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**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Acting Deputy Chief Information Officer, Office of the Chief Information Officer, publishes this notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment at the address specified above. Copies of the requests are available from Patrick J. Sherrill at the address specified above.

Dated: July 29, 1998.

**Hazel Fiers,**

*Acting Deputy Chief Information Officer,  
Office of the Chief Information Officer.*

#### **Office of Postsecondary Education**

*Type of Review:* Revision.

*Title:* Student Aid Report (SAR).

*Frequency:* Annually.

*Affected Public:* Individuals or households.

*Reporting and Recordkeeping Hour Burden:*

Responses: 9,998,997.

Burden Hours: 3,886,953.

*Abstract:* The Student Aid Report (SAR) is used to notify all applicants of their eligibility to receive Federal student aid for postsecondary education. The form is submitted by the applicant to the institution of their choice.

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#### **DEPARTMENT OF ENERGY**

##### **Voluntary Agreement and Plan of Action to Implement the International Energy Program**

**AGENCY:** Department of Energy.

**ACTION:** Notice of intention to amend "Voluntary Agreement and Plan of Action to Implement the International Energy Program."

**SUMMARY:** The Department of Energy (DOE) gives notice that the Department of Justice intends to amend the "Voluntary Agreement and Plan of Action to Implement the International Energy Program" ("Voluntary Agreement") to implement changes recently enacted by Public Law 105-77 to the antitrust defense in section 252 of the Energy Policy and Conservation Act (EPCA) for U.S. oil companies participating in the International Energy Agency's ("IEA") emergency preparedness program. The Voluntary Agreement, which was adopted in 1976, implements the EPCA section 252 antitrust defense. The Administration sought the changes to EPCA section 252 to conform legal authority for U.S. oil company participation in IEA emergency preparedness activities to current U.S. and IEA emergency response policy for oil supply disruptions. Prior to the enactment of Public Law 105-77, the EPCA section 252 antitrust defense was available only for planning and implementing the IEA's emergency international oil allocation system in response to significant international oil supply interruptions. Now the antitrust defense extends to the participating U.S. oil companies when they assist the IEA in planning and implementing coordinated drawdown of government-owned or government-controlled petroleum stocks, a policy the U.S. successfully urged upon its IEA partners. The Department of Justice intends to amend the existing Voluntary Agreement 20 days after publication of this Notice, to implement the changes to EPCA section 252 enacted by Public Law 105-177.

**FOR FURTHER INFORMATION CONTACT:** Samuel M. Bradley, Acting Assistant General Counsel for International and Legal Policy, Department of Energy, Forrestal Building, Room 6H-74, 1000 Independence Avenue S.W., Washington, D.C. 20585; 202-586-6738 Angela Hughes, Attorney-Adviser, Transportation, Energy and Agriculture Section, Antitrust Division, Department of Justice, 555 4th Street, N.W., Washington, D.C. 20001; 202-307-6410

**SUPPLEMENTARY INFORMATION:**

The IEA, the main forum for energy cooperation among 24 industrialized countries,<sup>1</sup> was created in 1974 by its governing treaty, the Agreement on an International Energy Program (the "IEP Agreement"). Based in Paris, the IEA is an autonomous agency within the framework of the Organization for Economic Cooperation and Development ("OECD"). The IEA's main decision-making body is its Governing Board, composed of senior energy officials from each member country; the work of the Agency is supported by a Secretariat headed by an Executive Director.

The IEA was formed in the aftermath of the 1973-74 Arab-Israel War crisis. That crisis—and the failure to mount any effective joint response to the supply disruption that it involved—shocked the nations of the industrialized world into action to reduce their vulnerability to future disruptions. It was the United States that took the initiative, calling an international conference in Washington in 1974 that led to negotiation of the IEP Agreement. Through that Agreement the IEA's founders charged it with responsibility for international cooperation on oil supply disruption responses, long-term policies to reduce dependence on oil, energy information systems, oil market transparency, energy research and development, and relations with OECD and non-OECD oil producers and consumers.

The IEP Agreement contains, in addition to its institutional arrangements, a body of obligations that are binding on the member governments. These include both long-term cooperation obligations, and emergency response commitments, including the commitment to participate in oil sharing with one another, in accordance with an agreed formula, in case the IEP's emergency measures are activated by a serious supply disruption.

The IEP's international oil sharing system has never been triggered, and over the years the IEA's emergency preparedness strategy has evolved significantly, reflecting the growing experience as well as the dramatic changes that have occurred in oil markets and IEA member countries. Taking into account the lessons of the so-called "Second Oil Crisis," beginning with the Iranian revolution in 1979 and continuing during the Iran/Iraq War,

<sup>1</sup> Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, the Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland, Turkey, the United Kingdom, and the United States.

and the growth of strategic oil stocks in member countries, the IEA, in response to urging by the U.S., adopted in 1984 its decision on "Stocks and Supply Disruptions," the so-called "Coordinated Emergency Response Measures" or "CERM Decision," which supplemented the emergency international oil allocation system the IEA already had in place for dealing with oil supply disruptions.

The CERM Decision registered the IEA's conclusion that in most supply disruptions timely coordinated drawdown of members' strategic stocks could be a rapid and effective means of restoring interrupted supply and mitigating economic damage. During the 1990-91 Gulf crisis the IEA implemented a "CERM" Contingency Plan providing for IEA member countries to make available to the market 2.5 million barrels of oil per day, although at the time EPCA section 252's limitations prevented the IEA from soliciting U.S. company views specifically on the preparation of the Plan. The U.S. contribution to the Plan was to draw down 17 million barrels of oil from the SPR in January 1991. In 1995 the IEA's Governing Board adopted its "Decision on Emergency Response Policies," which had been sought by the U.S., and which represents a commitment by the IEA member countries that in the event of an oil supply disruption they will give first consideration to coordinated stockdraw rather than to international oil allocation.

