

All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

Please include the project number (2367-033) on any comments or motions filed.

k. *Description of Transfer:* Maine Public Service Company requests to transfer the license to PDI New England, Inc. as part of its divestiture of assets mandated by the State of Maine.

l. *Locations of the application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE, Room 2A, Washington, DC 20426, or by calling (202) 208-1371. This filing may be viewed on <http://www.ferc.fed.us/online/rims.htm> (call (202) 208-2222 for assistance). A copy is also available for inspection and reproduction at the address in item h above.

m. *Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.*

B. *Comments, Protests, or Motions To Intervene*—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, 385.214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

C1. *Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS",

"RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

D2. *Agency Comments*—Federal State, and local agencies are invited to file comments on the described application.

A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

David P. Boergers,

Secretary.

[FR Doc. 99-10217 Filed 4-22-99; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Transfer of License and Soliciting Comments, Motions To Intervene, and Protests

April 19, 1999.

Take notice that the following application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Transfer of License.

b. *Project No.:* 2554-006.

c. *Date Filed:* March 29, 1999.

d. *Applicants:* Moreau Manufacturing Corporation (MMC) and Niagara Mohawk Power Corporation (NMPC).

e. *Name of Project:* Feeder Dam Hydroelectric Project.

f. *Location:* On the Hudson River in Saratoga and Washington Counties, New York. The project does not occupy federal or tribal lands.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 8.

h. *Applicant Contacts:* For MMC: Mr. Michael W. Murphy, Moreau Manufacturing Corporation, c/o Niagara Mohawk Power Corp., 300 Erie Boulevard West, Syracuse, NY 13202 (315) 428-6941. For NMPC: Mr. Stephen C. Palmer, Swidler Berlin Shereff Friedman, LLP, 3000 K Street, N.W., Suite 300, Washington, DC 20007 (202) 424-7500.

i. *FERC Contact:* Any questions on this notice should be addressed to James Hunter at (202) 219-2839, or e-mail address: james.hunter@ferc.fed.us.

j. *Deadline for filing comments and or motions:* May 27, 1999.

All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington DC 20426.

Please include the project number (P-2554-006) on any comments or motions filed.

k. *Description of Proposals:* Transfer of the license for this project from MMC,

a wholly-owned subsidiary of NMPC, to NMPC is a corporate formality that will enable NMPC to proceed with the sale of all of NMPC's non-nuclear generating facilities.

The transfer application was filed following the expiration of the license for Project No. 2554, which is the subject of a pending relicensing application.¹ In Hydroelectric Relicensing Regulations Under the Federal Power Act (54 FR 23,756; FERC Stats. and Regs. Preamble 1986-1990 30,854 at p. 31,437), the Commission declined to forbid all license transfers during the last five years of an existing license, and instead indicated that it would scrutinize all such transfer requests to determine if the transfer's primary purpose was to give the transferee an advantage in relicensing (*id.* at p. 31,438 n. 318). The transfer would lead to the substitution of the transferee for the transferor as the applicant in the relicensing proceedings for Project No. 2554.

l. *Locations of the application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE, Room 2A, Washington, D.C. 20426, or by calling (202) 208-1371. The application may be viewed on the web at www.ferc.fed.us/online/rims.htm (call (202) 208-2222 for assistance). A copy is also available for inspection and reproduction at the address in item h above.

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¹ The Commission has authorized continued project operation. See Table of Notices of Authorization for Continued Project Operation, 66 FERC ¶ 61,145 (1994).

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David P. Boergers,

Secretary.

[FR Doc. 99-10218 Filed 4-22-99; 8:45 am]

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DEPARTMENT OF ENERGY

Office of Hearings and Appeals

Announcement of Final Deadline to Request Supplemental Crude Oil Overcharge Refunds

AGENCY: Office of Hearings and Appeals, Department of Energy.

ACTION: Notice of final deadline for crude oil overcharge refund recipients to request the \$.0008 per gallon supplemental refund first announced in 1995 in the crude oil overcharge refund proceeding (RF272 Case Nos.).

SUMMARY: The Office of Hearings and Appeals of the Department of Energy has set a January 31, 2000 deadline for requesting the \$.0008 per gallon supplemental refund first announced in 1995 in the crude oil overcharge refund proceeding. The deadline applies to all refund recipients eligible for a supplemental refund of \$50 or more. Those refund recipients that do not request a supplemental refund by the deadline will forfeit the supplemental refund and any further payment from crude oil overcharge funds. Small refund recipients, i.e., those eligible for a supplemental refund less than \$50, continue to have the option of requesting a supplemental refund until

the conclusion of the crude oil overcharge refund proceeding.

