

filing an original and 14 copies with the Commission.

A person does not have to intervene, however, in order to have comments considered. A person, instead, may submit two copies of such comments to the Secretary of the Commission. Commenters will be placed on the Commission's environmental mailing list, will receive copies of environmental documents, and will be able to participate in meetings associated with the Commission's environmental review process. Commenters will not be required to serve copies of filed documents on all other parties. However, Commenters will not receive copies of all documents filed by other parties or issued by the Commission and will not have the right to seek rehearing or appeal the Commission's final order to a Federal court. The Commission will consider all comments and concerns equally, whether filed by Commenters or those requesting intervenor status.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Texas Gas to appear or be represented at the hearing.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 99-2390 Filed 2-1-99; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP99-170-000]

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

January 28, 1999.

Take notice that on January 22, 1999, Texas Gas Transmission Corporation (Texas Gas), P.O. Box 20008, Owensboro, Kentucky 42304, filed in Docket No. CP99-170-000 a request pursuant to sections 157.205 and 157.216 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205 and 157.216) for authorization to abandon the existing measurement facilities at its LaFourche No. 1 Delivery Meter Station located on Texas Gas' Bayou Chevreuil-Trahan 10-Inch Pipeline in LaFourche Parish, Louisiana, under Texas Gas' blanket certificate issued in Docket No. CP82-407-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Texas Gas states that it currently delivers gas to Trans Louisiana Gas Company, a Division of Atmos Energy Corporation, (TransLa) at the LaFourche No. 1 Delivery Meter Station. TransLa has requested that Texas Gas permit it to render gas service at this meter site, and Texas Gas has agreed to allow TransLa to be the custody transfer provider at this location. To accomplish this change in delivery of gas, Texas Gas agreed to file for approval to retire its existing measurement facilities at the LaFourche No. 1 Delivery Meter Station.

Thereafter, TransLa will install, own, operate and maintain measurement, regulation, odorization and other related facilities necessary to provide service at this meter site on Texas Gas' existing meter lot.

Texas Gas has agreed to pay to TransLa up to a maximum of \$13,880 as a contribution in aid for the costs relative to the installation of the above-mentioned facilities. No new facilities are required to be constructed by Texas Gas to provide service to TransLa.

Texas Gas states that the abandonment of facilities will not result in any termination of currently provided service. Texas Gas states that its existing tariff does not prohibit this activity and that there is sufficient capacity to accommodate the proposed changes without detriment or disadvantage to its other customers.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective in the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 99-2395 Filed 2-1-99; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EG99-67-000, et al.]

#### Lake Road Generating Company, L.P., et al.; Electric Rate and Corporate Regulation Filings

January 26, 1999.

Take notice that the following filings have been made with the Commission:

##### 1. Lake Road Generating Company, L.P.

[Docket No. EG99-67-000]

Take notice that on January 22, 1999, Lake Road Generating Company, L.P. (Lake Road), a Delaware limited partnership with its principal place of business at 7500 Old Georgetown Road, Bethesda, MD 20814, filed with the Federal Energy Regulatory Commission, an Application for Determination of Exempt Wholesale Generator Status pursuant to Part 365 of the Commission's regulations.

Lake Road proposed to construct, own and operate a nominally rated 792 MW natural gas-fired combined cycle power plant in the Town of Killingly, Connecticut. The proposed power plant is expected to commence commercial operation in the year 2001. All capacity and energy from the plant will be sold exclusively at wholesale.

*Comment date:* February 16, 1999, in accordance with Standard Paragraph E at the end of this notice. The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application.

## 2. MEG Marketing, LLC and Sempra Energy Trading Corp.

[Docket No. EC99-28-000]

Take notice that on January 22, 1999, MEG Marketing, LLC (MEG) and Sempra Energy Trading Corp. (SET), both marketers of electric power, filed a request for approval of the disposition of all of the member interests in MEG to a new entity and subsequent purchase of 40 percent of the member interests in the new entity by SET.

*Comment date:* February 22, 1999, in accordance with Standard Paragraph E at the end of this notice.