The IEA has from the Agency's founding relied heavily on the direct cooperation of the oil industry in developing, testing and, potentially, advising on and implementing emergency measures. It has been recognized from the outset that the performance of these functions at the behest of governments could expose companies to antitrust and breach of contract risks under U.S. law. To facilitate U.S. company participation in the IEA, the Congress in 1975 enacted section 252 of the EPCA, which authorized the development of voluntary agreements and plans of action to implement the allocation and information provisions of the IEP, and makes available a limited antitrust defense and breach of contract defense with respect to actions taken to develop or carry out voluntary agreements and plans of action. A "Voluntary Agreement and Plan of Action to Implement the International Energy Program" was agreed to in 1976 by a

number of U.S. oil companies.<sup>2</sup> See 41 FR 13998 (April 1, 1976) and 2 CCH Federal Energy Guidelines, para. 15,845. In 1988, the Attorney General amended the Voluntary Agreement to incorporate a "Second Plan of Action to Implement the International Energy Program," which describes actions the participating U.S. companies may take during implementation of the IEA's emergency international oil sharing system.

The recently-enacted amendments to EPCA section 252, when implemented by amendments to the Voluntary Agreement, will ensure full protection against antitrust risk for U.S. companies when they assist the IEA in developing, testing, and implementing coordinated drawdown of government-owned and government-controlled petroleum stocks.

In accordance with Section 9(a) of the Voluntary Agreement, on July 7, 1998, the Department of Energy submitted to the Assistant Attorney General of the Antitrust Division for his approval, and to the Federal Trade Commission and the Assistant Secretary of State for Economic and Business Affairs for their comments, proposed amendments to the Voluntary Agreement to implement the changes to EPCA section 252 enacted by Public Law 105-177. The text of these implementing amendments is set forth in Appendix 1.

DOE has received from the Department of Justice notice of the latter's approval, pursuant to its authority under section 252(d)(1) of the EPCA and section 11(b) of the Voluntary Agreement, of these implementing amendments. Prior consultation with the Federal Trade Commission and the Department of State concerning these amendments also has taken place, as required by section 252(d)(1) of the EPCA. The Department of Justice's letter authorizes DOE, on behalf of the Justice Department, to give notice to the Voluntary Agreement participants, as required by section 11(b) of the Voluntary Agreement, that the Department of Justice intends to adopt the implementing amendments to the Voluntary Agreement effective 20 days after the date of this **Federal Register** notice. Therefore, this **Federal Register** notice constitutes the notice to Voluntary Agreement participants

<sup>2</sup> At the present time, the following companies, which have agreed to be IEA Reporting Companies, are participants in the Voluntary Agreement: Amoco Corporation, Ashland Petroleum Company, ARCO Oil and Gas Company, Caltex Petroleum Corporation, Chevron Corporation, Conoco Inc., Exxon Corporation, Mobil Oil Corporation, Phillips Petroleum Company, Shell Oil Company, and Texaco Inc.

which the Department of Justice is required to provide pursuant to section 11(b) of the Voluntary Agreement. The correspondence among the Departments of Energy, Justice and State and the Federal Trade Commission concerning these amendments is contained in Appendix 2.

Issued in Washington, D.C. July 29, 1998.

Mary Anne Sullivan,  
General Counsel

#### **Appendix 1—Amendments to the Voluntary Agreement and Plan of Action to Implement the International Energy Program**

The Department of Justice intends to amend the Voluntary Agreement and Plan of Action to Implement the International Energy Program effective 20 days after publication of this notice. The Voluntary Agreement as intended to be amended is set out below, with new language in *italics* and text to be removed in brackets.

##### *Voluntary Agreement and Plan of Action to Implement the International Energy Program*

##### **1. Need for an Agreement**

The oil embargo of 1973 and the marked increase in world oil prices which occurred almost simultaneously severely disrupted the economies of most importing nations and strained their political, strategic, and economic relationships. Inadequate cooperation among the industrialized countries resulted in unilateral efforts on the part of many to obtain supplies of oil. The United States Government and certain other members of the Organization for Economic Cooperation and Development (OECD), based on the need demonstrated by that experience, have undertaken to achieve a coordinated approach to decrease their dependence on foreign oil, and to reduce the strategic and economic vulnerability which such dependence can cause. The United States Government and such other governments have decided that their best interests lie in taking steps, such as developing *plans for coordinated drawdown of strategic petroleum stocks and international oil allocation* [an effective international oil allocation plan], to minimize the effects of a supply interruption and to assure that the exigencies of extreme shortage do not unduly disrupt national economics or the world petroleum market.

In this connection, the President of the United States determined that, with respect to this country's national security and defense programs and the related programs of certain other

members of the OECD, should any substantial reduction in world petroleum supplies occur, it would directly impair United States defense mobilization efforts. In addition, failure to *respond promptly to substantial international oil supply reductions, either by augmenting supplies through coordinated drawdown of strategic petroleum stocks and complementary actions or allocating* [ensure that the] remaining supplies [were allocated] rationally and fairly among the major consuming nations, would have an adverse impact on U.S. national security and defense mobilization efforts. In view of the foregoing, the President has determined that the United States must be prepared to cooperate with other nations in *developing and implementing effective measures for coordinated drawdown of strategic petroleum stocks and complementary actions and when necessary* the distribution of available supplies on a rational and equitable basis, [in order to utilize them with maximum efficiency during any future supply interruption], thus minimizing the impact of any interruption on the economy and security of the United States.

As part of a policy to reduce their dependence on foreign oil and to obtain the greatest utility of supplies during an oil emergency, the United States and certain other OECD members have signed an Agreement on an International Energy Program (IEP), pursuant to which an International Energy Agency (IEA) has been established as an autonomous institution within the OECD. The effective functioning of the IEP is a vital element in United States international energy policy and thus an important factor in our overall foreign policy.

Consultations and cooperation with the IEA by certain oil companies are essential to the effective implementation of the *IEA's international emergency response provisions* [allocation and information provisions of the IEP] and, in particular, to the development and testing of the information system and to the development of plans and programs for *implementation of these response provisions* [the international allocation of oil] in times of emergency, to testing systems developed for such *response provisions* [international allocation] and, in emergencies, to actual implementation of such plans, programs and systems.

In this connection, the President of the United States, in 1975, requested a number of United States oil companies to enter into a Voluntary Agreement and Program Relating to the International Energy Program, pursuant Section 708

of the Defense Production Act of 1950. In compliance with President's request, certain companies entered into that Voluntary Agreement and Program, which was published in the **Federal Register** on April 8, 1975, Fed. Reg. 1601.