FOR FURTHER INFORMATION CONTACT:

Thomas L. Wieker, Deputy Director, or Janet N. Freimuth, Deputy Assistant Director, Office of Hearings and Appeals, Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585-0107, telephone number 202-426-1527, FAX 202-426-1415.

SUPPLEMENTARY INFORMATION: The Department of Energy's crude oil overcharge refund proceeding began over twelve years ago. In August 1986, the DOE announced its policy concerning the administration of a proceeding to refund crude oil overcharge funds to injured purchasers of refined petroleum products. See 51 FR 27,899 (August 4, 1986) (Modified Statement of Restitutionary Policy in Crude Oil Cases (MSRP)). That same month, the first crude oil refund application was filed. Pursuant to the MSRP, the OHA announced, in April 1987, that it would use the refund procedures at 10 CFR part 205, Subpart V, to process crude oil refund applications. 52 FR 11,737 (1987). The OHA accepted crude oil refund applications until the June 1995 deadline.

As the OHA has conducted the crude oil overcharge refund proceeding, the DOE has continued to collect additional overcharge funds. Under the MSRP, up to 20 percent of crude oil overcharge funds are reserved for direct refunds to claimants through the OHA pursuant to Subpart V. The remaining 80 percent is divided equally between the federal government (40 percent) and the states (40 percent) for indirect restitution. Because of the potential availability of additional funds, the OHA decisions approving refund applications advise the refund recipient to inform the OHA of any change of address.

The amount of a refund is based on the refund recipient's volume of refined petroleum product purchases, multiplied by a per gallon refund amount, referred to as the "volumetric refund amount" or simply the "volumetric." The larger a firm's or individual's purchases, the greater the injury from crude oil overcharges and therefore the greater the refund. As the DOE has collected additional crude oil overcharge funds, the OHA has raised the volumetric. The OHA originally paid crude oil overcharge refund recipients at a rate of \$.0002 per gallon. The OHA has raised the volumetric twice. First, in 1989, the OHA raised the volumetric to \$.0008 per gallon; the OHA sent a supplemental payment of

\$.0006 per gallon to those refund recipients that had been paid at the \$.0002 rate. See Crude Oil Supplemental Refund Distribution, 18 DOE ¶ 85,878 (1989). Second, in 1995, the OHA raised the volumetric to \$.0016 per gallon; the OHA notified refund recipients that had been paid at the \$.0008 per gallon volumetric of the availability of a \$.0008 supplemental payment. See 60 FR. 15562 (March 24, 1995).

The OHA's 1995 notice advised refund recipients that if they wished to receive a supplemental payment at that time, they should verify to the OHA that certain information was still correct, such as their address. The 1995 notice stated that refund recipients could wait until the end of the proceeding to receive their supplemental payment, as well as any final payment that might be made.

The OHA mailed the 1995 notice to over 56,000 refund recipients that had filed directly with the OHA for their original refund, i.e., refund recipients that did not file through a representative. The mailing went to each such recipient whose supplemental refund would be \$50 or more, i.e., refund recipients with approved purchases of 62,500 gallons or more. Although the OHA did not mail to small refund recipients, i.e., those entitled to less than \$50, the OHA stated that those refund recipients could request a supplemental refund. In addition to the mailing to the over 56,000 recipients that did not file through a representative, the OHA mailed a notice to the representatives of an additional 12,000 refund recipients.

Since 1995, the OHA has granted supplemental refunds totaling \$268 million to 56,000 recipients. At the same time, the OHA has almost completed its consideration of the original crude oil overcharge refund applications. The OHA has granted a total of \$597 million to 91,500 recipients. Of the total 100,000 applications filed, only 1,000 remain pending.

The OHA has now determined that a January 31, 2000 deadline for requesting the \$.0008 per gallon supplemental refund announced in 1995 should be set for refund recipients whose supplemental refund would be \$50 or more, i.e., refund recipients with approved purchases of 62,500 gallons or more. Both administrative efficiency and the goal of achieving finality in the crude oil overcharge refund proceeding warrant establishing the deadline. Over the last four years, the OHA has granted supplemental refunds to 56,000 applicants, representing 335 million