

Issued in Washington, D.C., March 20, 1997.

Wayne E. Peters,

Manager, Natural Gas Regulation, Office of Natural Gas & Petroleum Import and Export Activities, Office of Fossil Energy.

[FR Doc. 97-7792 Filed 3-26-97; 8:45 am]

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Office of Energy Efficiency and Renewable Energy

[Case No. F-088]

Energy Conservation Program for Consumer Products: Decision and Order Granting a Waiver From the Furnace Test Procedure to Nordyne

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Decision and Order.

SUMMARY: Notice is given of the Decision and Order (Case No. F-088) granting a Waiver to Nordyne from the existing Department of Energy (DOE or Department) test procedure for furnaces. The Department is granting Nordyne's Petition for Waiver regarding blower time delay in calculation of Annual Fuel Utilization Efficiency (AFUE) for its G5RD and G5RL series furnaces.

FOR FURTHER INFORMATION CONTACT: Mr. Cyrus H. Nasser, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Mail Station EE-431, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585-0121, (202) 586-9138 or Mr. Eugene Margolis, Esq., U.S. Department of Energy, Office of General Counsel, Mail Station GC-72, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585-0103, (202) 586-9507.

SUPPLEMENTARY INFORMATION: In accordance with 10 CFR 430.27(j), notice is hereby given of the issuance of the Decision and Order as set out below. In the Decision and Order, Nordyne has been granted a Waiver for its G5RD and G5RL series furnaces permitting the company to use an alternate test method in determining AFUE.

Issued in Washington, DC, on March 19, 1997.

Christine A. Ervin,

Assistant Secretary, Energy Efficiency and Renewable Energy.

Decision and Order—Department of Energy, Office of Energy Efficiency and Renewable Energy

In the Matter of: Nordyne (Case No. F-088).

Background

The Energy Conservation Program for Consumer Products (other than automobiles) was established pursuant to the Energy Policy and Conservation Act, Public Law 94-163, 89 Stat. 917, as amended (EPCA), which requires DOE to prescribe standardized test procedures to measure the energy consumption of certain consumer products, including furnaces. The intent of the test procedures is to provide a comparable measure of energy consumption that will assist consumers in making purchasing decisions. These test procedures appear at 10 CFR Part 430, Subpart B.

The Department amended the prescribed test procedures by adding 10 CFR 430.27 to create a waiver process. 45 FR 64108, September 26, 1980. Thereafter, DOE further amended its appliance test procedure waiver process to allow the Assistant Secretary for Energy Efficiency and Renewable Energy (Assistant Secretary) to grant an Interim Waiver from test procedure requirements to manufacturers that have petitioned DOE for a waiver of such prescribed test procedures. 51 FR 42823, November 26, 1986.

The waiver process allows the Assistant Secretary to waive temporarily test procedures for a particular basic model when a petitioner shows that the basic model contains one or more design characteristics which prevent testing according to the prescribed test procedures or when the prescribed test procedures may evaluate the basic model in a manner so unrepresentative of its true energy consumption as to provide materially inaccurate comparative data. Waivers generally remain in effect until final test procedure amendments become effective, resolving the problem that is the subject of the waiver.

Nordyne filed a "Petition for Waiver," dated September 6, 1996, in accordance with section 430.27 of 10 CFR Part 430. The Department published in the **Federal Register** on October 22, 1996, Nordyne's Petition and solicited comments, data and information respecting the Petition. 61 FR 54783, October 22, 1996. Nordyne also filed an "Application for Interim Waiver" under section 430.27(b)(2), which DOE granted on October 15, 1996. 61 FR 54783, October 22, 1996.

No comments were received concerning either the "Petition for Waiver" or the "Application for Interim Waiver." The Department consulted with The Federal Trade Commission (FTC) concerning the Nordyne Petition.

The FTC did not have any objections to the issuance of the waiver to Nordyne.

Assertions and Determinations

Nordyne's Petition seeks a waiver from the DOE test provisions that require a 1.5-minute time delay between the ignition of the burner and the starting of the circulating air blower. Nordyne requests the allowance to test using a 30-second blower time delay when testing its G5RD and G5RL series furnaces. Nordyne states that since the 30-second delay is indicative of how these models actually operate, and since such a delay results in an improvement in AFUE of approximately 2.0 percent, the Petition should be granted.

Under specific circumstances, the DOE test procedure contains exceptions which allow testing with blower delay times of less than the prescribed 1.5-minute delay. Nordyne indicates that it is unable to take advantage of any of these exceptions for its G5RD and G5RL series furnaces.

Since the blower controls incorporated on the Nordyne furnaces are designed to impose a 30-second blower delay in every instance of start up, and since the current test procedure provisions do not specifically address this type of control, DOE agrees that a waiver should be granted to allow the 30-second blower time delay when testing the Nordyne G5RD and G5RL series furnaces. Accordingly, with regard to testing the G5RD and G5RL series furnaces, today's Decision and Order exempts Nordyne from the existing test procedure provisions regarding blower controls and allows testing with the 30-second delay.