## 3. Empresa de Generacion Electrica Fortuna, S.A.

[Docket No. EG99-66-000]

Take notice that on January 20, 1999, Empresa de Generacion Electrica Fortuna, S.A. (Applicant), Chiriquicito Distrito de Gualaca, Provincia de Chiriqui, Republica Panama, filed with the Federal Energy Regulatory Commission an Application for Determination of Exempt Wholesale Generator Status pursuant to Part 365 of the Commission's regulations.

Applicant, a Panamanian sociedad anonima, owns certain power generating facilities in Panama. These facilities consist of an approximately 300 MW hydroelectric power generating facility in Chiriqui province, Panama.

*Comment date:* February 16, 1999, in accordance with Standard Paragraph E at the end of this notice. The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application.

## 4. Americas Generation Corp.

[Docket No. EG99-68-000]

Take notice that on January 22, 1999, Americas Generation Corp. (Applicant), Dresdner Bank Tower, Ninth Floor, 50th Street, Panama City, P.O. Box 8376, Panama 7, Republic of Panama, filed with the Federal Energy Regulatory Commission, an Application for Determination of Exempt Wholesale Generator Status pursuant to Part 365 of the Commission's regulations.

Applicant, a Panamanian sociedad anonima, intends to operate and manage certain power generating facilities in Panama. These facilities will consist of an approximately 300 MW hydroelectric power generating facility in Chiriqui province, Panama.

*Comment date:* February 16, 1999, in accordance with Standard Paragraph E at the end of this notice. The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application.

## 5. Wolverine Power Supply Cooperative, Inc.

[Docket No. EL99-29-000]

Take notice that on January 19, 1999, Wolverine Power Supply Cooperative, Inc. (Wolverine), tendered for filing an application to waive the Commission's requirement that Wolverine file a joint pool-wide open access transmission pro form tariff for the 1991 Municipal/Cooperative Coordinated Pool Agreement (MCCP Agreement) between Wolverine and the Michigan Public Power Agency (MPPA).

Copies of the filing were served upon the Michigan Public Power Agency and the Public Utility Commission of Michigan.

*Comment date:* February 18, 1999, in accordance with Standard Paragraph E at the end of this notice.

## 6. Entergy Services, Inc.

[Docket No. ER99-635-000]

Take notice that on January 20, 1999, Entergy Services, Inc. (Entergy Services), on behalf of Entergy Gulf States, Inc., tendered for filing an amendment to the filing of three Letter Amendments to the Agreements for Wholesale Electric Service between Entergy Gulf States, Inc., and the Cities of Caldwell, Kirbyville and Newton, Texas.

*Comment date:* February 9, 1999, in accordance with Standard Paragraph E at the end of this notice.

## 7. Kansas City Power & Light Company

[Docket No. ER99-1005-000]

Take notice that on January 20, 1999, Kansas City Power & Light Company (KCPL), tendered for filing an amendment to its original filing made on December 24, 1998 in the above-captioned docket.

A copy of this filing was served on customers presently taking service under FERC Electric Tariff, Original Volume No. 4, the Kansas Corporation Commission and the Missouri Public Service Commission.

*Comment date:* February 10, 1999, in accordance with Standard Paragraph E at the end of this notice.

## 8. New England Power Pool

[Docket No. ER99-1142-000]

Take notice that on January 19, 1999, the New England Power Pool (NEPOOL), Executive Committee tendered for filing a supplemental filing to the Fortieth Agreement Amending New England Power Pool Agreement (the Fortieth Agreement), including an affidavit and updated exhibits thereto and addressing issues raised by the Commission's December 30, 1998, order

in FERC Docket Number ER98-3554-000 with respect to Schedule 3 of the ISO New England Inc., tariff for Transmission Dispatch and Power Administration Services and Section 1.13 of the Fortieth Agreement.

The NEPOOL Executive Committee states that copies of these materials were sent to all entities on the service lists in the captioned docket, to all entities on the service lists in FERC Docket Numbers OA97-237-000, ER97-1079-000, ER97-3574-000, OA97-608-000, ER97-4421-000, and ER98-499-000, to the participants in the New England Power Pool, and to the New England state governors and regulatory commissions.

*Comment date:* February 8, 1999, in accordance with Standard Paragraph E at the end of this notice.

