

individual one or two working days prior to the meeting to be advised of any potential changes to the agenda, etc., that may have occurred.

Dated: December 18, 1996.

Sam Duraiswamy,

Chief, Nuclear Reactors Branch.

[FR Doc. 96-32632 Filed 12-23-96; 8:45 am]

BILLING CODE 7590-01-P

Federal Sunshine Meeting

DATE: Weeks of December 23, 30, 1996 and January 6 and 13, 1997.

PLACE: Commissioners' Conference Room 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

MATTERS TO BE CONSIDERED:

Week of December 23—Tentative

There are no meetings scheduled for the Week of December 23.

Week of December 30—Tentative

There are no meetings scheduled for the Week of December 30.

Week of January 6—Tentative

Tuesday, January 7

9:30 a.m.

Briefing on Investigative Matters (Closed—Ex. 5&7)

2:00 p.m.

Discussion of Procedures for NRC Strategic Assessment (Closed—Ex. 2)

Thursday, January 9

10:00 a.m.

Briefing by Maine Yankee, NRR, and Region I (Public Meeting)

(Contact: Daniel Dorman, 301-415-1429)

12:00 m.

Affirmation Session (Public Meeting) (if needed)

Week of January 13—Tentative

Monday, January 13

10:00 a.m.

Briefing on NRC Strategic Assessment (Public Meeting) (Contact: John Craig, 301-415-3812)

11:30 a.m.

Affirmation Session (Public Meeting) (if needed)

*The Schedule for Commission Meetings is Subject to Change on Short Notice. To Verify the Status of Meetings Call (Recording)—(301) 415-1292.

CONTACT PERSON FOR MORE INFORMATION: Bill Hill (301) 415-1661.

* * * * *

The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/SECY/smj/schedule.htm>

This notice is distributed by mail to several hundred subscribers; if you no longer wish to receive it, or would like

to be added to it, please contact the Office of the Secretary, Attn: Operations Branch, Washington, D.C. 20555 (301-415-1661).

In addition, distribution of this meeting notice over the internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to wmh@nrc.gov or dkw@nrc.gov.

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Dated: December 20, 1996.

William M. Hill, Jr.

SECY Tracking Officer, Office of the Secretary.

[FR Doc. 96-32857 Filed 12-20-96; 3:22 pm]

BILLING CODE 7590-01-M

Correction to the Biweekly Notice; Applications and Amendments to Facility Operating Licenses Involving No Significant Hazards Consideration

The U.S. Nuclear Regulatory Commission (the Commission) issued the Biweekly Notice Report, which was published in the Federal Register on December 18, 1996 (61 FR 66702).

On page 66702, second column, second full paragraph, the 30-day notice period ending date should read "By January 17, 1997, * * *." instead of "By January 17, 1996, * * *."

Dated at Rockville, Maryland, this 19th day of December 1996.

For the Nuclear Regulatory Commission.

John A. Zwolinski,

Acting Director, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 96-32634 Filed 12-23-96; 8:45 am]

BILLING CODE 7590-01-P

POSTAL RATE COMMISSION

[Order No. 1148; Docket No. MC97-1]

Experimental Nonletter-Size Business Reply Mail Categories and Fees, 1996; Notice and Order on Filing of Request for Establishment of Experimental Nonletter-Size Business Reply Mail Categories and Fees

Issued December 18, 1996.

Before Commissioners: Edward J. Gleiman, Chairman; H. Edward Quick, Jr., Vice Chairman; George W. Haley; W.H. "Trey" LeBlanc III.

Notice is hereby given that on December 13, 1996, the U.S. Postal Service filed a Request with the Postal Rate Commission pursuant to section 3623 of the Postal Reorganization Act, 39 U.S.C. 101 *et seq.*, for a recommended decision on proposed changes in the Domestic Mail

Classification Schedule (DMCS). The proposed revisions also include proposed new fees. The Request includes attachments and is supported by the testimony of three witnesses and three library references. It is on file in the Commission Docket Room and is available for inspection during the Commission's regular business hours.¹ *Experimental Nature of the Proposed Change:* The Postal Service indicates that it is requesting new classifications and fees for nonletter-size Business Reply Mail (BRM) on an experimental basis. The Service proposes that these experimental BRM categories be put into effect for two years, in order to assess the costs associated with providing them and their administrative feasibility.

