, designated as Index 270, in St. James Parish, Louisiana. These facilities will satisfy Colonial's request for gas service. Colonial estimates the maximum peak day volumes to be delivered at 8,000 MMBtu and average day volumes to be delivered at 6,000 MMBtu. Koch plans to install a 2-inch tap, a dual 2 and 4-inch meter station and 5,300 feet of 4-inch pipeline to connect to Colonial's processing plant. The cost of installing the facilities is \$235,000. Koch will transport the volumes under its blanket certificate issued in Docket No. CP88-6-000.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

David P. Boergers,
Acting Secretary.

[FR Doc. 98-11174 Filed 4-27-98; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP98-140-000]

Tennessee Gas Pipeline Company; Notice of Technical Conference

April 22, 1998.

In the Commission's order issued on March 25, 1998, the Commission directed that a technical conference be held to address issues raised by the filing.

Take notice that the technical conference will be held on Tuesday, May 5, 1998, at 10:00 a.m., in a room to be designated at the offices of the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426.

All interested parties and staff are permitted to attend.

David P. Boergers,
Acting Secretary.

[FR Doc. 98-11173 Filed 4-27-98; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP98-189-000]

UtiliCorp United Inc.; Notice of Petition for Relief

April 22, 1998.

Take notice that on April 17, 1998, pursuant to Order No. 636-C and Rule 207 of the Rules of Practice and Procedure, UtiliCorp United Inc. (UtiliCorp), tendered for filing a petition for relief to shorten to five years the terms of its two firm transportation agreements with Colorado Interstate Gas Company (CIG), that were entered into pursuant to the then-effective right-of-first-refusal (ROFR), procedures under CIG's tariff—(1) Rate Schedule TF-1 Service Agreement No. 33128, which currently expires on March 31, 2009; and (2) Rate Schedule TF-1 Service Agreement No. 33079, which currently expires on March 31, 2012.

UtiliCorp requests that the Commission order the shortening of the terms of Agreements No. 33079 and 33128 to five years because, in accordance with Order No. 636-C, UtiliCorp agreed to the current terms exclusively because of the twenty-year cap under CIG's then-effective tariff. UtiliCorp states that had it not had to match a competing third party bid—which under CIG's then-effective tariff could be for as long as twenty years for