

17290, April 19, 1996; and Superior Fireplace Company, 61 FR 17885, April 23, 1996.

Based on DOE having granted similar waivers in the past to heaters utilizing a variable pressure regulator control that allows a user to set various fuel input rates, DOE agrees that a waiver should be granted to allow the determination of steady state efficiency and weighted average steady state efficiency used in the calculation of AFUE at a minimum fuel input rate of no greater than two-thirds of the maximum fuel input rate instead of the specified ± 5 percent of 50 percent of the maximum fuel input rate for Vermont Castings model DV40 manually controlled vented heater.

It is therefore, ordered that:

(1) The "Petition for Waiver" filed by Vermont Castings, Inc. (Case No. DH-006) is hereby granted as set forth in paragraph (2) below, subject to the provisions of paragraphs (3), (4), and (5).

(2) Notwithstanding any contrary provisions of Appendix O of Title 10 CFR Part 430, Subpart B, Vermont Castings, Inc. shall be permitted to test its model DV40 manually controlled vented heaters on the basis of the test procedure specified in Title 10 CFR Part 430, with modifications set forth below:

(i) Delete paragraph 3.5 of Appendix O.

(ii) The last paragraph of 3.1.1 of Appendix O is revised to read as follows:

3.1.1 (a) For manually controlled gas fueled vented heaters, with various input rates determine the steady-state efficiency at:

(1) A fuel input rate within ± 5 percent of 50 percent of the maximum fuel input rate or,

(2) The minimum fuel input rate if the design of the heater is such that ± 5 percent of 50 percent of the maximum fuel input rate can not be set, provided this minimum input rate is no greater than two-thirds of the maximum input rate of the heater.

(b) If the heater is designed to use a control that precludes operation at other than maximum output (single firing rate) determine the steady state efficiency at the maximum input rate only.

(iii) Delete paragraph 4.2.4 of Appendix O and replace with the following paragraph:

4.2.4 Weighted Average Steady-State Efficiency. (a) For manually controlled heaters with various input rates, the weighted average steady-state efficiency (η_{ss-wt}) is:

(1) At ± 5 percent of 50 percent of the maximum fuel input rate as measured in either section 3.1.1 to this appendix for

manually controlled gas vented heaters or section 3.1.2 to this appendix for manually controlled oil vented heaters, or

(2) At the minimum fuel input rate as measured in either section 3.1.1 to this appendix for manually controlled gas vented heaters or section 3.1.2 to this appendix for manually controlled oil vented heaters if the design of the heater is such that ± 5 percent of 50 percent of the maximum fuel input rate cannot be set, provided the tested input rate is no greater than two-thirds of maximum input rate of the heater.

(b) For manually controlled heater with one single firing rate, the weighted average steady-state efficiency is the steady-state efficiency measured at the single firing rate.

(iv) Delete paragraph 4.2.6 of Appendix O and replace with the following paragraph:

4.2.6 Annual Fuel Utilization Efficiency. For manually controlled vented heaters, calculate the Annual Fuel Utilization Efficiency (AFUE) as a percent and defined as:

$$AFUE = \eta_u$$

where:

η_u = as defined in section 4.2.5 of this appendix.

(v) With the exception of the modification set forth above, Vermont Castings, Inc. shall comply in all respects with the test procedures specified in Appendix O of Title 10 CFR Part 430, Subpart B.

(3) The Waiver shall remain in effect from the date of issuance of this Order until DOE prescribes final test procedures appropriate to model DV40 manually controlled vented heater manufactured by Vermont Castings, Inc.

(4) This Waiver is based upon the presumed validity of statements, allegations, and documentary materials submitted by the petitioner. This Waiver may be revoked or modified at any time upon a determination that a factual basis underlying the Petition is incorrect.

(5) Effective November 4, 1996, this Waiver supersedes the Interim Waiver granted Vermont Castings, Inc. on September 4, 1996. 61 FR 47741, September 10, 1996. (Case No. DH-006).

Issued in Washington, DC, on November 4, 1996.

Christine A. Ervin,
Assistant Secretary, Energy Efficiency and Renewable Energy.

[FR Doc. 96-28745 Filed 11-7-96; 8:45 am]

BILLING CODE 6450-01-P

Federal Energy Regulatory Commission

[Docket No. ER97-178-000]

Boston Edison Company; Notice of Filing

November 4, 1996.

Take notice that on October 11, 1996, Boston Edison Company tendered for filing its compliance refund report pursuant to the Commission's September 16, 1996 letter order in Docket Nos. ER93-150-009, EL93-10-006 and EL94-73-001.

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, NE., Washington, DC 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 November 15, 1996. 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 this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,
Secretary.

[FR Doc. 96-28707 Filed 11-7-96; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER96-371-001 & Docket No. ER95-1295-001 (Not Consolidated)]

Cleveland Electric Illuminating Company and Market Responsive Energy, Inc.; Notice of Filing

November 4, 1996.