Description of request: The Postal Service proposes a revised schedule of fees for nonletter-size Business Reply Mail processed under two alternative accounting procedures known as the "reverse manifest" method and the "weight averaging" method. Generally, the Postal Service expects that the alternative methods of accounting for nonletter-size BRM pieces will reduce postal workhours that would otherwise be attributable to this mail, permit more expeditious rating and billing, allow the recipient earlier access to the mail, and increase customer satisfaction with BRM service. On these grounds, the Postal Service proposes per-piece fees for active business reply mail advance deposit accounts of 2 cents for nonletter-size pieces using reverse manifest procedures, and 3 cents for such pieces using weight averaging procedures.

However, in addition to the apparently lower per-piece accounting costs of employing the two methods, the Service anticipates that establishing a "reverse manifest" or "weight averaging" BRM account for a recipient, as well as the required periodic sampling, auditing, and monitoring of such an account, will generate extraordinary postal costs in excess of the current BRM annual permit fee (\$85.00) and annual advance deposit accounting fee (\$205.00). To recover these extraordinary costs, the Service proposes adoption of application/qualification fees for each BRM account seeking to employ an alternative

¹ In a separate notice filed simultaneously with its Request, the Postal Service states that interested persons who intervene in this proceeding may arrange to obtain copies of the request by contacting Postal Service counsel by telephone at (202)268-2998, or Ms. Bonnie D'Alessandro at (202)268-2988, and that intervenors will be provided with two copies of the Request upon showing that they have filed notices of intervention with the Postal Rate Commission.

accounting method: (\$1000) for the reverse manifest method and (\$3000) for the weight averaging method. Finally, the Postal Service proposes additional monthly fees of (\$1000) for accounts using the reverse manifest method and (\$3000) for accounts using the weight averaging method. These new fees would be in addition to the current permit fees.

The Request also states that the Postal Service intends to select 20 or fewer applicants to participate in the proposed experiment: as many as 10 BRM recipients for use of the reverse manifest method, and up to 10 recipients for use of the weight averaging method. The Service proposes a two-year duration for the experiment to allow interested mailers sufficient time to gauge the potential costs and benefits of the alternative methods in light of their mailing practices, and to provide the Postal Service time to select a cross-section of participating users, set up the required administrative procedures, and to collect and analyze operational, cost and market research data.

Motion for waiver of certain filing requirements The Postal Service's request was also accompanied by a motion for waiver of compliance with certain requirements of section 64(h) of the rules of practice (39 CFR 3001.64(h)), which specify rate-related information to be included in classification requests that would affect rates and fees. Specifically, the Postal Service seeks waiver of compliance with subsections (d) (in part), (f)(2), (f)(3), (h), (j), (l)(1) (in part), and (l)(2) of section 54 of the rules (39 CFR 3001.54(d), (f)(2), (f)(3), (h), (j), (l)(1), and (l)(2)), which would otherwise be required under section 64(h)(2)(i) (39 CFR 3001.64(h)(2)(i)). The Postal Service states that the requested waiver is justified by the extremely limited scope of the proposed experiment, the irrelevance of some of the rules' requirements to Business Reply Mail, and its anticipation that the consequent effects on costs, revenues, and volumes will be insignificant.

Motion for application of protective conditions to a workpaper: The Postal Service's Request was also accompanied by a motion requesting that the Commission apply protective conditions which would restrict participants' access to, and prohibit public disclosure of, Workpaper I to the Direct Testimony of Witness Leslie Schenk, which the Postal Service has filed in camera. In support of its motion, the Service states that witness Schenk's cost estimates for nonletter-size Business Reply Mail are based upon data that include the incoming BRM piece volumes received

by Nashua Photo, Mystic Color Lab, and Seattle Filmworks, three film processors which compete among themselves and against other firms in the film processing industry. The Service represents that each firm considers its incoming BRM volume to be commercially sensitive, privileged and confidential information, and that access to such data was granted to witness Schenk with the explicit understanding that it would not be publicly disclosed or provided to any competing firm. The Service proposes a list of protective conditions that would limit access to the workpaper, its permissible use, and duration of access by authorized individuals.

