

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Docket No. EG97-31-000, et al.]

Coastal Nanjing Power Ltd., et al.; Electric Rate and Corporate Regulation Filings

February 10, 1997.

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

1. Coastal Nanjing Power Ltd.

[Docket No. EG97-31-000]

Take notice that on January 31, 1997, Coastal Nanjing Power, Ltd. ("Applicant"), West Wind Building, P.O. Box 111, Grand Cayman, Cayman Islands, B.W.I., filed with the Federal Energy Regulatory Commission an application for determination of exempt wholesale generator status pursuant to Part 365 of the Commission's Regulations.

Applicant, a Cayman Islands Corporation intends to have an ownership interest in certain generating facilities in China. These facilities will consist of a 72 MW (net) electric generating facility located in Nanjing, Jiangsu Province, China, including two diesel-fired gas turbine units and related interconnection facilities.

Comment date: February 28, 1997, in accordance with Standard Paragraph E at the end of this notice. The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application.

2. Louisiana Public Service Commission v. Entergy Services, Inc.

[Docket No. EL97-26-000]

Take notice that on February 5, 1997, the Louisiana Public Service Commission filed a complaint under Sections 205 and 206 of the Federal Power Act, 16 U.S.C. §§ 824 and 824e against Entergy Services, Inc. as the representative of Entergy Corporation and its operating companies. The complaint seeks a revision of the Entergy System Agreement based upon allegations that the terms of the agreement, under current circumstances, are unjust and unreasonable. Specifically, the complaint alleges that the absence of any provision in the System Agreement excluding curtailable load from the determination of a company's load responsibility under the System Agreement results in an unjust and unreasonable cost allocation to companies that do not cause these costs to be incurred, and results in cross-

subsidization among the companies. Additionally, it is alleged that the absence of any provision in MSS-3 for allocating marginal energy costs to customers that purchase energy under Entergy's "real time pricing" rate schedules at the retail level discriminates against a company that offers real time pricing.

Comment date: March 12, 1997, in accordance with Standard Paragraph E at the end of this notice. Answers to the complaint shall be due on or before March 12, 1997.

3. PowerNet, LG&E Power Marketing, Inc., Koch Energy Trading, Inc., Kimball Power Company, Logan Generating Company, Penn Union Energy Services, L.L.C. Duke/Louis Dreyfus L.L.C.

[Docket Nos. ER94-931-011, ER94-1188-014, ER95-218-008, ER95-232-008, ER95-1007-004, ER95-1511-003, and ER96-108-007 (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 February 6, 1997, PowerNet filed certain information as required by the Commission's April 22, 1994, order in Docket No. ER94-931-000.

On February 3, 1997, LG&E Power Marketing, Inc. filed certain information as required by the Commission's August 19, 1994, order in Docket No. ER94-1188-000.

On February 5, 1997, Koch Energy Trading, Inc. filed certain information as required by the Commission's January 4, 1995, order in Docket No. ER95-218-000.

On January 13, 1997, Kimball Power Company filed certain information as required by the Commission's February 1, 1995, order in Docket No. ER95-232-000.

On February 3, 1997, Logan Generating Company, L.P. filed certain information as required by the Commission's June 28, 1995, order in Docket No. ER95-1007-000.

On January 13, 1997, Penn Union Energy Services, L.L.C. filed certain information as required by the Commission's September 11, 1995, order in Docket No. ER95-1511-000.

On February 6, 1997, Duke Louis Dreyfus L.L.C. filed certain information as required by the Commission's December 14, 1995, order in Docket No. ER96-108-000.

4. Western Power Services, Inc., PowerTec International, LLC, PowerMark LLC, BTU Power Corporation, Thicksten Grimm Burgum, Inc., Northeast Energy Services, Inc., Atlantic City Electric Company

[Docket Nos. ER95-748-007, ER96-1-005, ER96-332-004, ER96-1283-003, ER96-2241-002, ER96-2523-001, and ER97-243-002 (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 February 6, 1997, Western Power Services, Inc. filed certain information as required by the Commission's May 16, 1995, order in Docket No. ER95-748-000.

On February 4, 1997, PowerTec International, LLC filed certain information as required by the Commission's December 1, 1995, order in Docket No. ER96-1-000.

On February 4, 1997, PowerMark LLC filed certain information as required by the Commission's January 19, 1996, order in Docket No. ER96-332-000.

On February 6, 1997, BTU Power Corporation filed certain information as required by the Commission's April 24, 1996, order in Docket No. ER96-1283-000.

On February 6, 1997, Thicksten Grimm Burgum Incorporated filed certain information as required by the Commission's September 16, 1996, order in Docket No. ER96-2241-000.

On February 6, 1997, Northeast Energy Services, Inc. filed certain information as required by the Commission's September 19, 1996, order in Docket No. ER96-2523-000.

On February 5, 1997, Atlantic City Electric Company filed certain information as required by the Commission's January 6, 1997, order in Docket No. ER97-243-000.

5. Ontario Hydro Interconnected Markets, Inc.

[Docket No. ER97-852-000]

Take notice that on January 30, 1997, Ontario Hydro Interconnected Markets Inc. tendered for filing an amendment in the above referenced docket.

Comment date: February 25, 1997, in accordance with Standard Paragraph E at the end of this notice.