Effective 90 days after its enactment, the Energy Policy and Conservation Act (EPCA) prohibits utilization of the authority contained in Section 708 of the Defense Production Act for any Voluntary Agreement to implement the International Energy Program. Section 252 of the EPCA provides specifically for Voluntary Agreements and plans of action to implement the *IEA's international emergency response provisions* [allocation and information provisions of the IEP] and provides that, effective 90 days after enactment, the procedures provided in Section 252 shall be the sole procedures applicable to such Voluntary Agreements and plans of action. Therefore, the existing Voluntary Agreement and Program Relating to the International Energy Program will cease to be effective on March 21, 1976.

## 2. What This Agreement Does

This is a voluntary agreement and plan of action under section 252 of Energy Policy and Conservation Act, 89 Stat. 871. Section 252 provides that participants in voluntary agreements shall have as a defense to any civil criminal action brought under the antitrust laws or any similar state law that challenged actions were taken in the course of developing or carrying out a voluntary agreement or plan of action in compliance with the requirements of section 252 and rules promulgated thereunder. It is contemplated that this defense will be available to all parties, including eligible affiliates, who are participants under section 9 of this Voluntary Agreement and Plan of Action (hereinafter called "this Agreement"). This Agreement contemplates that actions taken by the participants in order to implement the objectives of the IEP will include (i) the membership of participants in standing groups, working parties, advisory bodies or other bodies created by the IEA or the U.S. Government for the purpose of implementing the *IEA's international emergency response provisions* [allocation and information provisions of the IEP], (ii) consultations, planning, and individual and joint actions which participants may take to implement the *IEA's international emergency response provisions* [international allocation of petroleum pursuant to the IEP], and (iii) the furnishing by participants of data and information, and consultations and

planning in respect thereof, in accordance with the *IEA's international emergency response provisions* [allocation and information provisions of the IEP], all as included within the scope of Sections 5 and 6 of this Agreement. This Agreement does not contemplate acts which affect the production, refining, transportation, or the marketing of petroleum within the United States except such acts which are reasonably in accordance with the provisions of the IEP or plans of action approved pursuant to section 6 of this Agreement.

## 3. Definitions for Purposes of This Agreement

(a) "Oil Companies" means international companies, national companies, integrated and non-integrated companies, and other entities which play a significant role in the business of producing, transporting, refining, distributing or storing petroleum.

(b) "Administrator" means the *Secretary of the United States Department of Energy* [Administrator of the Federal Energy Administration].

(c) "Petroleum" means "petroleum product" as defined in section 3 of the EPCA, including to that extent:

- (1) Crude oil
- (2) Natural gas liquids and other liquids produced in association with crude oil or natural gas.
- (3) Refined petroleum products, including but not limited to gasoline, kerosene, distillates, residual fuel oil, refined lubricating oil, and liquefied petroleum gases, and
- (4) Blending agents and additives used in conjunction with crude oil and refined petroleum products.

(d) "United States" when used in the geographical sense means all of the several states, the District of Columbia, Puerto Rico, the territories and possessions of the United States, and the Outer Continental Shelf (as defined in section 2 of the Outer Continental Shelf Lands Act).

(e) "International Energy Agency" (IEA) means the International Energy Agency established by the International Energy Program.

(f) "International Energy Program" (IEP) means the Agreement on an International Energy Program, signed by the United States on November 18 1974, including (i) the annex entitled "Emergency Reserves", (ii) any amendment to such Agreement which includes another nation as party to such Agreement, and (iii) any technical or clerical amendment to such Agreement.

(g) "Antitrust laws" includes'

(1) the Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies", approved July 2, 1890 (15 U.S.C. 1, *et seq.*);

(2) the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (15 U.S.C. 12, *et seq.*);

(3) the Federal Trade Commission Act (15 U.S.C. 41, *et seq.*);

(4) sections 73 and 74 of the Act entitled "An Act to reduce taxation, to provide revenue for the Government, and for other purposes", approved August 27, 1894 (15 U.S.C. 8 and 9); and

(5) the Act of June 19, 1936, chapter 592 (15 U.S.C. 13, 13a, 13b, and 21A).

(h) "International energy supply emergency" means any period (A) beginning on any date which the President determines allocation of petroleum products to nations participating in the International Energy Program is required by chapters III and IV of such program, and (B) ending on a date on which he determines that all such allocation is no longer required.

[(i) "Allocation and information provisions of the International Energy Program" means the provisions of the International Energy Program which relate to international allocation of petroleum products and to the information system provided in such program.]

(i) "IEA's international emergency response provisions" means

(1) the provisions of the International Energy Program which relate to international allocation of petroleum products and to the information system provided in the Program, and

(2) the emergency response measures adopted by the Governing Board of the International Energy Agency (including the July 11, 1984, decision by the Governing Board on "Stocks and Supply Disruptions") for —

(i) the coordinated drawdown of stocks of petroleum products held or controlled by governments; and

(ii) complementary actions taken by governments during an existing or impending international oil supply disruption.

#### 4. International Energy Program

This Agreement facilitates implementation of the IEA's international emergency response provisions [allocation and information provisions of the International Energy Program].

It is understood that the U.S. Government does not view this Agreement as in any way affecting the rights and obligations of the United States as a party to the IEP.

#### 5. Meetings and Consultation

(a) Upon the invitation of the IEA and with the approval of the Administrator and the Attorney General, any participant herein may accept membership in any advisory body, working party, or other group created by the IEA, and any subgroup thereof, including but not limited to the Industry Advisory Board, the Reporting Company Group, the Industry Working Party to the Standing Group on the Oil Market, the Industry Supply Advisory Group (hereinafter called ISAG), and subcommittees and other *ad hoc* groups. The Administrator shall give notice to the Federal Trade Commission of each participant's membership in any group pursuant to this section. Approval of membership in any advisory body, working party, or other group created by the IEA, shall be deemed to constitute approval of membership in any subgroup thereof, provided that the participant provides written notice to the Administrator, the Attorney General, and the Federal Trade Commission ten days prior to accepting such membership and provided that membership in such subgroup may be disapproved prospectively at any time by the Administrator or the Attorney General upon written notice to the participant. In addition, subject to the approval of the Attorney General, any participant to this Agreement may accept membership in any advisory body, working party or other group established by the Administrator or the Secretary of State with respect to the IEA [IEP] provided that any such group shall be chaired by a full time federal employee who shall control the agendas for all meetings of such group.