## 9. Niagara Mohawk Power Corporation

[Docket No. ER99-1205-000]

Take notice that on January 20, 1999, Niagara Mohawk Power Corporation (Niagara Mohawk), tendered for filing a Notice of Withdrawal applicable to the executed Service Agreement it filed on January 7, 1999 on behalf of PECO Energy Company—Power Team under its proposed Scheduling and Balancing Services Tariff. The Commission's Order Rejecting Scheduling And Balancing Tariff, And Accepting In Part And Rejecting In Part (As Modified) Proposed Amendment To Open Access Tariff (issued January 11, 1999) mandates the withdrawal of the PECO Service Agreement.

Copies of the filing were served upon PECO Energy Company—Power Team and the New York Public Service Commission.

*Comment date:* February 10, 1999, in accordance with Standard Paragraph E at the end of this notice.

## 10. Rochester Gas and Electric Corporation

[Docket No. ER99-1371-000]

Take notice that on January 19, 1999, Rochester Gas and Electric Corporation (RG&E), tendered a Market-Based Service Agreement between RG&E and Coral Power L.L.C. (Customer) with the Federal Energy Regulatory Commission (Commission). This Service Agreement specifies that the Customer has agreed to the rates, terms and conditions of RG&E's FERC Electric Rate Tariff, Original Volume No. 3 (Power Sales Tariff) accepted by the Commission in Docket No. ER97-3553 (80 FERC ¶ 61,284) (1997)).

RG&E requests waiver of the Commission's sixty (60) day notice requirements and an effective date of

January 6, 1999, for the Service Agreement.

RG&E has served copies of the filing on the New York State Public Service Commission and on the Customer.

*Comment date:* February 8, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### **11. Duke Energy Morro Bay LLC**

[Docket No. ER99-1380-000]

Take notice that on January 20, 1999, Duke Energy Morro Bay LLC (DEMB), tendered for filing an unexecuted service agreement establishing the California Independent System Operator Corporation (ISO) as a customer under DEMB's Amended FERC Electric Rate Schedule No. 2.

DEMB requests an effective date of March 22, 1999.

DEMB states that a copy of the filing was served on the ISO.

*Comment date:* February 10, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### **12. Duke Energy Moss Landing LLC**

[Docket No. ER99-1381-000]

Take notice that on January 20, 1999, Duke Energy Moss Landing LLC (DEML), tendered for filing an unexecuted service agreement establishing the California Independent System Operator Corporation (ISO) as a customer under DEML's Amended FERC Electric Rate Schedule No. 3.

DEML requests an effective date of December 22, 1998, the date upon which service commenced.

DEML states that a copy of the filing was served on the ISO.

*Comment date:* February 10, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### **13. Duke Energy Oakland LLC**

[Docket No. ER99-1382-000]

Take notice that on January 20, 1999 Duke Energy Oakland LLC (DEO), tendered for filing an unexecuted service agreement establishing the California Independent System Operator Corporation (ISO) as a customer under DEO's Amended FERC Electric Rate Schedule No. 3.

DEO requests an effective date of March 22, 1999.

DEO states that a copy of the filing was served on the ISO.

*Comment date:* February 10, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### **14. Allegheny Power Service Corp., on behalf of Monongahela Power Co., The Potomac Edison Company and West Penn Power Company (Allegheny Power)**

[Docket No. ER99-1383-000]

Take notice that on January 20, 1999, Allegheny Power Service Corporation on behalf of Monongahela Power Company, The Potomac Edison Company and West Penn Power Company (Allegheny Power), tendered for filing Supplement No. 14, to add one (1) new Customer to the Market Rate Tariff under which Allegheny Power offers generation services.

Allegheny Power requests a waiver of notice requirements to make service available as of January 19, 1999, to FirstEnergy Corporation.

Copies of the filing have been provided to the Public Utilities Commission of Ohio, the Pennsylvania Public Utility Commission, the Maryland Public Service Commission, the Virginia State Corporation Commission, the West Virginia Public Service Commission, and all parties of record.

