

Cooperative will take transmission service pursuant to its open access transmission tariff. The agreements are based on the Form of Service Agreement in Illinois Power's tariff.

Illinois Power has requested an effective date of May 15, 1998.

Comment date: June 15, 1998, in accordance with Standard Paragraph E at the end of this notice.

16. Illinois Power Company

[Docket No. ER98-3113-000]

Take notice that on May 26, 1998, Illinois Power Company (Illinois Power), 500 South 27th Street, Decatur, Illinois 62526, tendered for filing firm and non-firm transmission agreements under which PP&L, Inc., will take transmission service pursuant to its open access transmission tariff. The agreements are based on the Form of Service Agreement in Illinois Power's tariff.

Illinois Power has requested an effective date of May 15, 1998.

Comment date: June 15, 1998, in accordance with Standard Paragraph E at the end of this notice.

17. Wisconsin Electric Power Company & Edison Sault Electric Company, Wisconsin Energy Corporation, Inc. and ESELCO, Inc.

[Docket No. ER98-3114-000]

Take notice that on May 26, 1998, Wisconsin Electric Power Company (WEPCO) and Edison Sault Electric Company (Edison Sault) filed a single system tariff (Joint Open Access Transmission Tariff), required to be on file prior to the consummation of the merger approved in Wisconsin Energy Corporation, Inc., and ESELCO, Inc., 83 FERC ¶ 61,069 (1998). The Joint Open Access Transmission Tariff supersedes the WEPCO tariff previously filed in Docket Nos. OA97-578, ER97-3299, and ER98-93, and the Edison Sault tariff previously filed in Docket No. OA97-718.

This compliance filing has been served upon all wholesale customers for both WEPCO and Edison Sault, as well as the Michigan Public Service Commission, the Public Service of Wisconsin, and the parties to Docket No. EC98-8.

Comment date: June 15, 1998, in accordance with Standard Paragraph E at the end of this notice.

18. Statoil Energy Trading Inc.

[Docket No. ER98-3115-000]

Take notice that on May 22, 1998, Eastern Power Distribution, Inc. (EPDI), tendered for filing a correction to the May 21, 1998, notice of name change.

Comment date: June 10, 1998, in accordance with Standard Paragraph E at the end of this notice.

19. Statoil Energy Trading Inc.

[Docket No. ER98-3115-000]

Take notice that on May 22, 1998, Eastern Power Distribution, Inc. (EPDI), tendered for filing a correction to the May 21, 1998, notice of name change.

Comment date: June 11, 1998, in accordance with Standard Paragraph E at the end of this notice.

20. Statoil Energy Services Inc.

[Docket No. ER98-3116-000]

Take notice that on May 21, 1998, Eastern Energy Marketing, Inc. (EEM), a power marketer licensed by the FERC in Docket No. ER97-4381-000, tendered for filing a notice of company name change to Statoil Energy Services, Inc. (SESI), effective May 20, 1998.

Comment date: June 10, 1998, 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 these filings are on file with the Commission and are available for public inspection.

David P. Boergers,

Acting Secretary.

[FR Doc. 98-14819 Filed 6-3-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER95-1240-003, et al.]

PacifiCorp, et al.; Electric Rate and Corporate Regulation Filings

May 27, 1998.

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

1. PacifiCorp

[Docket No. ER95-1240-003]

Take notice that on May 22, 1998, PacifiCorp, tendered for filing in accordance with 18 CFR 35 of the Commission's Rules and Regulations and the Commission's Order under Docket No. ER95-1240-000, dated April 21, 1998, a refund report.

Copies of this filing were supplied to the Colorado Public Utilities Commission, the Wyoming Public Service Commission, the Arizona Corporation Commission, the California Public Utilities Commission, the Montana Public Service Commission, the Public Utility Commission of Oregon, and the Washington Utilities and Transportation Commission and all affected wholesale customers.

A copy of this filing may be obtained from PacifiCorp's Transmission Function's Bulletin Board System through a personal computer by calling (503) 813-5758 (9600 baud, 8 bits, no parity, 1 stop bit).

Comment date: June 11, 1998, in accordance with Standard Paragraph E at the end of this notice.

