

## DEPARTMENT OF ENERGY

## Federal Energy Regulatory Commission

[Docket Nos. MG99-7-000; MG99-6-000; MG99-9-000; and MG99-8-000]

**Algonquin Gas Transmission Company, Algonquin LNG, Inc., Maritimes & Northeast Pipeline, L.L.C., Texas Eastern Transmission Corporation; Notice of Filing**

December 4, 1998.

Take notice on that on November 25, 1998, Algonquin Gas Transmission Company, Algonquin LNG, Inc., Maritimes & Northeast Pipeline, L.L.C. and Texas Eastern Transmission Corporation each filed revised standards of conduct under Order Nos. 497 *et seq.*<sup>1</sup> Order Nos. 566 *et seq.*,<sup>2</sup> and Order No. 599.<sup>3</sup>

Each company states that it has served copies of its filing to each of its affected customers and state commissions.

Any person desiring to be heard or to protest said filings should file a motion to intervene or a protest in each proceeding with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with Rules 211 or 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 or 385.214). All such motions to intervene or protest

<sup>1</sup> Order No. 497, 53 FR 22139 (June 14, 1988), FERC Stats. and Regs. 1986-1990 ¶30,820 (1988); Order No. 497-A, *order on rehearing*, 54 FR 52781 (December 22, 1989), FERC Stats. and Regs. 1986-1990 ¶30,868 (1989); Order No. 497-B, *order extending sunset date*, 55 FR 53291 (December 28, 1990), FERC Stats. and Regs. 1986-1990 ¶30,908 (1990); Order No. 497-C, *order extending sunset date*, 57 FR 9 (January 2, 1992), FERC Stats. and Regs. 1991-1996 ¶30,934 (1991), *rehearing denied*, 57 FR 5815 (February 18, 1992), 58 FERC ¶61,139 (1992); *Tenneco Gas v. FERC* (affirmed in part and remanded in part), 969 F.2d 1187 (D.C. Cir. 1992); Order No. 497-D, *order on remand and extending sunset date*, 57 FR 58978 (December 14, 1992), FERC Stats. and Regs. 1991-1996 ¶30,958 (December 4, 1992); Order No. 497-E, *order on rehearing and extending sunset date*, 59 FR 243 (January 4, 1994), FERC Stats. and Regs. 1991-1996 ¶30,987 (December 23, 1993); Order No. 497-F, *order denying rehearing and granting clarification*, 59 FR 15336 (April 1, 1994), 66 FERC ¶61,347 (March 24, 1994); and Order No. 497-G, *order extending sunset date*, 59 FR 32884 (June 27, 1994), FERC Stats. and Regs. 1991-1996 ¶30,996 (June 17, 1994).

<sup>2</sup> Standards of Conduct and Reporting Requirements for Transportation and Affiliate Transactions, Order No. 566, 59 FR 32885 (June 27, 1994), FERC Stats. and Regs. 1991-1996 ¶30,997 (June 17, 1994); Order No. 566-A, *order on rehearing*, 59 FR 52896 (October 20, 1994), 69 FERC ¶61,044 (October 14, 1994); Order No. 566-B, *order on rehearing*, 59 FR 65707, (December 21, 1994), 69 FERC ¶61,334 (December 14, 1994).

<sup>3</sup> Reporting Interstate Natural Gas Pipeline Marketing Affiliates on the Internet, Order No. 599, 63 FR 43075 (August 12, 1998), FERC Stats. and Regs. 31,064 (1998).

should be filed on or before December 21, 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 proceeding. Any person wishing to become a party must file a motion to intervene. Copies of these filings are on file with the Commission and are available for public inspection.

David P. Boergers,

Secretary.

[FR Doc. 98-32781 Filed 12-9-98; 8:45 am]

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## DEPARTMENT OF ENERGY

## Federal Energy Regulatory Commission

[Docket No. TM99-2-20-000]

**Algonquin Gas Transmission Company; Notice of Tariff Filing**

December 4, 1998.

Take notice that on December 1, 1998, Algonquin Gas Transmission Company (Algonquin) tendered for filing as part of its FERC Gas Tariff, Fourth Revised Volume No. 1 and Original Volume No. 2, the revised tariff sheets listed on Appendix A to the filing, to become effective January 1, 1999.

Algonquin states that the purpose of this filing is to revise the Gas Research Institute (GRI) surcharges to be effective January 1, 1999 in compliance with the January 21, 1998, Stipulation and Agreement Concerning GRI Funding approved by the Commission in Gas Research Institute, 83 FERC ¶ 61,093 (1998), order on reh g. 83 FERC ¶ 61,331 (1998). Specifically, Algonquin states that the filing complies with the surcharges set forth in Appendix A to the Stipulation and Agreement as follows: (1) a GRI volumetric surcharge of 0.75¢ per dekatherm will be charged on all non-discounted firm commodity and interruptible transportation services; (2) a 1.8¢ per dekatherm surcharge will be charged on all non-discounted firm commodity units delivered to small customers qualifying for service under Algonquin's Rate Schedules AFT-1S and AFT-ES; (3) a reservation surcharge of 23.0¢ per dekatherm per month will be charged on non-discounted firm high load factor customers, i.e., greater than 50% load factor; and (4) a reservation surcharge of 14.2¢ per dekatherm per month will be charged on non-discounted firm low load factor customers, i.e., less than or equal to 50% load factor.

