

11:15 a.m. Open time for public comments

12:15 p.m. Adjourn

A final agenda will be available at the meeting.

Public Participation. The meeting is open to the public. Written statements may be filed with the Committee either before or after the meeting. Members of the public who wish to make oral statements pertaining to agenda items should contact Dr. Gyuk at the address or telephone number listed above. Requests must be received five days prior to the meeting and reasonable provision will be made to include the presentation on the agenda. Depending on the number of requests, comments may be limited to five minutes. The Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business.

Transcript and Minutes. A transcript and minutes of this meeting will be available for public review and copying at the Freedom of Information Public Reading Room, 1E-190, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585, between 9:00 a.m. and 4:00 p.m., Monday through Friday, except Federal holidays. Copies of the minutes will also be available by request.

Issued at Washington, DC, on August 26, 1998.

Rachel M. Samuel,

Deputy Advisory Committee Management Officer.

[FR Doc. 98-23478 Filed 8-31-98; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

[FE Docket No. PP-190]

Application to Amend Presidential Permit Niagara Mohawk Power Corporation

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of application.

SUMMARY: Niagara Mohawk Power Corporation has applied to amend an existing Presidential permit which authorized construction of electric transmission facilities at the United States border with Canada in the vicinity of Buffalo, New York. The amendment is requested in order to upgrade the existing facilities.

DATES: Comments, protests, or requests to intervene must be submitted on or before October 1, 1998.

ADDRESSES: Comments, protests, or requests to intervene should be addressed as follows: Office of Coal &

Power Import and Export (FE-27), Office of Fossil Energy, U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585-0350.

FOR FURTHER INFORMATION CONTACT: Ellen Russell (Program Office) 202-586-9506 or Michael T. Skinker (Program Attorney) 202-586-6667.

SUPPLEMENTARY INFORMATION: The construction, connection, operation, and maintenance of facilities at the international border of the United States for the transmission of electric energy between the United States and a foreign country is prohibited in the absence of a Presidential permit issued pursuant to Executive Order (EO) 10485, as amended by EO 12038.

Niagara Mohawk Power Corporation (Niagara Mohawk), a generation and transmission-owning regulated public utility in New York State, owns several international electric transmission facilities that were authorized by Presidential permits issued by the Federal Power Commission (FPC).¹ Some of the cross-border facilities permitted to Niagara Mohawk in FPC Docket IT-6797 (FE Docket PP-31) include four, 3-phase, 38-kV, 25 Hz transmission lines at Buffalo—Ft. Erie.

On July 21, 1998, Niagara Mohawk filed an application with the Office of Fossil Energy (FE) of the Department of Energy (DOE) for amendment of the Presidential permit issued in FPC Docket No. IT-6797 in order to upgrade one of the four Buffalo-Ft. Erie 38-kV, 25 Hz lines (identified as Huntley-Linde line No. 46) to 115-kV, 60 Hz. When the upgrade is completed, the resulting 115-kV facilities will be maintained as an emergency interconnection with Canadian Niagara Power Company, Limited (CNP) and will be used to supply electric energy to CNP only when CNP loses its normal source of power from Ontario Hydro, the provincial electric utility of the Province of Ontario, Canada.

In order to accomplish the upgrade, Niagara Mohawk proposes to construct two underground concrete pipes (10-inch diameter, each) from Niagara Mohawk's existing "structure 13" near Dearborn Street and extending approximately 9,250 feet south along West Street to Terminal House B. Niagara Mohawk will then extend an existing 115-kV line (which originates at the Huntley substation and presently terminates at "structure 13") through one of the underground concrete pipes and connect this line to the existing 38-kV border crossing at Terminal House B.

¹ Authority to issue Presidential permits was transferred from the Federal Power Commission to the Department of Energy on October 1, 1977.

The physical change to the portion of the existing 38-kV line which crosses the border will be only reinsulation.

Since the restructuring of the electric power industry began, resulting in the introduction of different types of competitive entities into the marketplace, DOE has consistently expressed its policy that cross-border trade in electric energy should be subject to the same principles of comparable open access and non-discrimination that apply to transmission in interstate commerce. DOE has stated that policy in export authorizations granted to entities requesting authority to export over international transmission facilities. Specifically, DOE expects transmitting utilities owning border facilities constructed pursuant to Presidential permits to provide access across the border in accordance with the principles of comparable open access and non-discrimination contained in the FPA and articulated in Federal Energy Regulatory Commission Order No. 888, as amended (Promoting Wholesale Competition Through Open Access Non-Discriminatory Transmission Services by Public Utilities). In furtherance of this policy, DOE intends to condition any Presidential permit issued in this proceeding on compliance with these open access principles.

Procedural Matters

Any person desiring to be heard or to protest this application should file a petition to intervene or protest at the address provided above in accordance with section 385.211 or 385.214 of the Federal Energy Regulatory Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214).

Fifteen copies of such petitions and protests should be filed with the DOE on or before the date listed above. Additional copies of such petitions to intervene or protest also should be filed directly with: Susan Hodgson, Niagara Mohawk Power Corporation, 300 Erie Boulevard West, Syracuse, NY 13202 and Scott Klurfeld, Swidler & Berlin, Chtd., 3000 K Street, NW, Suite 300, Washington, DC 20007.

Before a Presidential permit may be issued or amended, the DOE must determine that the proposed action will not adversely impact on the reliability of the U.S. electric power supply system and also consider the environmental impacts of the proposed action pursuant to the National Environmental Policy Act of 1969. DOE also must obtain the concurrence of the Secretary of State and the Secretary of Defense before taking final action on a Presidential permit application.