2. Public Service Company of New Mexico

[Docket Nos. ER95-1800-004, ER95-1800-002, EL95-55-000, EL95-63-000, EL95-65-000, EL95-75-000, ER96-1462-000, ER96-1462-001, ER96-1551-000, ER96-1551-002, TX96-5-000, TX96-11-000, ER96-3036-000, OA96-202-000]

Take notice that on May 21, 1998, Public Service Company of New Mexico (PNM), submitted for filing a Compliance Report regarding refunds to affected transmission service customers, for transmission service fees collected (by PNM) in excess of PNM's settlement agreement rate approved by the Federal Energy Regulatory Commission in its April 21, 1998, letter order. The affected customers are: Plains Electric Generation and Transmission Cooperative, Inc. (Plains), The Incorporated County of Los Alamos, New Mexico (LAC), The United States Department of Energy Western Area Power Administration (WAPA), The Navajo Tribal Utility Authority (NTUA), and El Paso Electric Company (EPE).

Copies of the filing have been provided to all parties to this proceeding, and the filing is also available for public inspection at PNM's offices in Albuquerque, New Mexico.

Comment date: June 10, 1998, in accordance with Standard Paragraph E at the end of this notice.

3. West Texas Wind Energy Partners, LLC

[Docket No. ER98-1965-001]

Take notice that on May 21, 1998, West Texas Wind Energy Partners, LLC (WTWEP), in compliance with the Commission's order issued April 23, 1998, submitted a Code of Conduct with Respect to the Relationship between WTWEP and its affiliates.

Comment date: June 10, 1998, in accordance with Standard Paragraph E at the end of this notice.

4. Pelican Energy Management, Inc.

[Docket No. ER98-3084-000]

Take notice that on May 22, 1998, Pelican Energy Management, Inc. (Pelican), tendered for filing pursuant to Rule 205, (18 CFR 385.205) a petition for waivers and blanket approvals under various regulations of the Commission and for an order accepting its FERC Electric Rate Schedule No. 1, to be effective no later than sixty (60) days from the date of its filing.

Pelican intends to engage in electric power and energy transactions as a marketer and a broker. In transactions where Pelican sells electric energy, it proposes to make such sales on rates, terms, and conditions to be mutually agreed to with the purchasing party. Neither Pelican nor any of its affiliates are in the business of generating or transmitting electric power, or are engaged in any form of franchised electricity distribution.

Rate Schedule No. 1, provides for the sale of energy and capacity at agreed prices. Rate Schedule No. 1, also provides that no sales may be made to affiliates.

Comment date: June 11, 1998, in accordance with Standard Paragraph E at the end of this notice.

5. Maine Public Service Company

[Docket No. ER98-3085-000]

Take notice that on May 22, 1998, Maine Public Service Company (Maine Public), filed an executed Service Agreement with SCANA Energy Marketing, Inc.

Comment date: June 11, 1998, in accordance with Standard Paragraph E at the end of this notice.

6. The Dayton Power and Light Company

[Docket No. ER98-3086-000]

Take notice that on May 22, 1998, The Dayton Power and Light Company (Dayton), submitted service agreements establishing Merchant Energy Group of the Americas, Inc., NorAm Energy Services, Inc., as customers under the

terms of Dayton's Open Access Transmission Tariff.

Dayton requests an effective date of one day subsequent to this filing for the service agreements. Accordingly, Dayton requests waiver of the Commission's notice requirements.

Copies of this filing were served upon Merchant Energy Group of the Americas, Inc., NorAm Energy Services, Inc., and the Public Utilities Commission of Ohio.

Comment date: June 11, 1998, in accordance with Standard Paragraph E at the end of this notice.

7. The Dayton Power and Light Company

[Docket No. ER98-3087-000]

Take notice that on May 22, 1998, The Dayton Power and Light Company (Dayton), submitted service agreements establishing Merchant Energy Group of the Americas, Inc., NorAm Energy Services, Inc., and SCANA Energy Marketing, Inc., as customers under the terms of Dayton's Open Access Transmission Tariff.

Dayton requests an effective date of one day subsequent to this filing for the service agreements. Accordingly, Dayton requests waiver of the Commission's notice requirements.

