

1992, and 58 FR 68130, December 23, 1993; Snyder General Corporation, 56 FR 54960, September 9, 1991; Goodman Manufacturing Corporation, 56 FR 51713, October 15, 1991, 57 FR 27970, June 23, 1992, 59 FR 12586, March 17, 1994 and 61 FR 17289, April 19, 1996; The Ducane Company Inc., 56 FR 63943, December 6, 1991, 57 FR 10163, March 24, 1992, and 58 FR 68134, December 23, 1993; Armstrong Air Conditioning, Inc., 57 FR 899, January 9, 1992, 57 FR 10160, March 24, 1992, 57 FR 10161, March 24, 1992, 57 FR 39193, August 28, 1992, 57 FR 54230, November 17, 1992, and 59 FR 30575, June 14, 1994; Thermo Products, Inc., 57 FR 903, January 9, 1992, and 61 FR 17887, April 23, 1996; Consolidated Industries Corporation, 57 FR 22220, May 27, 1992, and 61 FR 4262, February 5, 1996; Evcon Industries, Inc., 57 FR 47847, October 20, 1992, and 59 FR 46968, September 13, 1994; Bard Manufacturing Company, 57 FR 53733, November 12, 1992, 59 FR 30578, June 14, 1994, and 61 FR 50812, September 27, 1996; and York International Corporation, 59 FR 46969, September 13, 1994, 60 FR 100, January 3, 1995, 60 FR 62834, December 7, 1995, and 60 FR 62837, December 7, 1995.

Thus, it appears likely that this Petition for Waiver for blower time delay will be granted. In those instances where the likely success of the Petition for Waiver has been demonstrated based upon DOE having granted a waiver for a similar product design, it is in the public interest to have similar products tested and rated for energy consumption on a comparable basis.

Therefore, based on the above, DOE is granting Rheem an Interim Waiver for its GFD upflow residential, modulating type, gas-fired furnaces. Rheem shall be permitted to test its GFD upflow residential, modulating type, gas-fired furnaces on the basis of the test procedures specified in Title 10 CFR Part 430, Subpart B, Appendix N, with the modification set forth below:

(I) Section 3.0 in Appendix N is deleted and replaced with the following paragraph:

3.0 Test Procedure. Testing and measurements shall be as specified in Section 9 in ANSI/ASHRAE 103-82 with the exception of Sections 9.2.2, 9.3.1, and 9.3.2, and the inclusion of the following additional procedures:

(II) Add a new paragraph 3.10 in Appendix N as follows:

3.10 Gas and Oil-Fueled Central Furnaces. After equilibrium conditions are achieved following the cool-down test and the required measurements performed, turn on the furnace and measure the flue gas temperature, using

the thermocouple grid described above, at 0.5 and 2.5 minutes after the main burner(s) comes on. After the burner start-up, delay the blower start-up by 1.5 minutes (t-) unless: (1) The furnace employs a single motor to drive the power burner and the indoor air circulation blower, in which case the burner and blower shall be started together; or (2) the furnace is designed to operate using an unvarying delay time that is other than 1.5 minutes, in which case the fan control shall be permitted to start the blower; or (3) the delay time results in the activation of a temperature safety device which shuts off the burner, in which case the fan control shall be permitted to start the blower. In the latter case, if the fan control is adjustable, set it to start the blower at the highest temperature. If the fan control is permitted to start the blower, measure time delay (t-) using a stop watch. Record the measured temperatures. During the heat-up test for oil-fueled furnaces, maintain the draft in the flue pipe within ± 0.01 inch of water column of the manufacturer's recommended on-period draft.

This Interim Waiver is based upon the presumed validity of statements and all allegations submitted by the company. This Interim Waiver may be removed or modified at any time upon a determination that the factual basis underlying the Application is incorrect.

The Interim Waiver shall remain in effect for a period of 180 days or until DOE acts on the Petition for Waiver, whichever is sooner, and may be extended for an additional 180-day period, if necessary.

Rheem's Petition for Waiver requests DOE to grant relief from the DOE furnace test procedure relating to the blower time delay specification. Rheem seeks to test using a blower delay time of 20 seconds for its GFD upflow residential, modulating type, gas-fired furnaces instead of the specified 1.5-minute delay between burner on-time and blower on-time. Pursuant to paragraph (b) of Title 10 CFR Part 430.27, DOE is hereby publishing the "Petition for Waiver" in its entirety. The Petition contains no confidential information. The Department solicits comments, data, and information respecting the Petition.

Issued in Washington, DC, on March 31, 1997.

Christine A. Ervin,

Assistant Secretary, Energy Efficiency and Renewable Energy.

January 29, 1997.

Mr. Cyrus Nasserri,

Assistant Secretary, Conservation and Renewable Energy, United States Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585.

Dear Mr. Nasserri: This is a petition for waiver and application for interim waiver submitted pursuant to title 10 CFR Part 430.27. Waiver is requested from the furnace test procedure as prescribed in appendix N to Subpart B of Part 430. The test procedure requires a 1.5 minute delay between burner and blower start-up. Rheem is requesting authorization to use a 20 second delay instead of 1.5 minutes for our series (-)GFD upflow residential, modulating type gas-fired furnace.

Rheem will be manufacturing these appliances with an electronic device that controls the blower operation on a timing sequence as opposed to temperature.

Improved energy efficiency is achieved by reducing on cycle losses. Under the Appendix N procedures, the stack temperature is allowed to climb at a faster rate than it would with a 12 second blower on time, allowing energy to be lost out of the vent system. This waste of energy would not occur in actual operation. If this petition is granted, the true blower on time delay would be used in the calculations.