*Comment date:* February 10, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### **15. Wisconsin Public Service Corporation**

[Docket No. ER99-1384-000]

Take notice that on January 20, 1999, the Wisconsin Public Service Corporation (WPSC), tendered for filing Supplement No. 12, to its service agreement with Consolidated Water Power Company (CWPCO). Supplement No. 12, provides CWPCO's contract demand nominations for January 1999–December 2003, under WPSC's W-3 tariff and CWPCO's applicable service agreement.

The company states that copies of this filing have been served upon CWPCO and to the State Commissions where WPSC serves at retail.

*Comment date:* February 10, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### **16. Wisconsin Public Service Corporation**

[Docket No. ER99-1385-000]

Take notice that on January 20, 1999, the Wisconsin Public Service Corporation (WPSC), tendered for filing Supplement No. 1, to its partial requirements service agreement with Upper Peninsula Power Company (UPPCo). Supplement No. 1, provides UPPCo's contract demand nominations for January 2000–December 2002, under WPSC's W-2A partial requirements

tariff and UPPCo's applicable service agreement.

The company states that copies of this filing have been served upon UPPCo and to the State Commissions where WPSC serves at retail.

*Comment date:* February 10, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### **17. Wisconsin Public Service Corporation**

[Docket No. ER99-1386-000]

Take notice that on January 20, 1999, the Wisconsin Public Service Corporation (WPSC), tendered for filing Supplement No. 12, to its partial requirements service agreement with Manitowoc Public Utilities (MPU). Supplement No. 12, provides MPU's contract demand nominations for January 1999–December 2003, under WPSC's W-2A partial requirements tariff and MPU's applicable service agreement.

The company states that copies of this filing have been served upon MPU and to the State Commissions where WPSC serves at retail.

*Comment date:* February 10, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### **18. PP&L, Inc.**

[Docket No. ER99-1387-000]

Take notice that on January 20, 1999, PP&L, Inc. (PP&L), tendered for filing a Service Agreement for Sale of Capacity Credits, dated December 29, 1998, with DTE Edison America, Inc. (DTE), under PP&L's Market-Based Rate and Resale of Transmission Rights Tariff, FERC Electric Tariff, Revised Volume No. 5. The Service Agreement adds DTE as an eligible customer under the Tariff.

PP&L requests an effective date of January 20, 1999, for the Service Agreement.

PP&L states that copies of this filing have been supplied to DTE and to the Pennsylvania Public Utility Commission.

*Comment date:* February 10, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### **19. PP&L, Inc.**

[Docket No. ER99-1388-000]

Take notice that on January 20, 1999, PP&L, Inc. (PP&L) tendered for filing a Service Agreement for Sale of Capacity Credits, dated December 31, 1999, with Horizon Energy d/b/a Exelon Energy (Exelon) under PP&L's Market-Based Rate and Resale of Transmission Rights Tariff, FERC Electric Tariff, Revised Volume No. 5. The Service Agreement adds Exelon as an eligible customer under the Tariff.

PP&L requests an effective date of January 20, 1999, for the Service Agreement.

PP&L states that copies of this filing have been supplied to Exelon and to the Pennsylvania Public Utility Commission.

*Comment date:* February 10, 1999, in accordance with Standard Paragraph E at the end of this notice.

## **20. Niagara Mohawk Power Corporation**

[Docket No. ER99-1390-000]

Take notice that on January 20, 1999, Niagara Mohawk Power Corporation (Niagara Mohawk), tendered for filing with the Federal Energy Regulatory Commission an executed Transmission Service Agreement between Niagara Mohawk and Niagara Mohawk Energy Marketing, Inc. This Transmission Service Agreement specifies that NMEM has signed on to and has agreed to the terms and conditions of Niagara Mohawk's Open Access Transmission Tariff as filed in Docket No. OA96-194-000.

Niagara Mohawk requests an effective date of March 1, 1999. Niagara Mohawk has requested waiver of the Commission's 60-day notice requirements for good cause shown.

Niagara Mohawk has served copies of the filing upon New York Public Service Commission and NMEM.

*Comment date:* February 10, 1999, in accordance with Standard Paragraph E at the end of this notice.