Copies of this filing were served upon Merchant Energy Group of the Americas, Inc., NorAm Energy Services, Inc., SCANA Energy Marketing, Inc., and the Public Utilities Commission of Ohio.

Comment date: June 11, 1998, in accordance with Standard Paragraph E at the end of this notice.

8. PacifiCorp

[Docket No. ER98-3088-000]

Take notice that on May 22, 1998, PacifiCorp, tendered for filing in accordance with 18 CFR 35 of the Commission's Rules and Regulations, a Notice of Filing of Mutual Netting/Closeout Agreements between PacifiCorp and Constellation Power Source, Inc., Cook Inlet Energy Supply L.P., Engage Energy US, L.P., Enserch Energy Services, Inc., Nautilus Energy Company, LLC, New Energy Ventures, L.L.C., Public Service Company of New Mexico and Tractebel Energy Marketing, Inc.

Copies of this filing were supplied the Washington Utilities and Transportation Commission and the Public Utility Commission of Oregon.

A copy of this filing may be obtained from PacifiCorp's Regulatory Administration Department's Bulletin Board System through a personal computer by calling (503) 813-5758 (9600 baud, 8 bits, no parity, 1 stop bit).

Comment date: June 11, 1998, in accordance with Standard Paragraph E at the end of this notice.

9. Kansas City Power & Light Company

[Docket No. ER98-3089-000]

Take notice that on May 22, 1998, Kansas City Power & Light Company (KCPL), tendered for filing Amendatory Agreement No. 2, to Municipal Wholesale Firm Power Contract, between KCPL and the City of Pomona, Kansas, dated April 7, 1998, and an associated Service Schedule.

KCPL states that the Amendatory Agreement revises the Agreement pursuant to KCPL's Open Season. KCPL request waiver of the Commission's notice requirements.

Comment date: June 11, 1998, in accordance with Standard Paragraph E at the end of this notice.

10. Consolidated Edison Company of New York, Inc.

[Docket No. ER98-3090-000]

Take notice that on May 22, 1998, Consolidated Edison Company of New York, Inc., on tendered for filing proposed changes to its FERC Electric Service Tariff No. 2, for the wholesale sale of electric energy and capacity at market-based rates (Tariff).

The proposed changes amend Section 8.3 of the Tariff, which is the Liability and Indemnification section.

Comment date: June 11, 1998, in accordance with Standard Paragraph E at the end of this notice.

11. PacifiCorp

[Docket No. ER98-3091-000]

Take notice that on May 22, 1998, PacifiCorp, tendered for filing in accordance with 18 CFR 35 of the Commission's Rules and Regulations, Non-Firm and Short-Term Firm Point-To-Point Transmission Service Agreements with Southern Company Energy Marketing LP (Southern), under PacifiCorp's FERC Electric Tariff, First Revised Volume No. 11.

Copies of this filing were supplied to Southern, the Washington Utilities and Transportation Commission and the Public Utility Commission of Oregon.

A copy of this filing may be obtained from PacifiCorp's Transmission Function's Bulletin Board System through a personal computer by calling (503) 813-5758 (9600 baud, 8 bits, no parity, 1 stop bit).

Comment date: June 11, 1998, in accordance with Standard Paragraph E at the end of this notice.

12. Alliant Service, Inc.

[Docket No. ER98-3092-000]

Take notice that on May 22, 1998, Alliant Services, Inc., tendered for filing an executed Service Agreements for firm and non-firm point-to-point transmission service, establishing Amoco Energy Trading Corporation as a point-to-point Transmission Customer under the terms of the Alliant Services, Inc., transmission tariff.

Alliant Services, Inc., requests an effective date of May 18, 1998, and accordingly, seeks waiver of the Commission's notice requirements.

A copy of this filing has been served upon the Public Service Commission of Wisconsin.

Comment date: June 11, 1998, in accordance with Standard Paragraph E at the end of this notice.

13. Pennsylvania Power & Light Co.

[Docket No. ER98-3093-000]

Take notice that on May 22, 1998, Pennsylvania Power & Light Company (PP&L), tendered for filing an Interconnection between PP&L and PEI Power Corporation.