(b)(i) Each participant to this Agreement may as a member of a group, or subgroup thereof, established as provided in subsection 5(a) advise and consult with the IEA or the U.S. Government or with other persons or entities, at meetings held in accordance with subsection 5(c), *in order to develop, test or implement any of the IEA's international emergency response provisions, including pursuant to a plan of action approved pursuant to Section 6* [or, as necessary, during an IEA allocation systems test, with respect to the allocation and information provisions of the IEP, including the development and recommendation to the IEA of emergency measures and programs and plans subsidiary thereto, to be implemented pursuant to section 6]. To further develop a subject discussed at *such* a meeting held in accordance with subsection 5(c), participants may exchange with other

members of a group, or subgroup thereof, written drafts or comments thereon, in order to develop material to be considered at subsequent meetings. *In order to develop, test or implement any of the IEA's international emergency response provisions, including pursuant to a plan of action approved pursuant to Section 6, each participant may also furnish and exchange information and data, including confidential and proprietary information and data, [in order to implement a plan of action approved pursuant to section 6 or an IEA allocation systems test,] and may also furnish data and information, including confidential and proprietary information and data, to the IEA, or any groups created by the IEA, or any subgroups thereof, [in order to implement the allocation and information provisions of the IEP] ; provided that confidential or proprietary information and data may be exchanged among the participants, and with other persons and entities or provided by the participants to the IEA, only in accordance with the procedures set out in subsections 5(b)(2) and (3) below. Any written confidential or proprietary information or data furnished or exchanged pursuant to this section shall be retained by the participant furnishing such data and provided upon request to the Administrator, the Attorney General and the Federal Trade Commission.*

(2) [In order to implement this Agreement or plans of action approved pursuant to Section 6, and] Except as provided in subsection 5(b)(3), confidential or proprietary information or data may be exchanged with, or provided to participants, the IEA, or other persons or entities, only if the Administrator, after consultation with the Secretary of State, and with the concurrence of the Attorney General after consultation with the Federal Trade Commission, has approved in writing the exchange or provision of such types of information or data. Confidential or proprietary information or data provided or exchanged pursuant to this subsection shall be aggregated or otherwise compiled by the Administrator or the IEA to prevent, to the extent possible, the identification of individual company data or information before being disclosed to or exchanged with the participants or any other person or entity unless the Administrator, after consultation with the Secretary of State and with the concurrence of the Attorney General, has determined that such exchange or disclosure is necessary *in order to*

develop, test or implement any of the IEA's international emergency response provisions, including pursuant to a plan of action approved pursuant to Section 6 [to develop, prepare, or test emergency allocation measures].

(3) Upon notification by the Administrator to the participants of an international energy supply emergency as provided in subsection 6(a)(1), the participants may, in addition to information provided pursuant to the procedures in subsection 5(b)(2), provide to the IEA and to each other and to persons or entities as may be designated by the IEA or the Administrator (which designation may be by class), such types of confidential or proprietary information as are reasonably required to implement this Agreement and plans of action approved pursuant to section 6, and participants may consult with and advise the IEA, among themselves and with such other persons and entities concerning such information and data. The participants shall notify the Administrator, the Attorney General, and the Federal Trade Commission of the types of information and data exchanged or provided pursuant to this subsection and shall at the request of the Administrator, the Attorney General, or the Federal Trade Commission, provide such information to them. The Administrator, after consultation with the Secretary of State, the Attorney General, and the Federal Trade Commission, may at any time prospectively prescribe terms and conditions for the continued exchange or provision of information or data pursuant to this subsection 5(b)(3).

(4) No employee or representative of a participant will supply to his company any confidential or proprietary information about any other oil company obtained as a consequence of his membership in the ISAG, except such data necessary to be supplied in the course of carrying out ISAG's allocation procedures pursuant to an emergency allocation plan of action approved under section 6 or in an IEA allocation systems test, or such other procedures as may have been approved by the Administrator and by the Attorney General after consultation with the Federal Trade Commission.

(c)(1) Any meetings pursuant to this Agreement shall be open to a representative of the Administrator, the Secretary of State, the Attorney General, and the Federal Trade Commission severally, to any United States Government employee designated by the Administrator, and to any other person as may be provided by law. The presence of a fulltime federal employee shall be essential to the conduct of a

meeting. The Administrator or his designee shall keep a full and complete record, and where practicable a verbatim transcript of the meeting. Such record or transcript shall be deposited promptly with the Administrator and shall be available to the Attorney General, the Federal Trade Commission, and the Secretary of State.

(2) Prior to notification by the Administrator to the participants of an international energy supply emergency as provided in subsection 6(a)(1), notice of all meetings pursuant to this subsection 5(c), including time, place, expected participants and agenda, shall be provided by or on behalf of participants attending such meeting at least 14 calendar days in advance to the Administrator, unless emergency circumstances, IEA or IEP requirements, or other unanticipated circumstances require shorter notice and such shorter notice is approved by the Administrator. In order that full-time federal employees may be in attendance to monitor any subgroups, such notice shall if relevant, indicate the number of simultaneously meeting subgroups into which the participants intend to divide.

(3) Subsequent to notification by the Administrator to the participants of an international energy supply emergency as provided in subsection 6(a)(1), the provisions of subsection 5(c)(2) shall be complied with to the extent practicable, provided, however, that, where time does not permit compliance with the notice provisions of such subsection, any group may have meetings so long as actual notice is given to the Administrator of such meeting by telephone or other appropriate means. For any such emergency meeting the participants shall provide in writing as soon as practicable to the Administrator, the Attorney General, and the Federal Trade Commission, the time, place participants or expected participants, and agenda.

(4) During an international energy supply emergency, or an emergency or impending emergency as to which the Governing Board of the International Energy Agency determines to implement emergency measures described in section 3(i)(2), or a test of the IEA's international emergency response provisions [allocation systems test], any meeting of the ISAG [Industry Supply Advisory Group] (or other group with similar functions) at which representatives or employees of participants are present shall be considered a meeting subject to the provisions of this section, provided that the ISAG once convened may be considered to be in continuous session

for that emergency or test without further notice.