## **21. Niagara Mohawk Power Corporation**

[Docket No. ER99-1391-000]

Take notice that on January 20, 1999, Niagara Mohawk Power Corporation (Niagara Mohawk), tendered for filing with the Federal Energy Regulatory Commission an executed Transmission Service Agreement between Niagara Mohawk and Niagara Mohawk Energy Marketing, Inc. This Transmission Service Agreement specifies that NMEM has signed on to and has agreed to the terms and conditions of Niagara Mohawk's Open Access Transmission Tariff as filed in Docket No. OA96-194-000.

Niagara Mohawk requests an effective date of March 1, 1999. Niagara Mohawk has requested waiver of the Commission's 60-day notice requirements for good cause shown.

Niagara Mohawk has served copies of the filing upon New York Public Service Commission and NMEM.

*Comment date:* February 10, 1999, in accordance with Standard Paragraph E at the end of this notice.

## **22. Kansas Gas and Electric**

[Docket No. ER99-1392-000]

Take notice that on January 20, 1999, Western Resources, Inc. (Western Resources), on behalf of its wholly owned subsidiary, Kansas Gas and Electric Company, tendered for filing a proposed change to its Rate Schedule FERC No. 198. Western Resources states that the change is to add a new point of delivery under the generating municipal electric service agreement with the City of Winfield, Kansas.

The change is proposed to become effective May 1, 1999.

Copies of the filing were served upon the City of Winfield, Kansas, and the Kansas Corporation Commission.

*Comment date:* February 10, 1999, in accordance with Standard Paragraph E at the end of this notice.

## **23. Florida Power & Light Company**

[Docket No. ER99-1395-000]

Take notice that on January 21, 1999, Florida Power & Light Company (FPL), tendered for filing a proposed service agreement with Georgia Transmission Corporation for long-term firm transmission service under FPL's Open Access Transmission Tariff.

FPL requests that the proposed service agreements be permitted to become effective on January 1, 1999.

FPL states that this filing is in accordance with Section 35 of the Commission's Regulations.

*Comment date:* February 10, 1999, in accordance with Standard Paragraph E at the end of this notice.

## **24. Florida Power & Light Company**

[Docket No. ER99-1396-000]

Take notice that on January 21, 1999, Florida Power & Light Company (FPL), tendered for filing proposed service agreements with City of Lakeland, Department of Electric and Water Utilities for Short-Term Firm under FPL's Open Access Transmission Tariff.

FPL requests that the proposed service agreements be permitted to become effective on January 1, 1999.

FPL states that this filing is in accordance with Section 35 of the Commission's Regulations.

*Comment date:* February 10, 1999, in accordance with Standard Paragraph E at the end of this notice.

## **25. Virginia Electric and Power Company**

[Docket No. ER99-1397-000]

Take notice that on January 21, 1999, Virginia Electric and Power Company (Virginia Power), tendered for filing a Service Agreement for Long Term Firm Point-to-Point Transmission Service

with Morgan Stanley Capital Group, Inc. (Transmission Customer), under the Open Access Transmission Tariff to Eligible Purchasers dated July 14, 1997. Under the tendered Service Agreement, Virginia Power will provide Long Term Firm Point-to-Point Transmission Service to the Transmission Customer under the rates, terms and conditions of the Open Access Transmission Tariff.

Virginia Power requests an effective date of January 1, 1999, the date of the first transaction under the Service Agreement.

Copies of the filing were served upon Morgan Stanley Capital Group, Inc., the Virginia State Corporation Commission and the North Carolina Utilities Commission.

*Comment date:* February 10, 1999, in accordance with Standard Paragraph E at the end of this notice.

## **26. Louisville Gas and Electric Company and Kentucky Utilities Company**

[Docket No. ER99-1403-000]

Take notice that on January 20, 1999, Louisville Gas and Electric Company (LG&E) and Kentucky Utilities Company (KU) tendered for filing with the Federal Energy Regulatory Commission (Commission) the Form of Service Agreement for Market-Based Sales Service (Rate MBSS), which was accepted by the Commission for filing without hearing or suspension in Louisville Gas and Electric Co., 85 FERC ¶61,215 (1998), together with a list of customers of LG&E and KU for whom new service will be provided under Rate MBSS as of January 1, 1999.