Motion to expedite the proceeding: Section 67d of the rules of practice (39 CFR 3001.67d) states that the Commission will treat cases falling under the experimental rules as subject to the maximum expedition consistent with procedural fairness, and prescribes adoption of a schedule that will allow issuance of a decision not more than 150 days from a determination that experimental treatment of the request is appropriate. Notwithstanding this provision, the Postal Service has submitted a motion requesting that the Commission establish procedures allowing for issuance of a recommended decision on its request within 120 days of the date of its filing. In support of its motion, the Postal Service states that it has provided sufficient information to allow such expedited consideration, and notes the Commission's ability to consider and issue a recommended decision concerning the experiment proposed in Docket No. MC96-1 in less than 90 days. In connection with its motion, the Postal Service proposes adoption of special rules of procedure, which it provided in draft form. The Service also provides a proposed procedural schedule.

Anyone wishing to be heard in this matter is directed to file a written notice of intervention with Margaret P. Crenshaw, Secretary of the Commission, 1333 H Street, NW, Washington, D.C. 20268-0001, on or before January 17, 1997. Intervenor should indicate whether they want full or limited participation status. See rules 39 CFR 3001.20 and 3001.20a.

Those interested in participating in this docket are given notice that the Commission will evaluate whether it is appropriate to use rules 67-67d for considering the Postal Service Request. In determining whether the procedures for experimental cases are appropriate, the Commission will consider: (1) The novelty of the proposed change; (2) the magnitude of the proposed change; (3)

the ease or difficulty of collecting data on the proposed change; and (4) the duration of the proposed change. Participants are invited to comment on whether the Postal Service request should be evaluated under rules 67-67d. Such comments are to be filed on or before January 17, 1997. Prior to a Commission decision on this question, participants should act on the assumption that the Postal Service request that the case be considered pursuant to these rules will be approved.

Rule 67a provides a procedure for limiting issues in experimental cases. In order to enable participants to evaluate whether genuine issues of fact exist, the Postal Service shall respond to discovery requests within 10 days. Written discovery pursuant to rules 25-28 may be undertaken immediately upon intervention.

A decision on whether there is a need for evidentiary hearings, and the scope of any such hearings has not been made yet. Participants wishing to comment on this question should file a statement of issues raised by the Postal Service request by January 17, 1997. At the same time, participants should designate those issues involving questions of material fact which they believe require trial type hearings. The Postal Service and any interested participant may file responses to these statements on or before January 24, 1997.

If it is determined to schedule trial type hearings to consider topics involving issues of material fact, hearings to evaluate the supporting evidence presented by the Postal Service may be scheduled to begin as soon as February 10, 1997. The Presiding Officer will establish subsequent procedural dates.

Representation of the general public: In conformance with § 3624(a) of title 39, the Commission designates W. Gail Willette, Director of the Commission's Office of the Consumer Advocate (OCA), to represent the interests of the general public in this proceeding. Pursuant to this designation, Ms. Willette will direct the activities of Commission personnel assigned to assist her and, when requested, will supply their names for the record. Neither Ms. Willette nor any of the assigned personnel will participate in or provide advice on any Commission decision in this proceeding. The OCA shall be separately served with three copies of all filings, in addition to and contemporaneous with, service on the Commission of the 24 copies required by section 10(c) of the rules of practice (39 CFR 3001.10(c)).

It is ordered:

1. The Commission will sit en banc in this proceeding.

2. Notice of intervention will be filed no later than January 17, 1997.

3. Participants wishing to comment on whether it is appropriate to consider this request under Commission rules 67-67d shall submit such comments no later than January 17, 1997.

4. Participants are directed to file statements of issues and designations of issues requiring trial type hearings no later than January 17, 1997; responses may be submitted no later than January 24, 1997.

5. Answers to the Postal Service motions: to Expedite the Proceeding, for Waiver of Certain Filing Requirements, and Requesting Protective Conditions are to be submitted no later than January 22, 1997.

6. W. Gail Willette, Director of the Commission's Office of the Consumer Advocate, is designated to represent the general public.

7. The Secretary shall cause this Notice and Order to be published in the Federal Register.

By the Commission.

Margaret P. Crenshaw,
Secretary.

[FR Doc. 96-32616 Filed 12-23-96; 8:45 am]

BILLING CODE 7710-FW-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 35-26630]

Filings Under the Public Utility Holding Company Act of 1935, as Amended ("Act")

December 17, 1996.

Notice is hereby given that the following filing(s) has/have been made with the Commission pursuant to provisions of the Act and rules promulgated thereunder. All interested persons are referred to the application(s) and/or declaration(s) for complete statements of the proposed transaction(s) summarized below. The application(s) and/or declaration(s) and any amendments thereto is/are available for public inspection through the Commission's Office of Public Reference.