Algonquin states that copies of the filing were mailed to all affected

customers of Algonquin and interested state commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Sections 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed in accordance with 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. 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,

Secretary.

[FR Doc. 98-32837 Filed 12-9-98; 8:45 am]

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## DEPARTMENT OF ENERGY

## Federal Energy Regulatory Commission

[Docket No. TM99-1-48-000]

**ANR Pipeline Company; Notice of Proposed Changes in FERC Gas Tariff**

December 4, 1998.

Take notice that on November 30, 1998, ANR Pipeline Company (ANR) tendered for filing as part of its FERC Gas Tariff, Second Revised Volume No. 1, the following tariff sheet proposed to become effective January 1, 1999:

Twenty-Fourth Revised Sheet No. 17

ANR states that the purpose of this filing is to establish the revised Gas Research Institute surcharges approved in the Commission's September 29, 1998 order at Docket No. RP98-235-000.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Sections 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed in accordance with 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. 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,**  
Secretary.

[FR Doc. 98-32768 Filed 12-9-98; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP99-7-000]

#### **ANR Pipeline Company; Notice of Intent To Prepare an Environmental Assessment for the Proposed Washington County Replacement Project and Request for Comments on Environmental Issues**

December 4, 1998.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the replacement of about 0.55 mile of 20-inch-diameter pipeline, proposed in the Washington County Replacement Project.<sup>1</sup> The application and other supplemental filings in this docket are available for viewing on the FERC Internet website ([www.ferc.fed.us](http://www.ferc.fed.us)). Click on the "RIMS" link, select "Docket #" from the RIMS Menu, and follow the instructions.

This EA will be used by the Commission in its decisionmaking process to determine whether the project is in the public convenience and necessity.

If you are a landowner receiving this notice, you may be contacted by a pipeline company representative about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The pipeline company would seek to negotiate a mutually acceptable agreement. However, if the project is approved by the Commission, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings in accordance with state law. A fact sheet addressing a number of typically asked questions, including

the use of eminent domain, is attached to this notice as appendix 1.<sup>2</sup>

#### **Summary of the Proposed Project**

ANR Pipeline Company (ANR) seeks authority to:

- Abandon and remove 0.6 mile of 20-inch-diameter pipeline (Line 1-301);
- Install in the same trench about 0.6 mile of 20-inch-diameter replacement pipeline, using the existing right-of-way (ROW) plus 25 feet on the western edge as part of the construction work area;
- Use, as temporary staging areas, 1.1 acres of land located outside the existing ROW;
- Extend Ash Road about 100 feet in an easterly direction for ROW access; and
- Use about 2.5 acres of its Germantown Compressor Station site as a contractor yard.

Line 1-301 was installed in 1956 as a loop to Line 301, a 14-inch-diameter pipeline. The recent and ongoing construction of Brookstone Crossing, a residential development, has increased the population density along a segment of Line 1-301. Consequently, ANR must upgrade this segment from a Class 2 to Class 3 pipeline to maintain compliance with the U.S. Department of Transportation (USDOT) regulations.

The location of the project facilities is shown in appendix 2. The proposed construction area would start about 820 feet south of Sherman Road and extend northward to Ash Drive. If you are interested in obtaining procedural information, please write to the Secretary of the Commission.

#### **Land Requirements for Construction**

Construction of the proposed facilities would require about 9.4 acres of land. In addition, a 2.5-acre pipeyard would be used. No new permanent ROW would be acquired. All temporary construction areas would be allowed to revert to their former use.

#### **The EA Process**

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us to discover and address concerns the public may have about proposals. We call this "scoping". The main goal of the

scoping process is to focus the analysis in the EA on the important environmental issues. By this Notice of Intent, the Commission requests public comments on the scope of the issues it will address in the EA. All comments received are considered during the preparation of the EA. State and local government representatives are encouraged to notify their constituents of this proposed action and encourage them to comment on their areas of concern.

The EA will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

- Geology and soils
- Water resources, fisheries, and wetlands
- Vegetation and wildlife
- Endangered and threatened species
- Land use
- Cultural resources
- Public Safety

We will also evaluate possible alternatives to the proposed project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

Our independent analysis of the issues will be in the EA. Depending on the comments received during the scoping process, the EA may be published and mailed to Federal, state, and local agencies, public interest groups, interested individuals, affected landowners, newspapers, libraries, and the Commission's official service list for this proceeding. A comment period will be allotted for review if the EA is published. We will consider all comments on the EA before we make our recommendations to the Commission.

To ensure your comments are considered, please carefully follow the instructions in the public participation section on page 4 of this notice.

#### **Currently Identified Environmental Issues**

We have already identified some issues that we think deserve attention based on a preliminary review of the proposed facilities and the environmental information provided by ANR. This preliminary list of issues may be changed based on your comments and our analysis.

- The crossing of Cedar Creek could potentially impact rare fish and mussel species.
- Construction may affect a residential area.

<sup>1</sup> ANR Pipeline Company's application was filed with the Commission under Section 7 of the Natural Gas Act and Part 157 of the Commission's regulations.

<sup>2</sup> The appendices referenced in this notice are not being printed in the **Federal Register**. Copies are available from the Commission's Public Reference and Files Maintenance Branch, 888 First Street, N.E., Washington, D.C. 20426, or call (202) 208-1371. Copies of the appendices were sent to all those receiving this notice in the mail.