

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 If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of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.

Lois D. Cashell,

Secretary.

[FR Doc. 96-17510 Filed 7-9-96; 8:45 am]

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[Docket No. CP96-339-000]

Total Peaking Services, L.L.C.; Notice of Application

July 3, 1996.

Take notice that on April 22, 1996, as supplemented on June 24, 1996, and July 1, 1996, Total Peaking Services, L.L.C. (TPS), 5400 Westheimer Court, P.O. Box 1642, Houston, Texas 77251-1642, filed in Docket No. CP96-339-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing TPS to employ and operate in interstate commerce an existing LNG peak-shaving facility located in Milford, Connecticut presently used by Southern Connecticut Gas Company (Southern Connecticut) for its Connecticut operations, for the purpose of making sales, with pregranted abandonment, of gas revaporized at the plant pursuant to the blanket certificate issued under Part 284, Subpart L of the Commission's regulations, at negotiated rates for resale and for sale to end-use customers, including sales to Southern Connecticut to replace the volumes which Southern Connecticut has in the past made available to itself from the Milford LNG plant, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

TPS indicates that it is a limited liability company whose members are CNE Energy Services Group, Inc. (CNE), a wholly-owned subsidiary of Connecticut Energy Corporation and an affiliate of Southern Connecticut and PanEnergy Plus Milford Ventures Company (PEPMV), a wholly-owned subsidiary of EnergyPlus Ventures Company, which in turn is a wholly-owned subsidiary of PanEnergy Corp. TPS indicates that initially CNE would hold a 95 percent membership interest and PEPMV would hold a 5 percent

membership interest. It is stated that, upon receipt of all regulatory authorizations, PEPMV will acquire an additional 44 percent interest from CNE in accordance with the terms of the TPS Limited Liability Company Agreement.

TPS states that its proposal is designed to satisfy the growing demand for peaking gas in the Northeast, where, it is indicated, gas consumers need reliable gas supplies to meet their needs on the coldest winter days. It is stated that, by virtue of the Milford LNG Plant's location within the Northeast consumption area, and through access to the Northeast's elaborate pipeline grid, TPS states that its customers will be able to purchase gas from TPS on peak days and receive it virtually instantaneously.

Specifically, TPS states that, upon receipt of the requested authorizations and other necessary state regulatory approvals, TPS will acquire a leasehold interest in the Milford LNG Plant from CNE and will employ and operate the Milford LNG Plant for the purpose of receiving, liquefying, storing for TPS' benefit, regasifying, and selling pursuant to a Part 284, Subpart L blanket certificate quantities of natural gas, to be purchased and owned by TPS, on a winter peak day basis to customers in the northeastern region of the United States, at negotiated rates. According to TPS, the Milford LNG Plant will be operated by Southern Connecticut on behalf of TPS. It is further stated that base gas purchases as well as sales of revaporized gas will be arranged on behalf of TPS by PanEnergy Trading and Market Services, Inc., an affiliate of PEPMV, as agent for TPS. Further, it is stated that Southern Connecticut has capacity on certain third party pipelines, and that Southern Connecticut will make sales of gas to TPS at points of delivery on such third party pipelines in order to enable TPS to make peak day sales and to optimize the use of the Milford LNG Plant. It is stated that TPS will sell to Southern Connecticut equivalent volumes from the Milford LNG Plant or at Southern Connecticut's gas stations.

TPS states that there are four open-access interstate pipelines immediately approximate to the Milford LNG plant with the capacity of transporting peak gas from the Plant to customers throughout the region, and that the extensive pipeline grid that exists in the Northeast will enable consumers virtually anywhere in the region to purchase gas from TPS on peak days and receive it on a timely basis. TPS goes on to state that the pervasiveness of other LNG and gas storage facilities throughout the Northeast, the wide

availability of alternate fuels, the intense competition between and among those many suppliers, and the fact that the sales or storage rates of most of those suppliers are subject to state utility regulatory jurisdiction, will ensure that the price of gas available from TPS will at all times be low enough to compete aggressively with those alternatives.

By seeking the rights to charge competitive, negotiated rates for its sales of peaking gas, TPS states that it is willing to forego traditional cost of service rates designed to insure recovery of its costs. As a result, TPS states that it, and not its customers, will be at risk for any underrecovery of costs generated by these rates. Also, TPS states that as a new entrant in this market, it obviously will be required to price its services aggressively in order to attract customers from the many other alternatives available.

TPS further states that it has designed the type of service—sales at negotiated rates—to meet the desire of the market for sales services, backed up by assets, and to more efficiently utilize the Milford LNG Plant given the integrally related replacement service for Southern Connecticut.

TPS states that because, among other reasons, it proposes to use the Milford LNG Plant for its own benefit and does not propose to perform any transportation or storage services for third parties, the sales service it proposes is the equivalent in all respects of sales being made currently by other similarly situated marketers at negotiated, market-based rates under automatic blanket certificates issued pursuant to Order No. 547 (III FERC Stats and Refs, Preamble ¶ 30,957).

Any person desiring to be heard or to make any protest with reference to said application should on or before July 24, 1996, 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 385.214 or 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 the jurisdiction conferred upon the Federal Energy Regulatory 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 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 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 TPS to appear or be represented at the hearing.

Lois D. Cashell,

Secretary.

[FR Doc. 96-17511 Filed 7-9-96; 8:45 am]

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[Docket No. ER94-1384-009, et al.]

