

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. GP98-37-000]

James E. Silver; Notice of Petition for Clarification

June 19, 1998.

Take notice that, on June 15, 1998, James E. Silver (Silver) filed a letter petitioning the Commission to clarify whether the Commission will direct Williams Gas Pipelines Central, Inc., formerly: Williams Natural Gas Company (Williams) to return certain Kansas ad valorem tax refunds that Silver paid to Williams on behalf of certain royalty interest owners, where Silver has since been unable to recover the refunds he paid on behalf of certain royalty owners, from those royalty owners. Silver's petition is on file with the Commission and open to public inspection.

The Commission, by order issued September 10, 1997, in Docket No. RP97-369-000 *et al.*,¹ on remand from the D.C. Circuit Court of Appeals,² required first sellers to refund the Kansas ad valorem tax reimbursements to the pipelines, with interest, for the period from 1983 to 1988.

Silver indicates that he is the Managing Partner of Olympic Petroleum Company (Olympic), and that Williams notified him that Olympic owed \$85,787.27 in Kansas ad valorem tax refunds to Williams (\$34,877.98 in principal and \$50,909.29 in interest). Silver states that he paid this sum to Williams, in full. Silver also indicates that \$15,453.64 of this total represents refunds attributable to royalty owners that he paid on behalf of the royalty owners. Silver states that he has been unable to recover \$10,281.37 from certain royalty owners, and sets forth the amount of unrecovered refunds, along with the reason he has been unable to recover those refunds from the royalty owners, as follows: (1) \$8,441.53 represents ten (10) royalty owners that have failed to respond to letters and phone calls; (2) \$210.32 represents a single royalty owner who's address is unknown; (3) \$818.57 represents a single royalty owner who has petitioned the Commission (in Docket No. SA98-79-000) for relief from the refund requirement; and \$810.95 represents

five (5) royalty owners who are deceased and their estates closed. In review of this, Silver requests the Commission to clarify whether the Commission will consider returning (i.e., whether the Commission will consider directing Williams to return):

(1) The \$810.95 Silver paid on behalf of deceased royalty owners and, if so, what the procedures are for requesting such consideration;

(2) the \$210.32 Silver paid on behalf of the royalty owner whose address is unknown; and

(3) the \$818.57, in the event that the Commission grants the royalty owner's appeal in Docket No. SA98-79-000 and, if so, what the procedure is for doing so.

In addition, Silver requests the Commission to clarify whether the Commission's September 10, 1997 refund order affords Silver any authority or legal power to recover the \$8,441.53 in refunds that he paid on behalf of the 10 royalty owners who have since refused to respond to his requests to be reimbursed for the refunds he made on their behalf.

Any person desiring to comment on or make any protest with respect to the above-referenced petition should, on or before July 10, 1998, file with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C., 20426, a motion to intervene or protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211). 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 the proceeding, or to participate as a party in any hearing therein, must file a motion to intervene in accordance with the Commission's Rules.

David P. Boergers,

Acting Secretary.

[FR Doc. 98-16888 Filed 6-24-98; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 405-043]

Susquehanna Power Company and Philadelphia Electric Company; Notice of Petition for Declaratory Order

June 19, 1998.

On May 12, 1998, the Mayor and City Council of Baltimore, Maryland (Baltimore) filed a petition for declaratory order and supporting

memorandum, seeking a Commission order declaring: (1) That the Commission has exclusive jurisdiction over pool elevations and pool operations of the Conowingo Project No. 405; (2) that the Licensees for the project must comply with all orders of this Commission concerning the project; and (3) such further and other relief as the Commission may deem appropriate.

Baltimore's petition is prompted by concerns that water withdrawals it makes from the project reservoir may be restricted as a result of certain actions being taken by the Susquehanna River Basin Commission.

Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure, 18 CFR 385.210, 385.211, and 385.214. In determining the appropriate action to take, the Commission will consider all protests and other comments, but only those who file a motion to intervene may become a party to the proceeding. Comments, protests, or motions to intervene must be filed by July 27, 1998; must bear in all capital letters the title "COMMENTS," "PROTEST," or "MOTION TO INTERVENE," as applicable, and Project No. 405-043. Send the filings (original and 8 copies) to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. A copy of any filing must also be served on each representative of the petitioner named in its petition.

David P. Boergers,

Acting Secretary.

[FR Doc. 98-16891 Filed 6-24-98; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. GT98-54-000]

Transcontinental Gas Pipe Line Corporation; Notice of Refund

June 19, 1998.

Take notice on June 15, 1998, Transcontinental Gas Pipe Line Corporation (Transco) tendered for filing a report of Gas Research Institute (GRI) refunds made to its customers.

Transco states that refunded amounts were made to eligible shippers via Mail or wire transfer based on non-discounted GRI demand amounts paid during the year ended December 31, 1997. The amounts refunded by Transco resulted from refunds made to Transco by the GRI.