Take notice that on October 11, 1996, Cleveland Electric Illuminating Company tendered for filing revised Market Based Tariff, FERC No. 4 in compliance with the Commission's order issued on September 27, 1996 in Docket No. ER96-376-000. Also in compliance with that order, Market Responsive Energy, Inc. tendered for filing revised Market Based Rate Schedule, FERC No. 1, and Code of Conduct, Supplement No. 1 to Rate Schedule FERC No. 1.

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 November 15, 1996. 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 this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,
Secretary.

[FR Doc. 96-28705 Filed 11-7-96; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER96-1471-002]

Cleveland Electric Illuminating Company; Notice of Filing

November 4, 1996.

Take notice that on September 24, 1996, Cleveland Electric Illuminating Company tendered for filing testimony regarding the development of cost based charges in the above-referenced docket.

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 November 15, 1996. 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 this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,
Secretary.

[FR Doc. 96-28706 Filed 11-7-96; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER96-1703-000, et al.]

Pacific Gas and Electric Company, et al.; Electric Rate and Corporate Regulation Filings

November 1, 1996.

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

1. Pacific Gas and Electric Company

[Docket No. ER96-1703-000]

Take notice that on October 25, 1996, Pacific Gas and Electric Company

(PG&E) tendered for filing additional information in response to a letter from FERC dated September 27, 1996.

Comment date: November 15, 1996, in accordance with Standard Paragraph E at the end of this notice.

2. AYP Energy, Inc.

[Docket No. ER96-2673-000]

Take notice that on October 23, 1996, AYP Energy, Inc. tendered for filing an amendment in the above-referenced docket.

Comment date: November 15, 1996, in accordance with Standard Paragraph E at the end of this notice.

3. Citizens Utilities Company

[Docket No. ER96-2707-000]

Take notice that on October 22, 1996 and October 23, 1996, Citizens Utilities Company tendered for filing amendments in the above-referenced docket.

Comment date: November 15, 1996, in accordance with Standard Paragraph E at the end of this notice.

4. Southern Indiana Gas & Electric Company

[Docket No. ER96-2734-001]

Take notice that on October 29, 1996, Southern Indiana Gas & Electric Company (SIGECO) submitted for filing revisions to its Wholesale Power Sales Tariff in compliance with the order issued in this proceeding by the Federal Energy Regulatory Commission on October 15, 1996. Southern Indiana Gas & Electric Company, 77 FERC ¶ 61,024 (1996).

Comment date: November 15, 1996, in accordance with Standard Paragraph E at the end of this notice.

5. Louisville Gas and Electric Company

[Docket No. ER96-2801-000]

Take notice that on October 24, 1996, Louisville Gas and Electric Company tendered for filing an amendment to its initial filing in the above-cited docket in compliance with the Commission's directive in Order 888 to unbundle its rates.

Comment date: November 15, 1996, in accordance with Standard Paragraph E at the end of this notice.

6. New England Power Company

[Docket No. ER96-2865-000]

Take notice that on October 25, 1996, New England Power Company tendered for filing an amendment in the above-referenced docket.

Comment date: November 15, 1996, in accordance with Standard Paragraph E at the end of this notice.

7. Duke Power Company

[Docket No. ER96-2943-000]

Take notice that on October 23, 1996, Duke Power Company tendered for filing an amendment in the above-referenced docket.

Comment date: November 15, 1996, in accordance with Standard Paragraph E at the end of this notice.

8. Southwestern Public Service Company

[Docket No. ER96-2948-000]

Take notice that on October 28, 1996, Southwestern Public Service Company tendered for filing an amendment in the above-referenced docket.

Comment date: November 15, 1996, in accordance with Standard Paragraph E at the end of this notice.

9. PacifiCorp

[Docket No. ER96-3040-000]

Take notice that on October 28, 1996, PacifiCorp tendered for filing additional cost support for a Letter Agreement dated July 3, 1996 between PacifiCorp and Portland General Electric (PGE).

Copies of this filing were supplied to PGE, the Public Utility Commission of Oregon and the Washington Utilities and Transportation Commission.

Comment date: November 15, 1996, in accordance with Standard Paragraph E at the end of this notice.

10. Great Bay Power Corporation

[Docket No. ER97-99-000]

Take notice that on October 9, 1996, Great Bay Power Corporation tendered for filing a service agreement between Enron Power Marketing, Inc. and Great Bay for service under Great Bay's revised Tariff for Short Term Sales. This Tariff was accepted for filing by the Commission on May 17, 1996, in Docket No. ER96-725-000. The service agreement is proposed to be effective October 8, 1996.

Comment date: November 15, 1996, in accordance with Standard Paragraph E at the end of this notice.

11. Northern Indiana Public Service Company

[Docket No. ER97-191-000]

Take notice that on October 23, 1996, Northern Indiana Public Service Company, tendered for filing an executed Standard Transmission Service Agreement between Northern Indiana Public Service Company and Morgan Stanley Capital Group, Inc.

Under the Transmission Service Agreement, Northern Indiana Public Service Company will provide Point-to-Point Transmission Service to Morgan Stanley Capital Group, Inc. pursuant to