*Comment date:* February 9, 1999, in accordance with Standard Paragraph E at the end of this notice.

## **27. Allegheny Power Service Corp., on behalf of Monongahela Power Co., The Potomac Edison Company, and West Penn Power Company (Allegheny Power)**

[Docket No. ER99-1407-000]

Take notice that on January 20, 1999, Allegheny Power Service Corporation on behalf of Monongahela Power Company, The Potomac Edison Company and West Penn Power Company (Allegheny Power), tendered for filing Supplement No. 45, to add ConAgra Energy Services, Inc., and Entergy Power Marketing Corporation to Allegheny Power Open Access Transmission Service Tariff which has been submitted for filing by the Federal Energy Regulatory Commission in Docket No. OA96-18-000.

The proposed effective date under the Service Agreements is January 19, 1999.

Copies of the filing have been provided to the Public Utilities Commission of Ohio, the Pennsylvania Public Utility Commission, the Maryland Public Service Commission, the Virginia State Corporation Commission, the West Virginia Public Service Commission.

*Comment date:* February 9, 1999, in accordance with Standard Paragraph E at the end of this notice.

## **28. New England Power Pool and ISO New England Inc.**

[Docket No. ER99-1414-000]

Take notice that on January 15, 1999, the New England Power Pool and ISO New England Inc. filed a response with respect to the Commission's December 16, 1998 Order in Docket No. EL98-52-000.

*Comment date:* February 16, 1999, in accordance with Standard Paragraph E at the end of this notice.

## **29. Public Service Company of New Mexico**

[Docket Nos. OA96-202-001 and OA97-655-000]

Take notice that on January 22, 1999, Public Service Company of New Mexico (PNM) submitted for filing a corrected page 2 (correcting a typographical error), of Ancillary Service Schedule 3, "Regulation and Frequency Response Service", to its Open Access Transmission Tariff, submitted as a component of contemporaneous filings made on July 27, 1998, in association with the above captioned dockets.

A copy of the corrected page has been sent to all parties on the Official Service List of the above captioned dockets, as well as to the New Mexico Public Regulation Commission. PNM's filing is available for public inspection at its offices in Albuquerque, New Mexico.

*Comment date:* February 22, 1999, in accordance with Standard Paragraph E at the end of this notice.

## **Standard Paragraphs**

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. 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. 99-2364 Filed 2-1-99; 8:45 am]

BILLING CODE 6717-01-P

## **DEPARTMENT OF ENERGY**

### **Federal Energy Regulatory Commission**

[Docket No. CP99-151-000]

#### **ANR Pipeline Company; Notice of Intent To Prepare an Environmental Assessment for the Proposed 100 Line and Line 1-100 Replacement Project and Request for Comments on Environmental Issues**

January 27, 1999.

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 100 Line and Line 1-100 Replacement Project by ANR Pipeline Company (ANR), in Porter County, Indiana.<sup>1</sup> These facilities would consist of about 1.63 miles of 22-inch-diameter pipeline and 1.63 miles of 30-inch-diameter loop. This EA will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity. 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.

Similarly, the "CIPS" link on the FERC Internet website provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings. From the FERC Internet website, click on the "CIPS" link, select "Docket #" from the CIPS menu, and follow the instructions.

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 wants to replace 1.63 miles of 22-inch-diameter pipeline and 1.63 miles of 30-inch-diameter loop in Porter County, Indiana. The replacements are required for ANR to remain compliant with U.S. Department of Transportation regulations, pursuant to Title 49, Code of Federal Regulations, Part 192, as a result of increased human population density in the vicinity of ANR's existing pipeline right-of-way (ROW).

The location of the project facilities is shown in appendix 2.

## **Land Requirements for Construction**

Construction of the proposed facilities would require about 33.7 acres of land, including 24.1 acres of existing permanent ROW, 0.8 acre of new permanent ROW, and 8.8 acres of temporary construction ROW that would be restored and allowed to revert to its 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:

<sup>2</sup> The appendices reference 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.

<sup>1</sup> ANR's application was filed with the Commission under Section 7(c) of the Natural Gas Act.