6. American Power Reserves Marketing Company

[Docket No. ER97-1428-000]

Take notice that on January 24, 1997, American Power Reserves Marketing

Company (ARM Power) applied to the Commission for (1) acceptance of ARM Power's Rate Schedule FERC No. 1; (2) a disclaimer of jurisdiction over ARM Power's Power brokering activities; (3) blanket authorization to sell electricity at market-based rates; (4) waiver of certain Commission Regulations; and (5) such other waivers and authorizations as have been granted to other power marketers.

ARM Power intends to engage in electric power and energy transactions as a marketer and broker. ARM Power is not in the business of generating, transmitting, or distributing electric power.

Comment date: February 25, 1997, in accordance with Standard Paragraph E at the end of this notice.

7. Indiana Michigan Power Company
[Docket No. FA91-66-002]

Take notice that on September 25, 1995, Indiana Michigan Power Company tendered for filing its refund report in the above-referenced docket.

Comment date: February 25, 1997, in accordance with Standard Paragraph E at the end of this notice.

8. Systems Energy Resources, Inc.
[Docket No. FA93-23-002]

Take notice that on January 31, 1997, Systems Energy Resources, Inc. tendered for filing its refund report in the above-referenced docket.

Comment date: February 25, 1997, in accordance with Standard Paragraph E at the end of this notice.

9. Canal Electric Company
[Docket No. FA93-30-001]

Take notice that on May 26, 1995, Canal Electric Company tendered for filing its refund report in the above-referenced docket.

Comment date: February 25, 1997, in accordance with Standard Paragraph E at the end of this notice.

10. Detroit Edison Company
[Docket No. FA93-65-002]

Take notice that on January 27, 1997, Detroit Edison Company tendered for filing its refund report in the above-referenced docket.

Comment date: February 25, 1997, in accordance with Standard Paragraph E at the end of this notice.

11. Florida Power Corporation
[Docket No. FA94-56-001]

Take notice that on December 3, 1996, Florida Power Corporation tendered for filing its refund report in the above-referenced docket.

Comment date: February 25, 1997, in accordance with Standard Paragraph E at the end of this notice.

12. Wisconsin Electric Power Company
[Docket No. FA95-25-001]

Take notice that on February 4, 1997, Wisconsin Electric Power Company tendered for filing its refund report in the above-referenced docket.

Comment date: February 25, 1997, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraph

E. 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 Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. 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. 97-3891 Filed 2-14-97; 8:45 am]

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DEPARTMENT OF ENERGY

Office of Hearings and Appeals

Implementation of Special Refund Procedures

AGENCY: Office of Hearings and Appeals, Department of Energy.

ACTION: Notice of implementation of special refund procedures and solicitation of comments.

SUMMARY: The Office of Hearings and Appeals of the Department of Energy announces procedures concerning the refunding of \$214,236.37 (plus accrued interest) in consent order funds. The funds are being held in escrow pursuant to a Consent Judgment and a Bankruptcy Distribution involving Houma Oil Company and Jedco, Inc., respectively.

DATE AND ADDRESS: Applications for Refund should be addressed to the Office of Hearings and Appeals, Department of Energy, 1000 Independence Avenue, SW.,

Washington, DC. 20585-0107. All Applications should conspicuously display a reference to either Case Number VEF-0023 (Houma Oil Co.) or VEF-0024 (Jedco, Inc.).

FOR FURTHER INFORMATION CONTACT:

Richard W. Dugan, Associate Director, Office of Hearings and Appeals, 1000 Independence Avenue, SW., Washington, DC. 20585-0107, (202) 426-1575.

SUPPLEMENTARY INFORMATION: In accordance with § 205.282(c) of the procedural regulations of the Department of Energy, 10 CFR 205.282(c), notice is hereby given of the issuance of the Decision and Order set forth below. The Decision relates to a Consent Judgment entered into by the Houma Oil Company which settled possible pricing violations in the firm's sales of motor gasoline during the period May 1, 1979 through April 30, 1980. The Decision also relates to a Bankruptcy Distribution which settled pricing violations stemming from Jedco, Inc.'s sales of motor gasoline during the period November 1, 1973 through March 31, 1974. A Proposed Decision and Order tentatively establishing refund procedures and soliciting comments from the public concerning the distribution of the Houma and Jedco settlement funds was issued on October 28, 1996. 61 FR 57868 (November 8, 1996).

The Decision sets forth the procedures and standards that the DOE has formulated to distribute funds remitted by Houma and Jedco and being held in escrow. The DOE has decided that the funds should be distributed in two stages in the manner utilized with respect to consent order funds in similar proceedings. In the first stage, the DOE will consider claims for refunds made by firms and individuals that purchased motor gasoline from Houma and/or Jedco during the respective audit periods.

The second stage of the refund process will take place only in the event that the meritorious first stage applicants do not deplete the settlement funds. Any funds that remain after all first stage claims have been decided will be distributed to state governments for use in four energy conservation programs, in accordance with the provisions of the Petroleum Overcharge Distribution and Restitution Act of 1986.

All first stage applications should be submitted within 90 days of publication of this notice. All comments and applications received in this proceeding will be available for public inspection between the hours of 1 to 5 p.m., Monday through Friday, except federal