(d) All approvals granted to participants by the Administrator and the Attorney General pursuant to subsections 5(a) and 5(b)(1) of the Voluntary Agreement and Program Relating to the International Energy Program, which approvals are set out in Appendix A, shall be deemed to remain in effect for the purposes of subsections 5(a) and 5(b)(2) of this Agreement, provided that the persons who received such approvals become participants in this Agreement within 45 days of its effective date. Such approvals shall extend to subsidiaries and affiliated entities to the extent that such subsidiaries and affiliated entities are covered by this Agreement pursuant to subsection 9(b)(3).

## 6. Emergency Allocation

(a)(1) Upon a determination by the President that an international energy supply emergency exists, the Administrator shall notify the participants to this Agreement. Thereafter, any participant acting alone, with other participants, or with other persons or entities, may take such actions as may be necessary or appropriate to implement emergency allocation programs of the IEA, subject to the terms and conditions of this Agreement and plans of action approved pursuant to this section. Such actions may include, among others, one or more of the following:

(A) Arrangements between or among the participants, or with other persons and entities, for the most effective use, without regard to ownership, of terminal and storage facilities, tankers, pipeline capacities, and other transportation facilities so as to minimize duplications, multiple loadings and discharging, split cargoes, long hauling, cross hauling, and back hauling, and idle time in port.

(B) The carrying out of the Second Plan of Action to Implement the International Energy Program, which is set out in Appendix B.

(C) Alterations in the rate of production of petroleum. Such alterations may be accomplished by any one or more appropriate methods including the following: increasing or decreasing drilling for or production of oil; adjusting or establishing transportation facilities and crude throughput facilities, including adjustments in the throughput, quality specifications or yields or conversion of equipment now installed for the manufacture of any one particular petroleum product to the manufacture of another petroleum product; the

processing of selected crude oils or the exchange of components between various refineries; processing agreements; or exchange of refinery capacity.

(b) After a determination by the President that an international energy supply emergency no longer exists and publication thereof in the **Federal Register**, no further action shall be initiated pursuant to this section and action previously initiated shall be completed as promptly as possible, and not later than 90 days after notification, provided that upon specific application, the Administrator, with the concurrence of the Attorney General after consultation with the Federal Trade Commission, may approve extensions of such 90 day period.

(c)(1) Prior to notice of a determination by the President that an international energy supply emergency exists, plans of action may be developed elaborating and applying the allocation principles and measures established by the Governing Board of the IEA. Each such plan shall describe the types of substantive actions which may be taken under the plan and shall be as specific in its description of proposed substantive actions as is reasonable in light of [known] circumstances *known at the time of approval*. Plans of action may be modified from time to time and in particular may be made more detailed as planning continues. Any plan of action, or modification thereof, pursuant to this Agreement may not be carried out unless approved by the Administrator, and by the Attorney General after consultation with the Federal Trade Commission. Any plan of action or modification thereof shall be submitted in writing by the Administrator to the Attorney General and the Federal Trade Commission at least 20 days before being implemented, provided that during an international energy supply emergency, the Administrator, subject to the approval of the Attorney General, may reduce such 20-day period.

(2) The Attorney General, in consultation with the Administrator, the Federal Trade Commission, and the Secretary of State, or the Administrator with the approval of the Attorney General and in consultation with the Federal Trade Commission and the Secretary of State, may at any time review, amend, modify, disapprove, or revoke, in whole or in part, on his own motion or upon the request of another federal agency or interested person, any plan of action submitted to him for approval or already approved by him. The Administrator shall provide notice to the participants of any approval,

amendment, modification, disapproval, or revocation of any plan of action.

(3) Except as provided in subsection 5(b)(l), the joint development, joint formulation, or joint approval by the participants of any plans of action as described in this subsection 6(c) shall take place only at meetings of groups in which membership by the participants has been approved pursuant to section 5 and which are conducted in accordance with the provisions of that section.

(d) During an international energy supply emergency, any plans of action submitted to the Administrator and the Attorney General shall be deemed to have been approved if neither the Attorney General nor the Administrator has given notice of disapproval to the participants on or before the expiration of a 20-day[s] period after receipt of the plan by the Attorney General and the Federal Trade Commission, provided that the Administrator, with the approval of the Attorney General, may reduce such 20-day period.

(e)(1) During an international energy supply emergency, any participant may initiate individual, joint, or agreed action in implementation of this Agreement or plans of action approved pursuant to this section. Except where an approved plan of action contains other provisions for recordkeeping and reporting to the U.S. Government with respect to actions taken to carry out the plan of action, each participant taking any joint or agreed action or agreeing to take any action pursuant to this subsection shall notify the Administrator and the Attorney General within 72 hours, or longer period as may be determined by the Administrator, after the end of the week in which such action is taken or agreed upon.

(2) Such notification shall identify how such action is in implementation of approved plans of action, the companies involved in such action, the quantities of petroleum involved, and such other detail as the Administrator may require. It shall also identify a responsible person or persons who shall be prepared to answer inquiries by the Administrator or the Attorney General concerning the action agreed upon or taken.

(3) The Administrator or the Attorney General may disapprove such action or such agreement after receipt of notice of the action or agreement if, after consultation with the Secretary of State, he determines that such action or agreement is not in implementation of plans of action previously approved by the Administrator and the Attorney General.

(4) With respect to any action taken prior to notice of disapproval by the Administrator or the Attorney General, a defense to any civil or criminal action brought under the antitrust laws (or any similar State law) shall be available in accordance with section 252(f) of the EPCA.

(5) Where action has been disapproved and appropriate corrective action has not been taken, the Administrator may, after consultation with the Attorney General, the Federal Trade Commission, and the Secretary of State, require the withdrawal of the participant from the Agreement or from any plan of action approved under this Agreement. Such withdrawal shall not affect any power of the Administrator to otherwise compel corrective action.

#### 7. Agreement of Participants

The participants severally agree that they shall endeavor in good faith to take such measures as may be necessary or appropriate, taking into account such limitations as may be imposed by circumstances such as lack of petroleum resources or facilities, governmental restrictions or requirements, and economic or other detriment, to develop and implement plans of action contemplated by this Agreement.

