

Dismissals

The following submissions were dismissed.

Case No.	Name
Edna Schonhalter	RK272-01755
John Gilmore	VFA-0425
Jurischik Bros. Drywall, Inc.	RK272-04071
Montpelier Orchard Mgmt. Co.	RK272-04377
Star Foundation	VFA-0440
Watson & Watson	RK272-04572

[FR Doc. 98-30395 Filed 11-12-98; 8:45 am]

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DEPARTMENT OF ENERGY**Office of Hearings and Appeals****Notice of Issuance of Decisions and Orders During the Week of October 5 through October 9, 1998**

During the week of October 5 through October 9, 1998, 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, 950 L'Enfant Plaza, SW, Washington, D.C. 20585-0107, Monday through Friday, 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 3, 1998.

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

Decision List No. 106*Appeals*

Baker, Donelson, Bearman, & Caldwell,
10/9/98, VFA-0443

The Department of Energy's Office of Hearings and Appeals (OHA) issued a decision granting a Freedom of Information Act (FOIA) Appeal filed by the law firm of Baker, Donelson, Bearman, & Caldwell (Baker). Baker sought the release of information withheld under Exemption 4 of the FOIA by the Department's Golden Field Office (Golden). The OHA found that Golden had failed either to provide an adequate justification for withholding the requested document in its entirety, or to release segregable material. The matter was therefore remanded to Golden.

Missouri River Energy Services, 10/9/98,
VFA-0444

Missouri River Energy Services (Missouri) filed an Appeal from a determination issued by the Department of Energy's Western Area Power Administration (WAPA). WAPA denied a request for information that Missouri filed under the Freedom of Information

Act (FOIA). In its Appeal, Missouri asserted that WAPA failed to: (1) produce an index of the documents it provided and indicate whether it segregated non-exempt material from those documents; (2) specifically identify the exemption applicable to each withheld document; (3) provide an adequate justification for applying Exemptions 4 and 5 to each of the withheld documents; and (4) provide sufficient information in its determination to permit Missouri to make a meaningful appeal. The DOE found that WAPA failed to identify the exemption applicable to each withheld document and to provide an adequate justification for withholding documents under FOIA Exemptions 4 and 5. Consequently, the Appeal filed by Missouri was granted and remanded to WAPA to issue another, more detailed determination.

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.

CJC Leasing, Inc., et al	RC272-00393	10/5/98
Curtis Hoskins, Jr., et al	RF272-96326	10/5/98
Davis Paint Co.	RF272-53572	10/5/98
Eunice & Ronald Meilstrup, et al	RF272-95300	10/5/98
Highland Superstores	RK272-04846	10/8/98

Dismissals

The following submissions were dismissed.

Case No.	Name
City of Willoughby Hills	RF272-83042
Dakota Barge Service	RK272-04535
Dexter Corp.	RK272-04823
Gallup McKinley Cnty. Schools	RF272-83056
Granite Island Group	VFA-0442
Personnel Security Hearing	VSO-0228
Personnel Security Hearing	VSO-0235
Putnam Asphalt Co.	RK272-04824

Case No.	Name
Raffie & Swanson, Inc.	RG272-00134

[FR Doc. 98-30411 Filed 11-12-98; 8:45 am]
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DEPARTMENT OF ENERGY

Office of Hearings and Appeals

Notice of Issuance of Decisions and Orders During the Week of July 13 Through July 17, 1998

During the week of July 13 through July 17, 1998, the decisions and orders listed 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, 950 L'Enfant Plaza, SW, Washington, D.C. 20585-0107, Monday through Friday, 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 3, 1998.

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

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.

Buckeye Countrymark, Inc.	RF272-94054	7/13/98
City of Woodruff	RF272-83069	7/14/98
City of Oneonta	RF272-83077
Edwin L. Cording et al	RK272-02420	7/14/98
Indian River Transport, Inc.	RF272-80896	7/16/98
Aime Bellavance & Sons, Inc.	RF272-83150
Luppes Transport Co., Inc.	RF272-80899
National Transportation Service, Inc.	RF272-94513	7/15/98

Dismissals

The following submissions were dismissed.

Name	Case No.
Colorado Springs School District 11	RF272-95313
Personnel Security Hearing	VSO-0215

[FR Doc. 98-30412 Filed 11-12-98; 8:45 am]
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DEPARTMENT OF ENERGY

Southwestern Power Administration

Proposed Rate Schedule Changes

AGENCY: Southwestern Power Administration, DOE.

ACTION: Notice of Proposed Changes to Southwestern Power Administration Rate Schedules and Opportunity for Public Review and Comment.

SUMMARY: The Administrator, Southwestern Power Administration (Southwestern), has determined that minor revisions to the terms and conditions within existing rate schedules NFTS-98 and P-98A are required. Since the proposed changes to the rate schedules are associated with the terms and conditions of service, the net results of the 1997 Integrated System Power Repayment Studies, which was

the basis for the existing rate schedules, will not be altered. Southwestern held informal meetings with customers to discuss proposed changes and to provide opportunity for input in the development of these changes.

DATES: Written comments on the proposed rate schedule changes are due on or before December 14, 1998.

FOR FURTHER INFORMATION CONTACT: Forrest E. Reeves, Assistant Administrator, Office of Corporate Operations, Southwestern Power Administration, Department of Energy, One West Third Street, Tulsa, Oklahoma 74103, (918) 595-6696.

SUPPLEMENTARY INFORMATION:

Changes to Rate Schedule NFTS-98 (Wholesale Rates for Non-Federal Transmission Service)

The name of the rate schedule will be changed to NFTS-98B in order to reflect the fact that revisions have been made. Minor corrections and modifications were made throughout the rate schedule for the purpose of clarification; however

two areas have been revised. The changes made to the terms and conditions of both Real Power Losses and the Capacity Overrun Penalty are addressed in detail below.

The existing rate schedule (NFTS-98) determined the rate for Real Power Losses based upon the cost of energy for Southwestern's marketing area during the previous Fiscal Year, as set forth in the most recently available Energy Information Administration (EIA) Publication. The EIA has recently ceased to compile this information, making it necessary for Southwestern to develop an alternative source upon which to base its rate for Real Power Losses. The basis for determining the rate to charge for Real Power Losses was therefore modified to reflect the average actual costs incurred by Southwestern for the purchase of energy to replace Real Power Losses during the most