Interested persons wishing to comment or request a hearing on the application(s) and/or declaration(s) should submit their views in writing by January 10, 1997, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy of the relevant applicant(s) and/or declarant(s) at the address(es) specified below. Proof of service (by affidavit or,

in case of an attorney at law, by certificate) should be filed with the request. Any request for hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in the matter. After said date, the application(s) and/or declaration(s), as filed or as amended, may be granted and/or permitted to become effective.

National Fuel Gas Company (70-8963)

National Gas Fuel Company ("NFG"), a registered holding company, and its wholly-owned subsidiary companies, National Fuel Gas Distribution Corporation, National Fuel Gas Supply Corporation ("Supply"), Seneca Resources Corporation, Highland Land & Minerals, Inc., Leidy Hub, Inc., Horizon Energy Development Inc., and Data-Track Account Services, Inc., all located at 10 Lafayette Square, Buffalo, New York 14203, and National Fuel Resources, Inc. 478 Main Street, Buffalo, New York 14202, and Utility Constructors, Inc., East Erie Extension, Linesville, Pennsylvania 16424 (collectively "Subsidiary Companies"), have filed an application-declaration under sections 6(a), 7, 9(a), 10, 12(b) and 13(b) of the Act and rules 16, 45, 54, 87, 90 and 91 thereunder.¹

NFG seeks authority to acquire, directly or indirectly through Supply, a wholly-owned subsidiary ("Affiliate").² Affiliate will participate in a joint venture ("Joint Venture" or "Special Purpose Entity") with one or more subsidiaries of Tennessee Pipeline Company ("Tennessee Affiliate"), a non-affiliate, to develop, construct, finance, own and operate (i) natural gas gathering facilities commencing at locations offshore to gather gas produced in Green Canyon, Ewing Bank, Mississippi Canyon, Ship Shoal, Grand Isle and South Timbalier areas located in the Outer Continental Shelf and terminating onshore in Louisiana ("Gathering Facilities"), and (ii) natural gas processing facilities to be located at or near the terminus of the Gathering Facilities ("Processing Facilities"), and to engage in certain related transactions (collectively, the "Project").

¹ The Subsidiary Companies, except for Supply, are joining in this Application for the sole purpose of requesting that Affiliate (as described herein) be added to the Money Pool Arrangement (as described herein).

² It is contemplated that Affiliate will be a new corporation formed by Tennessee. All of Affiliate's outstanding stock will be purchased for a nominal price.

I. Structure of the Joint Venture

It is contemplated that the Project activities would be conducted through one or more Special Purpose Entities, which will be formed for the sole purpose of engaging in Project activities, and which will be 50% owned by Affiliate, and 50% owned by Tennessee Affiliate.

II. Project Cost and Financing

a. Aggregate Cost

The aggregate cost of the Project is estimated to be approximately \$250 million, including development, construction and related costs until commercial operation, currently scheduled to commence in the fourth quarter of 1997 ("Commercial Operations Commencement Date").

b. Initial Financing by Supply

Supply may initially pay certain costs for Project materials and land, which shall be reimbursed by the Special Purpose Entities at cost plus and amount equal to the actual annual interest rate ("Money Pool Interest Rate") charged on outstanding borrowings from the money pool arrangement between NFG and its subsidiary companies (HCAR No. 26443, December 28, 1995) ("Money Pool Arrangement"). Supply may also initially pay one-half of certain Project development costs, which shall be reimbursed by Affiliate at cost. Supply and/or Affiliate will pay a development fee to Tennessee Affiliate or one of its designated subsidiaries. All of the costs enumerated above shall be collectively referred to as the "Initial Development Cost Obligations." Supply proposes to pay for the Initial Development Cost Obligations through borrowings from the Money Pool Arrangement.

c. Construction Financing From the Money Pool Arrangement

NFG proposes to provide, or arrange for, short-term loans, through borrowings from the Money Pool Arrangement, for construction financing ("Construction Financing"). Interest will accrue at the Money Pool Interest Rate. The Construction Financing will be with recourse to the Special Purpose Entities and the Affiliate and Tennessee Affiliate. Each of the Affiliate and Tennessee Affiliate will provide, in a form acceptable to the other, a guarantee regarding repayment of the Construction Financing.

The Construction Financing and the Initial Development Cost Obligations will be repaid by the Special Purpose Entities in full on the Commercial Operations Commencement Date by a