The failure of the Administrator, other government official, or the IEA to take any action required of them by this Agreement or any plans of action approved pursuant to this Agreement shall not affect the availability of the antitrust defense provided for actions taken in accordance with this agreement and plans of action approved pursuant to this Agreement.

#### 8. Records

Participants shall keep whatever records are required by section 252 of the EPCA and regulation issued pursuant thereto. In any event, each participant shall maintain, for a period of five years, full and complete records of all its actions related to this Agreement including but not limited to (i) all intracorporate documents related to any meeting held pursuant to Section 5 or any action proposed or carried out pursuant to Section 6 of this Agreement and (ii) any specific records and indices which the Administrator, the Attorney General, or the Federal Trade Commission may require. All such records shall be made available promptly upon written request to the Administrator, the Attorney General, or the Federal Trade Commission. Each participant shall also make such reports with respect to any action related to this Agreement as may be reasonably required by the Administrator, the

Attorney General, or the Federal Trade Commission.

#### 9. Approval of Agreement and Procedure for Becoming a Participant

(a) This Agreement or any amendment or modification may not be carried out unless approved by the Attorney General, after consultation with the Federal Trade Commission, in accordance with the EPCA. The Administrator shall submit to the Attorney General and the Federal Trade Commission the proposed agreement or any amendment or modification, in writing at least 20 days prior to implementation, provided that during an international energy supply emergency, the Administrator, subject to the approval of the Attorney General, may reduce such 20 day period. Upon the Attorney General's approval, the Agreement or any amendment or modification shall be published in the **Federal Register**.

(b)(1) At the time this Agreement is submitted to the Attorney General for approval or subsequently, the Administrator shall submit to the Attorney General the name of any oil company whose participation in the Agreement he has determined to be appropriate in light of the purposes of this Agreement. If the Attorney General, after consultation with the Federal Trade Commission, approves the company's participation, the Administrator may request such company in writing to participate. An oil company shall become a participant in the Agreement by advising the Administrator, in writing, of its acceptance of the Administrator's request. The Administrator shall notify the Attorney General and the Federal Trade Commission of such acceptances. Notice of such requests and their acceptance shall be published in the **Federal Register**. Such requests and their acceptance shall be effective for the purpose of making available the antitrust defense provided pursuant to this Agreement only with respect to such actions by such companies as are within the scope of sections 5 and 6 of this Agreement.

(2) Any oil company which desires to become a participant may ask that it be so requested. If the Administrator determines that its participation is appropriate in light of the purposes of this Agreement, he shall, subject to the approval of the Attorney General after consultation with the Federal Trade Commission, request that such company participate in accordance with the procedures set forth in paragraph (1) of this subsection.

(3) Approval of any oil company's participation in this Agreement shall extend to actions of other companies which (i) are more than 50% owned, directly or indirectly, by the company to which approval is granted, (ii) own, directly or indirectly, more than 50% of the company to which approval is granted, or (iii) are more than 50% owned, directly or indirectly, by a person described in (ii), provided that the company to which approval is granted notifies the Administrator and the Attorney General of each affiliate to be covered by this subsection, including the reasons for its inclusion and the nature of the company's ownership; and provided that neither the Administrator nor the Attorney General notifies the participant that he disapproves the coverage of such affiliate by this subsection.

#### 10. Notices

Where notice under this Agreement is required to be furnished by a participant to the Administrator, the Attorney General, the Federal Trade Commission or the Secretary of State, such notice shall be directed to the following persons, or to such other persons as the Administrator, the Attorney General, the Federal Trade Commission, or the Secretary of State may designate:

(a) Administrator: The *Secretary* [Administrator], *U.S. Department of Energy* [Federal Energy Administration], Washington, D.C. 20585 [20461].

(b) Attorney General: Assistant Attorney General, Antitrust Division, Washington, D.C. 20530. ATTN: Chief, Transportation, Energy and Agriculture [Public Counsel and Legislative] Section.

(c) Federal Trade Commission: Secretary, Federal Trade Commission, Washington, D.C. 20580., ATTN: Director, Bureau of Competition.

(d) Secretary of State: Assistant Secretary of State for Economic and Business Affairs, Department of State, Washington, D.C. 20520.

#### 11. Effective Date and Duration

(a) This Agreement or any amendment or modification shall become effective upon the date of its approval by the Attorney General as provided in subsection 252(d) of the EPCA. Unless revoked or disapproved by the Attorney General pursuant to section 252(d), it shall be effective whenever authorized by section 252 of the EPCA, or any other legislation.

(b) The Attorney General, in consultation with the Federal Trade Commission, the Secretary of State, and the Administrator, may review, amend, modify, or revoke this Agreement, on

his own motion or upon the request of a federal agency or interested person, at any time, and, if revoked, thereby terminate prospectively the availability of any immunity to the antitrust laws (or similar state laws) which may be provided by compliance with this Agreement. Except as he may otherwise determine, the Attorney General shall provide at least 20 days notice to the Administrator, the Federal Trade Commission, the Secretary of State, and the participants of any intention to amend, modify, or revoke this Agreement.

#### 12. Withdrawal From Agreement

(a) Any participant may withdraw from this Agreement upon at least 30 calendar days notice to the Administrator subject to the fulfillment of obligations incurred under this Agreement prior to the date of such notice, except that when emergency measures have been undertaken in accordance with section 6 of the Agreement or the Administrator determines that such measures may be immediately required, the Administrator may postpone the effective date of withdrawal for up to 60 calendar days.

(b) The Administrator, after consultation with the Attorney General, the Federal Trade Commission, and the Secretary of State, may by giving not less than 10 calendar days written notice to any participant require the withdrawal of that participant from this Agreement or any plan of action approved pursuant to this Agreement.

#### **Appendix 2—Correspondence Concerning Approval of the Amendments to the Voluntary Agreement and Plan of Action to Implement the International Energy Program**

(1) Letter of the General Counsel of the Department of Energy to the Assistant Attorney General of the Antitrust Division, dated July 7, 1998:

In accordance with section 252(d) of the Energy Policy and Conservation Act (EPCA) and section 9(a) of the "Voluntary Agreement and Plan of Action to Implement the International Energy Program," I herewith submit for your approval proposed amendments to the Voluntary Agreement.