¹ See 80 FERC ¶ 61,264 (1997); order denying rehearing issued January 28, 1998, 82 FERC ¶ 61,058 (1998).

² *Public Service Company of Colorado v. FERC*, 91 F.3d 1478 (D.C. 1996), cert. denied, Nos. 96-954 and 96-1230 (65 U.S.L.W. 3751 and 3754, May 12, 1997).

Transco states that copies of this filing are being served to each affected customer.

Any person desiring to be heard or to protest this filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with Sections 385.214 and 385.211 of the Commission's Rule and Regulations. All such motions or protests must be filed on or before June 26, 1998. 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 in the Public Reference Room.

David P. Boergers,

Acting Secretary.

[FR Doc. 98-16889 Filed 6-24-98; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CO98-600-000]

Tuscarora Gas Transmission Company; Notice of Request Under Blanket Authorization

June 19, 1998.

Take notice that on June 9, 1998, Tuscarora Gas Transmission Company (Tuscarora), 1575 Delucchi Lane, Suite 225, Post Office Box 30057, Reno, Nevada 89520-3057, filed in Docket No. CP98-600-000 a request pursuant to Sections 157.205 and 157.211 of the Commission's Regulations (18 CFR 157.205, 157.211) under the Natural Gas Act (NGA) for authorization to operate an existing tap, meter station and appurtenant facilities constructed under the authorization of Section 311 of the Natural Gas Policy Act of 1978 (NGPA) in Washoe County, Nevada, for transportation services by Tuscarora, under Tuscarora's blanket certificate issued in Docket No. CP93-685-000, pursuant to Section 7 of the NGA, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Tuscarora proposes to operate the existing 6-inch tap, meter and appurtenant facilities to serve U.S. Gypsum Company's (USGC) Empire plant. It is stated that USGC has recently converted its Empire plant to burn natural gas rather than fuel oil as the

primary fuel in its wallboard manufacturing process. Tuscarora states that it has been transporting up to 1,550 Dt equivalent of natural gas per day to USGC under its Section 311 authorization. The cost of the proposed facilities is estimated at \$134,000. It is stated that USGC has constructed approximately 64 miles of 6-inch pipeline to connect its Empire plant to Tuscarora's pipeline, and that Tuscarora plans to purchase up to 26 miles of this line and will seek Commission authorization for acquisition and operation. It is further asserted that no customers of Tuscarora have been or will be adversely affected by the proposed authorization for the facilities and that such authorization will have no effect on Tuscarora's ability to make deliveries to its existing customers.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section 1547.205 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.

David P. Boergers,

Acting Secretary.

[FR Doc. 98-16885 Filed 6-24-98; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. CP96-809-000, et al. and CP96-810-000]

Maritimes & Northeast Pipeline, L.L.C.; Notice of Availability of the Final Environmental Impact Statement for the Proposed Maritimes Phase II Project

June 19, 1998

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared this final environmental impact statement (FEIS) on the natural gas pipeline facilities proposed by Maritimes & Northeast Pipeline, L.L.C. in the above-references

dockets and referred to as the Maritimes Phase II Project.

The staff prepared the FEIS to satisfy the requirements of the National Environmental Policy Act. The staff concludes that approval of the proposed project, with appropriate mitigating measures as proposed and recommended, would have limited adverse environmental impact.

The FEIS assesses the potential environmental effects of construction and operation of the following facilities in Maine:

- A total of about 347.0 miles of pipeline, consisting of 200.1 miles of 24- and 30-inch-diameter mainline between Westbrook in York County and Woodland (Baileyville) in Washington County, and five laterals totaling 146.9 miles of 4- to 16-inch-diameter pipeline;
- About 31,160 horsepower of new compression at two new compressor stations;
- Twelve new meter stations; and
- Associated aboveground facilities, including 35 block valves and remote blow-off valves.

The purpose of the proposed facilities would be to transport 440,000 thousand cubic feet per day of natural gas to existing and new natural gas markets in Maine and the northeast. These natural gas supplies would come from new reserves being developed in offshore Nova Scotia, Canada.

The FEIS has been placed in the public files of the FERC and is available for public inspection at: Federal Energy Regulatory Commission, Public Reference and Files Maintenance Branch, 888 First Street, N.E., Washington, D.C. 20426, (202) 208-1371.

A limited number of copies are available at this location.

Copies of the FEIS have been mailed to Federal, state, and local agencies, public interest groups, interested individuals, newspapers, and parties to this proceeding.

In accordance with Council of Environmental Quality (CEQ) regulations implementing National Environmental Policy Act, no agency decision on the proposed action may be made until 30 days after the U.S. Environmental Protection Agency publishes a notice of availability of the FEIS. However, the CEQ regulations provide an exception to this rule on timing when an agency decision is subject to a formal internal appeal process which allows other agencies or the public to make their views known. In such cases, the agency decision may be made at the same time that the notice of the FEIS is published, allowing both