Comment date: June 11, 1998, in accordance with Standard Paragraph E at the end of this notice.

14. Entergy Services, Inc.

[Docket No. ER98-3094-000]

Take notice that on May 22, 1998, Entergy Services, Inc. (Entergy Services), on behalf of Entergy Arkansas, Inc., Entergy Gulf States, Inc., Entergy Louisiana, Inc., Entergy Mississippi, Inc., and Entergy New Orleans, Inc. (collectively, the Entergy Operating Companies), tendered for filing a Non-Firm Point-To-Point Transmission Service Agreement between Entergy Services, as agent for the Entergy Operating Companies and Cargill-Alliant, LLC.

Comment date: June 11, 1998, in accordance with Standard Paragraph E at the end of this notice.

15. Entergy Services, Inc.

[Docket No. ER98-3095-000]

Take notice that on May 22, 1998, Entergy Services, Inc. (Entergy Services), on behalf of Entergy Arkansas, Inc., Entergy Gulf States, Inc., Entergy Louisiana, Inc., Entergy Mississippi, Inc., and Entergy New Orleans, Inc. (collectively, the Entergy Operating Companies), tendered for filing a Firm Point-To-Point Transmission Service Agreement between Entergy Services, as agent for the Entergy Operating Companies, and Cargill-Alliant, LLC.

Comment date: June 11, 1998, in accordance with Standard Paragraph E at the end of this notice.

16. Pepco Services, Inc.

[Docket No. ER98-3096-000]

Take notice that on May 22, 1998, Pepco Services, Inc. (Pepco Services), tendered for filing pursuant to Rules 205 and 207, a petition for waivers and blanket approvals under various regulations of the Commission and for an order accepting its market-based rate schedule to be effective July 1, 1998.

Pepco intends to engage in electric energy and capacity transactions as a marketer and as a broker.

Comment date: June 11, 1998, in accordance with Standard Paragraph E at the end of this notice.

17. Western Resources, Inc.

[Docket No. ER98-3097-000]

Take notice that on May 22, 1998, Western Resources, Inc., (Western Resources), tendered for filing two agreements; one between Western Resources and American Electric Power Service Corp., and the other between Western Resources and Illinois Power. Western Resources states that the purpose of the agreements is to permit these two customers to take service under Western Resources' market-based power sales tariff on file with the Commission.

The agreements are proposed to become effective March 12, 1998.

Copies of the filing were served upon American Electric Power Service Corp., Illinois Power, and the Kansas Corporation Commission.

Comment date: June 11, 1998, 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 these filings are on file with the

Commission and are available for public inspection.

David P. Boergers,*Acting Secretary.*

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6107-6]

Proposed Settlement; SO₂ NAAQS Remand**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of proposed settlement; request for public comment.

SUMMARY: In accordance with section 113(g) of the Clean Air Act, as amended ("Act"), 42 U.S.C. 7413(g), notification is hereby given of a proposed settlement regarding EPA's timing of its response to the remand of the United States Court of Appeals for the District of Columbia Circuit in *ALA v. Browner*, No. 96-1255 (D.C. Cir., *decided*, January 30, 1998). This case involves a challenge to EPA's decision not to revise the National Ambient Air Quality Standard for sulfur dioxide, issued on May 22, 1996. (61 FR 25566, May 22, 1996).

EPA's planned schedule for responding to the court's remand is set forth in a **Federal Register** Notice (63 FR 24782, May 5, 1998) that is included as an attachment to the settlement agreement. As set forth therein, EPA would propose a response to the remand in the summer of 1999 and take final action on the remand by December 2000.

Under the settlement agreement, in return for EPA agreeing to the schedule set forth in the notice, ALA agrees to not file a petition for rehearing or a suggestion for rehearing *en banc* in the above-referenced case and to refrain from bringing any unreasonable delay claims or mandatory duty suits regarding the SO₂ NAAQS prior to January 2001.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement from persons who were not named as parties to the litigation in question. The Agency or the Department of Justice may withhold or withdraw consent to the proposed settlement if the comments disclose facts or circumstance that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Copies of the