

DEPARTMENT OF ENERGY

Federal Energy Regulatory
Commission

[Docket No. CP99-290-000]

Boundary Gas, Inc., Notice of
Application

April 15, 1999.

Take notice that on April 7, 1999, Boundary Gas, Inc. (Boundary), 100 Cummings Center, Suite 457G, Beverly, Massachusetts 01915-6132, filed an application in Docket No. CP99-290-000 pursuant to Section 7(b) of the Natural Gas Act (NGA) and Part 157 of the Commission's Regulations, for authority to abandon gas service to Yankee Gas Services Company (Yankee) effective July 2, 1999, all as more fully set forth in the application which is on file with the Commission and open to public inspection. This filing may be viewed on the web at <http://www.ferc.fed.us/online/rims.htm> (call (202) 208-2222 for assistance).

Boundary states that by letter dated June 26, 1997, Boundary and Yankee reached an agreement permitting Yankee to terminate its contractual relationship with Boundary and to enter into a separate agreement to purchase directly from TransCanada Pipelines Limited (TransCanada), Boundary's supplier, the volumes of gas Yankee has previously taken from Boundary, effective the date that Yankee was to specify in a Notice of Termination (Notice). Boundary also states that Yankee served the Notice on June 25, 1998 to Boundary stating that Yankee was terminating its contract effective July 1, 1998. Boundary further states that Yankee implemented its termination on July 2, 1998.

Boundary says that on January 28, 1999, Boundary and TransCanada entered into a letter agreement. Boundary and all of the other Repurchasers¹ entered into the Amendment to Phase 2 Gas Sales Agreement and the Eighth Amendment to Memorandum of Agreement (copies are included in Exhibit U of the application), all of which provide, *inter alia*, for the departure of Yankee effective July 2, 1998. Boundary also says that prior to Yankee's withdrawal, its stock ownership in Boundary was 10.23 percent, which entitled it to purchase 9,463 Mcf per day.

¹ Boundary is a close corporation wholly owned by its fourteen stockholders who are referred to as Repurchasers and all of them are local distribution companies located in New York, New Jersey and New England, plus they are Boundary's only customers.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 6, 1999, file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 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 NGA (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 in any 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 the jurisdiction conferred upon the Commission by Sections 7 and 15 of the NGA 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 permission and approval for the proposed abandonment are required by the public convenience and necessity. If a motion 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 procedures herein provided for, unless otherwise advised, it will be unnecessary for Boundary to appear or be represented at the hearing.

Linwood A. Watson, Jr.,
Acting Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory
Commission

[Docket No. ER99-1875-000]

Canadian Niagara Power Company,
Limited; Notice of Issuance of Order

April 26, 1999.

Canadian Niagara Power Company, Limited (Canadian Niagara), filed an application seeking Commission authorization to engage in the sale of energy and capacity at market-based rates, and for certain waivers and authorizations. In particular, Canadian Niagara requested that the Commission

grant blanket approval under 18 CFR Part 34 of all future issuances of securities and assumptions of liabilities by Canadian Niagara. On April 15, 1999, the Commission issued an Order Accepting For Filing Proposed Rate Schedules for Sales Of Capacity, Energy And Ancillary Services At Market-Based Rates (Order), in the above-docketed proceeding.

The Commission's April 15, 1999 Order granted the request for blanket approval under Part 34, subject to the conditions found in Ordering Paragraphs (C), (D), and (F):

(C) Within 30 days of the date of this order, any person desiring to be heard or to protest the Commission's blanket approval of issuances of securities or assumptions of liabilities by Canadian Niagara should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure, 18 CFR 385.211 and 385.214.

(D) Absent a request to be heard within the period set forth in Ordering Paragraph (C) above, Canadian Niagara is hereby authorized to issue securities and assume obligations and liabilities as guarantor, indorser, surety or otherwise in respect of any security of another person; provided that such issue or assumption is for some lawful object within the corporate purposes of Canadian Niagara, compatible with the public interest, and reasonably necessary or appropriate for such purposes.

(F) The Commission reserves the right to modify this order to require a further showing that neither public nor private interests will be adversely affected by continued Commission approval of Canadian Niagara's issuances of securities or assumptions of liabilities. * * *

Notice is hereby given that the deadline for filing motions to intervene or protests, as set forth above, is May 17, 1999.

Copies of the full text of the Order are available from the Commission's Public Reference Branch, 888 First Street, NE, Washington, DC 20426.

David P. Boergers,
Secretary.

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