The proposed amendments to the Voluntary Agreement implement changes recently enacted by Public Law 105-177 to section 252 of the EPCA. The Administration sought the changes to section 252 to conform the legal authority for U.S. oil company participation in International Energy Agency (IEA) emergency preparedness



activities to current U.S. and IEA emergency response policy for oil supply disruptions. As amended by Public Law 105-177, the antitrust defense in section 252 now extends to participating oil companies when they assist the IEA in planning for and implementing coordinated drawdown of government-owned or government-controlled petroleum stocks, a policy the U.S. successfully urged upon its IEA partners. The enclosed amendments were developed through consultations among the staffs of the Department of Energy, the Department of Justice, the Department of State, the Federal Trade Commission, and representatives of the Secretariat of the IEA and counsel to a number of U.S. oil companies participating in the Voluntary Agreement.

Upon your approval, we will provide notice to the Voluntary Agreement participants of an intention to adopt the proposed amendments to the Voluntary Agreement, as required by section 11(b) of the Voluntary Agreement. We request that you adopt the amendments, pursuant to your authority under section 252(d)(1) of the EPCA, twenty days after our provision of such notice to the participating companies.

The Chairman of the IEA's Industry Advisory Board (IAB) has advised the Department that at the request of the IEA he has scheduled an IAB meeting for September 11, 1998, to consider, among other subjects, issues related to the design of the IEA's fall test of its procedures for coordinated drawdown of strategic petroleum stocks. To accommodate the IAB and the IEA, we must adopt the proposed amendments by the first week of September.

cc: The Honorable Robert Pitofsky, Chairman, Federal Trade Commission  
Ambassador Alan Larson, Assistant Secretary of State for Economic and Business Affairs  
Roger W. Fones, Chief, Transportation, Energy and Agriculture Section, Antitrust Division.

(2) Letter of the General Counsel of the Department of Energy to the Assistant Secretary of State for Economic and Business Affairs, dated July 7, 1998:

I am writing to request your comments on the enclosed proposed amendments to the "Voluntary Agreement and Plan of Action to Implement the International Energy Program." Simultaneously, I am forwarding this document to the Assistant Attorney General of the Antitrust Division for his approval; a copy of my letter to him is enclosed.

The proposed amendments to the Voluntary Agreement implement changes recently enacted by Public Law 105-177 to

section 252 of the Energy Policy and Conservation Act (EPCA). The Administration sought the changes to section 252 to conform the legal authority for U.S. oil company participation in International Energy Agency (IEA) emergency preparedness activities to current U.S. and IEA emergency response policy for oil supply disruptions. As amended by Public Law 105-177, the antitrust defense in section 252 now extends to participating oil companies when they assist the IEA in planning for and implementing coordinated drawdown of government-owned or government-controlled petroleum stocks, a policy the U.S. successfully urged upon its IEA partners. The enclosed amendments were developed through consultations among staffs of the Department of Energy, the Department of Justice, the Department of State, the Federal Trade Commission, and representatives of the Secretariat of the IEA and counsel to a number of the U.S. oil companies participating in the Voluntary Agreement.

Subject to the approval of the Assistant Attorney General of the Antitrust Division, we will provide notice to the Voluntary Agreement participants of an intention to adopt the proposed amendment to the Voluntary Agreement, as required by section 11(b) of the Voluntary Agreement. Thereafter, in accordance with section 252(d) of the EPCA and section 11(b) of the Voluntary Agreement, the Voluntary Agreement would be formally amended.

The Chairman of the IEA's Industry Advisory Board (IAB) has advised the Department that at the request of the IEA he has scheduled an IAB meeting for September 11, 1998, to consider, among other subjects, issues related to the design of the IEA's fall test of its procedures for coordinated drawdown of strategic petroleum stocks. To accommodate the IAB and the IEA, we must adopt the proposed amendments by the first week of September.

It would be appreciated if you would address any comments you may wish to make with respect to the proposed amendments to the Voluntary Agreement both to the Assistant Attorney General of the Antitrust Division and to me.

cc: The Honorable Joel I. Klein, Assistant Attorney General, Antitrust Division  
The Honorable Robert Pitofsky, Chairman, Federal Trade Commission.

(3) Letter of the General Counsel of the Department of Energy to the Chairman of the Federal Trade Commission, dated July 7, 1998:

In accordance with section 252(d) of the Energy Policy and Conservation Act (EPCA) and section 9(a) of the "Voluntary Agreement and Plan of Action to Implement the International Energy Program," I herewith submit for your comments proposed amendments to the Voluntary Agreement. Simultaneously, I am forwarding this document to the Assistant Attorney General of the Antitrust Division for his approval; a copy of my letter to him is enclosed.

The proposed amendments to the Voluntary Agreement implement changes recently enacted by Public Law 105-177 to section 252 of the EPCA. The Administration

sought the changes to section 252 to conform the legal authority for U.S. oil company participation in International Energy Agency (IEA) emergency preparedness activities to current U.S. and IEA emergency response policy for oil supply disruptions. As amended by Public Law 105-177, the antitrust defense in section 252 now extends to participating oil companies when they assist the IEA in planning for and implementing coordinated drawdown of government-owned or government-controlled petroleum stocks, a policy the U.S. successfully urged upon its IEA partners. The enclosed amendments were developed through consultations among the staffs of the Department of Energy, the Department of Justice, the Department of State, the Federal Trade Commission, and representatives of the Secretariat of the IEA and counsel to a number of U.S. oil companies participating in the Voluntary Agreement.

Subject to the approval of the Assistant Attorney General of the Antitrust Division, we will provide notice to the Voluntary Agreement participants of an intention to adopt the proposed amendments to the Voluntary Agreement, as required by section 11(b) of the Voluntary Agreement. Thereafter, in accordance with section 252(d) of the EPCA and section 11(b) of the Voluntary Agreement, the Voluntary Agreement would be formally amended.

The Chairman of the IEA's Industry Advisory Board (IAB) has advised the Department that at the request of the IEA he has scheduled an IAB meeting for September 11, 1998, to consider, among other subjects, issues related to the design of the IEA's fall test of its procedures for coordinated drawdown of strategic petroleum stocks. To accommodate the IAB and the IEA, the Department of Justice must adopt the proposed amendments by the first week of September.