It is, therefore, ordered That:

(1) The "Petition for Waiver" filed by Nordyne (Case No. F-088) 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 N of 10 CFR Part 430, Subpart B, Nordyne shall be permitted to test its G5RD and G5RL series furnaces on the basis of the test procedure specified in 10 CFR Part 430, with modifications set forth below:

(i) Section 3.0 of Appendix N is deleted and replaced with the following paragraph:

3.0 Test Procedure. Testing and measurements shall be as specified in section 9 in ANSI/ASHRAE Standard 103-82 with the exception of sections 9.2.2, 9.3.1, and 9.3.2, and the inclusion of the following additional procedures:

(ii) Add a new paragraph 3.10 to Appendix N as follows:

3.10 Gas-and Oil-Fueled Central Furnaces. The following paragraph is in

lieu of the requirement specified in section 9.3.1 of ANSI/ASHRAE Standard 103-82. After equilibrium conditions are achieved following the cool-down test and the required measurements performed, turn on the furnace and measure the flue gas temperature, using the thermocouple grid described above, at 0.5 and 2.5 minutes after the main burner(s) comes on. After the burner start-up, delay the blower start-up by 1.5 minutes (t-), unless: (1) the furnace employs a single motor to drive the power burner and the indoor air circulating blower, in which case the burner and blower shall be started together; or (2) the furnace is designed to operate using an unvarying delay time that is other than 1.5 minutes, in which case the fan control shall be permitted to start the blower; or (3) the delay time results in the activation of a temperature safety device which shuts off the burner, in which case the fan control shall be permitted to start the blower. In the latter case, if the fan control is adjustable, set it to start the blower at the highest temperature. If the fan control is permitted to start the blower, measure time delay, (t-), using a stopwatch. Record the measured temperatures. During the heat-up test for oil-fueled furnaces, maintain the draft in the flue pipe within ± 0.01 inch of water column of the manufacturer's recommended on-period draft.

(iii) With the exception of the modifications set forth above, Nordyne shall comply in all respects with the test procedures specified in Appendix N of 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 the G5RD and G5RL series furnaces manufactured by Nordyne.

(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 the factual basis underlying the Petition is incorrect.

(5) Effective March 19, 1997, this Waiver supersedes the Interim Waiver granted Nordyne on October 15, 1996. 61 FR 54783, October 22, 1996 (Case No. F-088).

Issued in Washington, DC, on March 19, 1997.

Christine A. Ervin,

Assistant Secretary, Energy Efficiency and Renewable Energy.

[FR Doc. 97-7794 Filed 3-26-97; 8:45 am]

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Federal Energy Regulatory Commission

[Docket No. RP97-289-000]

Freeport Interstate Pipeline Company; Notice of Petition for Waiver

March 21, 1997.

Take notice that on March 11, 1997, Freeport Interstate Pipeline Company (Freeport) filed with the Commission a request for waiver for filing a FERC Form 2-A for the year 1996.

Freeport states that it has no throughput of any kind and performed no services of any kind for 1996 and has remained dormant since March 1994 and because Freeport had previously been exempted from the Commission's electronic-posting requirements, it would be a undue burden and hardship for Freeport to file a FERC Form 2-A for the year 1996, particularly under the Commission's new regulations for such filings.

Freeport respectfully requests that the Commission waive any requirement under 18 CFR 260.2 or otherwise for Freeport to file a FERC Form 2-A for the year 1996.

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 Sections 385.214 and 385.211 of the Commission's Rules and Regulations. All such motions or protest must be filed on or before March 28, 1997. 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 in the Public Reference Room.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 97-7760 Filed 3-26-97; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP97-174-001]

Gulf States Transmission, Corporation; Notice of Petition for Waiver of GISB Standards and Proposed Changes in FERC Gas Tariff

March 21, 1997.

Take notice that on March 18, 1997, Gulf States Transmission Corporation (GSTC) tendered for filing a petition for waiver of certain Gas Industry Standards Board (GISB) standards, first and foremost those associated with

electronic data interchange and electronic delivery mechanism (EDI/EDM) and also capacity release. GSTC also tendered for filing as part of its FERC Gas Tariff, Original Volume No. 1, certain tariff sheets to be effective June 1, 1997.

GSTC states that the purpose of the filing is to comply with the Commission's compliance order issued March 5, 1997 in Docket No. RP97-174-000.

GSTC has modified its tariff to (i) incorporate certain Standards by reference to number and version of such Standards, (ii) insert, verbatim, language from certain other GISB Standards, (iii) change each of Mcf to Dekatherms as required by GISB Standard 1.2.2.

GSTC states that copies of the filing are being mailed to its jurisdictional customers and interested state regulatory agencies.

Any person desiring to protest this filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Section 385.211 of the Commission's Rules and Regulations. All such protest must be filed as provided in 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 proceeding. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 97-7762 Filed 3-26-97; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. OA97-503-000]

Intermountain Rural Electric Association; Notice of Filing

March 21, 1997.

Take notice that on January 23, 1997, Intermountain Rural Electric Association tendered for filing requests for waivers and conditional notice of withdrawal of tariff.

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 March 31, 1997. Protests will be considered by the Commission in