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above. In addition, the application may be reviewed or downloaded from the Fossil Energy Home Page at: <http://www.fe.doe.gov>. Upon reaching the Fossil Energy Home page, select "Regulatory" and then "Electricity" from the options menu.

Issued in Washington, DC, on August 25, 1998.

Anthony J. Como,

Manager, Electric Power Regulation, Office of Coal & Power Im/Ex, Office of Fossil Energy.

[FR Doc. 98-23481 Filed 8-31-98; 8:45 am]

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DEPARTMENT OF ENERGY

[FE Docket No. PP-192]

Application for Presidential Permit, NRG Energy, Inc.

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of application.

SUMMARY: NRG Energy, Inc. (NRG) has applied for a Presidential permit to construct, connect, operate and maintain an electric transmission facility across the U.S. border with Mexico. The proposed facility is a 500,000-volt (500-kV) transmission line originating at the switchyard of the Palo Verde Nuclear Generating Station and extending approximately 177 miles to the southwest where it will cross the U.S. border with Mexico in the vicinity of Calixico, California.

DATES: Comments, protests, or requests to intervene must be submitted on or before October 1, 1998.

ADDRESSES: Comments, protests, or requests to intervene should be addressed as follows: Office of Coal & Power Import and Export (FE-27), Office of Fossil Energy, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585-0350.

FOR FURTHER INFORMATION CONTACT: Ellen Russell (Program Office) 202-586-9624 or Michael T. Skinker (Program Attorney) 202-586-6667.

SUPPLEMENTARY INFORMATION: The construction, connection, operation, and maintenance of facilities at the international border of the United States for the transmission of electric energy between the United States and a foreign country is prohibited in the absence of a Presidential permit issued pursuant to Executive Order (EO) 10485, as amended by EO 12038.

On August 17, 1998, NRG, an independent power producer and

wholly-owned subsidiary of Northern States Power Company, filed an application with the Office of Fossil Energy (FE) of the Department of Energy (DOE) for a Presidential permit. NRG proposes to construct approximately 177 miles of 500-kV transmission line from the switchyard adjacent to the Palo Verde Nuclear Generating Station, to the U.S.-Mexico border in the vicinity of Calixico, California. South of the border, NRG will construct an additional 2.5 miles of transmission line to the Cety's Substation, located east of Mexicali, Mexico, and owned by Comision Federal de Electricidad (CFE), the national electric utility of Mexico.

The transmission line proposed by NRG will be designed to carry 1000 megawatts (MW) and is expected initially to operate at that capacity. However, under certain conditions, the capacity will be restricted to 600 MW. All but 2.5 miles of the proposed transmission line is expected to be located within an existing utility corridor designated by the Bureau of Land Management. However, the applicant will need to obtain approximately 4,300 acres of additional right-of-way from public and private landowners.

The proposed route parallels the existing Southwest Powerlink 500-kV transmission line beginning at the Palo Verde Nuclear Generating Station Switchyard, 30 miles west of Phoenix, Arizona. The route continues southwest, crossing the Gila Bend Mountains approximately one mile north of the Signal Mountain Wilderness Area. The route will traverse the Muggins Mountains on the northern boundary of the Muggins Mountains Wilderness Area, and 8.2 miles of the Army's Yuma Proving Grounds. The line will cross the Colorado River from Arizona into California and proceed northwest, crossing the northeast corner of the Fort Yuma-Quechan Indian Reservation before turning southwest and paralleling the BLM designated utility corridor through the Imperial Sand Dunes Recreation Area. The route continues west between the U.S.-Mexico border and the All-American Canal. At the Hemlock Canal, the route turns south, following the Hemlock Canal alignment for 2.5 miles to the border.

The NRG application notes that there are no firm contracts in place for the sale of power to Mexico using the proposed transmission line. Prior to commencing electricity exports to Mexico using these proposed facilities, NRG, or any other electricity exporter, must obtain an electricity export authorization required by section 202(e) of the Federal Power Act. NRG expects

to submit such an application at a later date.

Since the restructuring of the electric power industry began, resulting in the introduction of different types of competitive entities into the marketplace, DOE has consistently expressed its policy that cross-border trade in electric energy should be subject to the same principles of comparable open access and non-discrimination that apply to transmission in interstate commerce. DOE has stated that policy in export authorizations granted to entities requesting authority to export over international transmission facilities. Specifically, DOE expects transmitting utilities owning border facilities constructed pursuant to Presidential permits to provide access across the border in accordance with the principles of comparable open access and non-discrimination contained in the FPA and articulated in Federal Energy Regulatory Commission Order No. 888, as amended (Promoting Wholesale Competition Through Open Access Non-Discriminatory Transmission Services by Public Utilities). In furtherance of this policy, DOE intends to condition any Presidential permit issued in this proceeding on compliance with these open access principles.

Procedural Matters

Any person desiring to be heard or to protest this application should file a petition to intervene or protest at the address provided above in accordance with section 385.211 or 385.214 of the Federal Energy Regulatory Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214).

Fifteen copies of such petitions and protests should be filed with the DOE on or before the date listed above. Additional copies of such petitions to intervene or protest also should be filed directly with: Robert S. Evans, Executive Director and Manager, Environmental Services, NRG Energy, Inc., 1221 Nicollet Mall, Suite 700, Minneapolis, MN 55403-2445.

Before a Presidential permit may be issued or amended, the DOE must determine that the proposed action will not adversely impact on the reliability of the U.S. electric power supply system. In addition, DOE must consider the environmental impacts of the proposed action (i.e., granting the Presidential permit, with any conditions and limitations, or denying the permit) pursuant to the National Environmental Policy Act of 1969 (NEPA). DOE also must obtain the concurrence of the Secretary of State and the Secretary of