It would be appreciated if you would address any comments you may wish to make with respect to the proposed amendments to the Voluntary Agreement both to the Assistant Attorney General of the Antitrust Division and to me.

cc: The Honorable Joel I. Klein, Assistant Attorney General of the Antitrust Division  
Ambassador Alan Larson, Assistant Secretary of State for Economic and Business Affairs

(4) Letter of the Acting Assistant Attorney General of the Antitrust Division to the General Counsel of the Department of Energy, dated July 27, 1998:

This letter is in response to your letter of July 7, 1998 by which you seek approval from the Department of Justice ("Department") of proposed amendments to the "Voluntary Agreement and Plan of Action to Implement the International Energy Program" ("Voluntary Agreement"). The proposed amendments implement changes recently enacted to Section 252 of the Energy Policy and Conservation Act ("EPCA") to extend the antitrust defense to cover advice given by U.S. oil companies to the International Energy Agency ("IEA") on the coordinated drawdown of government-owned or government-controlled oil stocks.



Section 252(d) of EPCA and section 9(a) of the Voluntary Agreement require the Department's approval before the proposed amendments can be adopted. Those sections preclude the Department from approving the amendments until it receives the advice of the Federal Trade Commission. On July 21, 1998, the Federal Trade Commission informed the Department that it had no objection to the Department's approval of the proposed amendments.

As you note in your letter, the Department participated in the development of the proposed amendments. Our role has been to ensure that the Voluntary Agreement cannot be used by participating oil companies to collude on prices. The Voluntary Agreement and the proposed amendments provide the necessary assurances to permit the Voluntary Agreement participants to proceed with planned meetings and begin assisting the IEA in the development of a coordinated drawdown plan. The Department hereby approves the proposed amendments. Division staff will participate with the FTC in the development of additional amendments, as needed.

The Department will not adopt the proposed amendments until twenty days after you publish a notice of our intention to adopt them. This procedure is in accordance with Section 11(b) of the Voluntary Agreement.

(5) Letter of the Chairman, Federal Trade Commission, to the Assistant Attorney General of the Antitrust Division, dated July 21, 1998:

The Department of Energy recently requested that you approve the attached amendments to the Voluntary Agreement and Plan of Action to Implement the International Energy Program ("Voluntary Agreement"). The Voluntary Agreement requires that the Commission consult with you before your approval.

The proposed amendments to the Voluntary Agreement implement changes recently enacted by Public Law 105-177 to Section 252 of the Energy Policy and Conservation Act. The Administration sought the changes to Section 252 to enable U.S. oil companies to advise the International Energy Agency ("IEA") on the coordinated drawdown of government-owned or government-controlled oil stocks.

The Commission has no objection to your approving the proposed amendments. We note, however, that the proposed amendments do not contain details of how U.S. oil companies will interact with each other and with the IEA in fulfilling the goal of the recently amended legislation. Our staff has informed us that these details will be developed during industry meetings this fall and will be incorporated in future amendments to the Voluntary Agreement.

By direction of the Commission.

(6) Letter of the Acting Assistant Secretary of State for Economic and Business Affairs to the General Counsel of the Department of Energy, dated July 24, 1998:

I am responding to your July 7 letter requesting comments on proposed

amendments to the "Voluntary Agreement and Plan of Action to Implement the International Energy Program."

The Department of State supports the proposed amendments to the Voluntary Agreement. We believe the amendments to implement the recently enacted changes to the Energy Policy and Conservation Act should facilitate U.S. oil company participation in the International Energy Agency's oil crisis emergency response activities. Thank you for the opportunity to review the proposed amendments.

cc: The Honorable Joel I. Klein, Assistant Attorney General of the Antitrust Division.  
The Honorable Robert Pitofsky, Chairman,  
Federal Trade Commission

[FR Doc. 98-20727 Filed 8-3-98; 8:45 am]

BILLING CODE 6450-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP98-355-002]

#### Chandeleur Pipe Line Company; Notice of Compliance Filing

July 29, 1998.

Take notice that on July 27, 1998, Chandeleur Pipe Line Company (Chandeleur) tendered for re-filing as part of its FERC Gas Tariff, Second Revised Volume No. 1, revised tariff sheets to be effective August 1, 1998.

Chandeleur states that Substitute Second Revised Sheet No. 43 is resubmitted to correct its length of term under the capacity release provision to 5 years, as accepted by the Commission May 7, 1997 on its First Revised Sheet No. 43 under General Terms and Conditions, Section 7.8.

Chandeleur states that Third Revised Sheet No. 69A is resubmitted to correct the sheet number, which was previously submitted in error, as First Revised Sheet No. 69A.

Chandeleur states that it is serving copies of the filing to its customers, State Commissions and interested parties.

Any person desiring to protest this filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426, in accordance with Section 385.211 of the Commission's Rules and Regulations. All such protests must be filed as provided in Section 154.210 of the Commission's Regulations. 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. Copies of this filing are on file with the Commission and are available for public

inspection in the Public Reference Room.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 98-20674 Filed 8-3-98; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP98-679-000]

#### Columbia Gas Transmission Corporation; Notice of Request Under Blanket Authorization

July 29, 1998.

Take notice that on July 21, 1998, Columbia Gas Transmission Corporation (Columbia), 12801 Fair Lakes Parkway, Fairfax, Virginia 22030-0146, filed in Docket No. CP98-679-000, a request pursuant to Section 157.205 and 157.211 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205 and 157.211) for authorization to construct a new delivery point to Columbia Gas of Virginia, Inc. (CGV), in Prince George County, Virginia, under Columbia's blanket certificate issued in Docket No. CP83-76-000, pursuant to 18 CFR Part 157, Subpart F of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Columbia requests authorization to construct and operate a new point of delivery for firm transportation service and will provide the service pursuant to Columbia's blanket certificate issued in Docket No. CP86-240-000 under existing rate schedules and within certificated entitlements.

Columbia states that the estimated quantities of natural gas to be delivered at the new delivery point would be 6,000 Dth per day and 2,190,000 Dth annually. Columbia indicates that CGV requested the new delivery point to serve Chaparral Steel, an industrial customer.

It is stated that the estimated cost to construct the new delivery point is \$45,800, and that CGV would reimburse Columbia 100% of the total actual cost of the proposed construction.

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) motion to intervene or notice of intervention and pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is