Morgan Stanley Capital Group Inc., et al.; Electric Rate and Corporate Regulation Filings

July 2, 1996.

Take notice that the following filings have been made with the Commission:

1. Morgan Stanley Capital Group Inc. Industrial Gas & Electric Services Company

[Docket No. ER94-1384-009 and Docket No. ER95-257-006 (not consolidated)]

Take notice that the following informational filings have been made with the Commission and are on file and available for inspection and copying in the Commission's Public Reference Room:

On June 13, 1996, Morgan Stanley Capital Group Inc. filed certain information as required by the Commission's November 8, 1994, order in Docket No. ER94-1384-000.

On June 24, 1996, Industrial Gas & Electric Services Company filed certain information as required by the Commission's February 1, 1995, order in Docket No. ER95-257-000.

2. Gelber Group, Inc.

[Docket No. ER96-1933-000]

Take notice that on June 21, 1996, Gelber Group, Inc. tendered for filing an amendment in the above-referenced docket.

Comment date: July 16, 1996, in accordance with Standard Paragraph E at the end of this notice.

3. Commonwealth Edison Company

[Docket No. ER96-2236-000]

Take notice that on June 25, 1996, Commonwealth Edison Company (ComEd), submitted for filing six Service Agreements, establishing DuPont Power (DuPont), Illinova Power Marketing, Inc. (Illinova), Pennsylvania Power & Light Co. (PP&L), Minnesota Power & Light (MP&L), Southern Energy Marketing, Inc. (Southern), and Morgan Stanley Capital Group Inc. (MSCGI), as customers under the terms of ComEd's Power Sales Tariff PS-1 (PS-1 Tariff). ComEd also submitted for filing three Service Agreements, establishing WPS Energy Services, Inc. (ESI), DuPont Power Marketing, Inc. (DuPont), and Morgan Stanley Capital Group Inc. (MSCGI), as customers under the terms of ComEd's Flexible Transmission Service Tariff (FTS-1 Tariff). The Commission has previously designated the PS-1 Tariff as FERC Electric Tariff, Original Volume No. 2, and the FTS-1 Tariff as FERC Electric Tariff, Second Revised Volume No. 3.

ComEd requests an effective date of May 26, 1996 for the six PS-1 Service Agreements, an effective date of May 26, 1996 for the FTS-1 Service Agreement between ComEd and ESI, June 4, 1996 for the FTS-1 Service Agreement between ComEd and DuPont, and June 11, 1996 for the FTS-1 Service Agreement between ComEd and MSCGI, and accordingly seeks waiver of the Commission's requirements. Copies of this filing were served upon DuPont, Illinova, PP&L, MP&L, Southern, MSCGI, ESI and the Illinois Commerce Commission.

Comment date: July 16, 1996, in accordance with Standard Paragraph E at the end of this notice.

4. Arizona Public Service Company

[Docket No. ER96-2237-000]

Take notice that on June 25, 1996, as Operating Agent for the Navajo Project Southern Transmission System, Arizona Public Service Company (APS), tendered for filing on behalf of the Navajo Project Participants the following Agreements:

1. Amendment No. 2 to the Navajo Project Co-Tenancy Agreement

2. Amendment No. 3 to the Navajo Project Southern Transmission System Operating Agreement

As a result of the United States Bureau of Reclamation's (USBR) construction of the Waddell 230 kV line requiring interconnection with the Westwing 230 kV Switchyard which is part of the Navajo Southern Transmission System, revisions to both the Navajo Project Co-Tenancy

Agreement and the Navajo Project Southern Transmission System Operating Agreement were necessary to reflect the USBR's increased use of facilities at the Westwing Switchyard.

APS requests waiver of the Commission's Notice Requirements in 18 CFR 35.11 to allow for an effective date of November 22, 1991 as provided for in both Amendments.

A copy of this filing has been served on the Arizona Corporation Commission, the Nevada Public Service Commission, Salt River Project Agricultural Improvement & Power District, Tucson Electric Power Company, the United States Bureau of Reclamation, and Nevada Power Company.

Comment date: July 16, 1996, in accordance with Standard Paragraph E at the end of this notice.

5. Central Vermont Public Service Corporation

[Docket No. ER96-2238-000]

Take notice that on June 26, 1996, Central Vermont Public Service Corporation (Central Vermont), tendered for filing a Service Agreement with CNG Power Services Corporation under its FERC Electric Tariff No. 5. The tariff provides for the sale by Central Vermont of power and energy at or below Central Vermont's fully allocated costs.

Central Vermont requests waiver of the Commission's regulations to permit the service agreement to become effective according to its terms.

Comment date: July 16, 1996, in accordance with Standard Paragraph E at the end of this notice.

6. Wisconsin Electric Power Company

[Docket No. ER96-2239-000]

Take notice that on June 26, 1996, Wisconsin Electric Power Company (Wisconsin Electric), tendered for filing a Transmission Service Agreement between itself and Duke/Louis Dreyfus L.L.C. (D/LD). The Transmission Service Agreement allows D/LD to receive transmission service under Wisconsin Electric's FERC Electric Tariff, Original Volume No. 5, under Docket No. ER95-1474, Rate Schedule STNF.

Wisconsin Electric requests an effective date of June 30, 1996 and waiver of the Commission's notice requirements to allow for economic transactions. Copies of the filing have been served on D/LD, the Public Service Commission of Wisconsin and the Michigan Public Service Commission.

Comment date: July 16, 1996, in accordance with Standard Paragraph E at the end of this notice.