The current test procedures do not give Rheem credit for the energy savings which averages approximately 2% Annual Fuel Utilization Efficiency (AFUE). This improvement is an average reduction of 20% of the normal on cycle energy losses. Rheem is of the opinion that a 20% reduction is a worthwhile energy savings.

Rheem has been granted previous waivers regarding blower on time to be used in the efficiency calculations for our (-)GEP, (-)GKA, (-)GRA, (-)GSA and (-)GTA series condensing furnaces and/or (-)GDE, (-)GLE, (-)GDG, (-)GLG, (-)GPH, (-)GLH, (-)GVH, and (-)GVG series furnaces. Several other manufacturers of gas furnaces have also been granted a waiver to permit calculations based on timed blower operation. Also, ASHRAE Standard 103-1993, paragraph 9.5.1.2.2 specifically addresses the use of a timed blower operation.

Confidential and comparative test data is available to you upon your request, confirming the above energy savings.

Manufacturers that domestically market similar products are being sent a copy of this petition for waiver and petition for interim waiver.

Sincerely,

Daniel J. Canclini,

Vice-President, Product Development and Research Engineering.

bcc: B.A. Cook, K. W. Kleman, R. W. Willis

[FR Doc. 97-8637 Filed 4-3-97; 8:45 am]

BILLING CODE 6450-01-P

State Energy Advisory Board, Open Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463; 86 Stat. 770), notice is hereby given of the following meeting:

Name: State Energy Advisory Board.

Date and Time: May 5, 1997 from 9:00 am to 5:00 pm, and May 6, 1997 from 9:00 am to 12:00 pm.

Place: The Mayflower Park Hotel, 405 Olive Way, Seattle, WA 98101. 206-623-8700.

Contact: William J. Raup, Office of Building Technology, State, and Community Programs, Energy Efficiency and Renewable Energy, U.S. Department of Energy, Washington, DC 20585, Telephone 202/586-2214.

Purpose of the Board: To make recommendations to the Assistant Secretary for Energy Efficiency and Renewable Energy regarding goals and objectives and programmatic and administrative policies, and to otherwise carry out the Board's responsibilities as designated in the State Energy Efficiency Programs Improvement Act of 1990 (P.L. 101-440).

Tentative Agenda: Briefings on, and discussions of:

- The FY1998 Federal budget request for Energy Efficiency and Renewable Energy programs.
- Issues related to Electric Utility Industry restructuring and potential Federal legislation in this area.
- Review of the Board's Fifth Annual Report.

Public Participation: The meeting is open to the public. Written statements may be filed with the Board either before or after the meeting. Members of the public who wish to make oral statements pertaining to agenda items should contact William J. Raup at the address or telephone number listed above. Requests to make oral presentations must be received five days prior to the meeting; reasonable provision will be made to include the statements in the agenda. The Chair of the Board is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business.

Minutes: The minutes of the meeting will be available for public review and copying within 30 days at the Freedom of Information Public Reading Room, 1E-190, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC, between 9 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

Issued at Washington, DC, on March 28, 1997.

Gail R. Cephas,

*Acting Deputy Advisory Committee,
Management Officer.*

[FR Doc. 97-8641 Filed 4-3-97; 8:45 am]

BILLING CODE 6450-01-P

Federal Energy Regulatory Commission

[Docket No. ER97-2211-000]

Duke Power Company; Notice of Filing

March 31, 1997.

Take notice that on March 21, 1997, Duke Power Company tendered for

filing a Notice of Termination of Wholesale Power Service to the Commissioners of Public Works of the City of Greenwood, South Carolina.

Any person desiring to be heard or protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before April 11, 1997. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 97-8577 Filed 4-3-97; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER97-2212-000]

Duke Power Company; Notice of Filing

March 31, 1997.

Take notice that on March 21, 1997, Duke Power Company ("Duke") tendered for filing a Network Integration Transmission Service Agreement and a Network Operating Agreement ("NOA") between Duke, on its own behalf and acting as agent for its wholly-owned subsidiary, Nantahala Power and Light Company, and the Commissioners of Public Works of the City of Greenwood, South Carolina and Cinergy Services, Inc., acting as agent for the Commissioners of Public Works of the City of Greenwood, South Carolina (collectively, "Transmission Customer"). Duke states that the NITSA and NOA set out the transmission arrangements under which Duke will provide the Transmission Customer Network Integration Transmission Service under Duke's Pro Forma Open Access Transmission Tariff.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedures (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before April 11, 1997. Protests will be

considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 97-8578 Filed 4-2-97; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. EC97-23-000 and EL97-32-000]

Morgan Stanley Capital Group Inc.; Notice of Filing

March 31, 1997.

Take notice that Morgan Stanley Capital Group Inc. ("MSCGI") on March 25, 1997, tendered for filing a request that the Commission approve a disposition of facilities and/or grant any other authorization the Commission may deem to be needed under Section 203 of the Federal Power Act as a result of the forthcoming merger between Morgan Stanley Group Inc. ("MS"), MSCGI's parent, and Dean Witter, Discover & Co. ("DWD&Co.").

Take notice that MSCGI on March 25, 1997, also tendered for filing a request for a declaratory order disclaiming jurisdiction over the merger of MSCGI's parent, MS, with DWD&Co. under Section 203 of the Federal Power Act.

MSCGI requests expedition and an order disclaiming jurisdiction by May 1, 1997.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before April 9, 1997. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 97-8630 Filed 4-3-97; 8:45 am]

BILLING CODE 6717-01-M