

applicable to negotiated rates under Rate Schedules FT-2 and FT-3, and that capacity would be available at a cost-based recourse rate under Rate Schedules FT-1 and IT-1. It is indicated that for rates negotiated with customers following Commission authorization to charge such rates, Dauphin Island will file conforming tariff sheets indicating that the rate for the service will be either the rates stated on its existing rate schedule or a rate mutually agreed upon by the pipeline and customer. It is also indicated that, when a rate is negotiated, Dauphin Island will file a numbered tariff sheet stating the exact legal name of the customer and the negotiated rate for the service. It is stated that permitting Dauphin Island to negotiate rates with customers at mutually agreed levels will promote competition, and permit them to tailor contracts to meet the specific needs of each shipper.

It is stated that the tariff filed by Dauphin Island is substantially similar to those recently approved by the Commission in Garden Banks Gas Pipeline, L.L.C., Docket No. CP96-307-000 and Shell Gas Pipeline Company, Docket No. CP96-159-000, except for service under Rate Schedule FT-3, and except for the following differences: in the Dauphin Island tariff, service is provided on a dekatherm rather than volumetric basis; the Dauphin Island tariff includes an overrun service; secondary receipt points are not available to shippers under Dauphin Island Rate Schedules FT-2 and FT-3; in Dauphin Island's tariff, all delivery points are available to all shippers based upon confirmation by the downstream pipeline; a charge of \$3.50 per barrel will be charged by Dauphin Island for recovery of liquid hydrocarbons; at the request of the shipper, Dauphin Island may enter into contracts for various services with third parties and charge the cost to shipper as an "Other Charge" under the rate schedule; under Dauphin Island's tariff, a capacity release can be released only into Rate Schedule FT-1; and Dauphin Island may process shipper's gas if the shipper does not process; additionally, the term: "equivalent quantities", some quality specifications, nomination procedures, the effect of force majeure on payment of reservation rates, and the resolution of monthly imbalances have been changed.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 4, 1997, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules

of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

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 and permission and approval for the proposed abandonment are 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 Dauphin Island to appear or be represented at the hearing.

Lois D. Cashell,

Secretary.

[FR Doc. 97-8008 Filed 3-28-97; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER97-2099-000]

Duke Power Company; Notice of Filing

March 25, 1997.

Take notice that on March 14, 1997, Duke Power Company (Duke), tendered for filing a Network Integration Transmission Service Agreement and a Network Operating Agreement (NOA) between Duke, on its own behalf and acting as agent for its wholly-owned subsidiary, Nantahala Power and Light Company, and the City of Seneca, South Carolina and Southern Company Services, Inc., acting as agent for the City of Seneca, South Carolina, (collectively, Transmission Customer). Duke states that the NITSA and NOA set out the transmission arrangements under which Duke will provide the Transmission Customer Network Integration Transmission Service under Duke's Pro

Forma Open Access Transmission 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, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedures (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before April 4, 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 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.

Lois D. Cashell,

Secretary.

[FR Doc. 97-7994 Filed 3-28-97; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER97-2095-000]

Duke Power Company; Notice of Filing

March 25, 1997.

Take notice that on March 14, 1997, Duke Power Company (Duke), will terminate the service that it currently provides to the City of Seneca/Seneca Light & Water Plant, Seneca, South Carolina, (Seneca) under Federal Energy Regulatory Commission (FERC) Rate Schedule No. 10 (effective date August 19, 1993), the Electric Power Contract between Duke and the Commissioners of Public Works of the City of Seneca and the City of Seneca, dated April 28, 1971, and the Delivery Point Agreements for Delivery Point #1 (effective date May 22, 1991) and Delivery Point #2 (effective date April 24, 1991) (Exhibits A to the Electric Power Contract) (FERC Rate Schedule No. 263).

Duke is terminating service to Seneca's two delivery points at Seneca's request. Seneca has notified Duke that, commencing May 15, 1997, it will purchase power from a supplier other than Duke. While service is to terminate effective May 14, 1997, the Electric Power Contract shall remain in effect to the extent necessary to incorporate and satisfy the stranded cost amendment that Duke is concurrently filing in a separate docket in accordance with Section 205 of the Federal Power Act, 16 USC 824D (1994), Order No. 888, *Promoting Wholesale competition Through Open Access Non-Discriminatory Transmission Services*

by Public Utilities, Recovery of Stranded Costs by Public Utilities and Transmitting Utilities. FERC Stats. & Regs. [Regulations Preambles 1991-96] ¶ 31,036 (1996), and Section 35.26(c)(1)(v)(A) of the Commission's Regulations, Recovery of Stranded Costs by Public Utilities, 61 Fed. Reg. 21,692 (1996) (to be codified at 18 CFR 35.26).

From the date that service termination becomes effective, Duke's obligation to serve Seneca's two delivery points shall cease. If Seneca desires in the future to purchase power from Duke, the parties will negotiate their respective obligations at that time.

This notice of termination has been served upon Seneca, the South Carolina Public Service Commission, and the North Carolina Utilities Commission.

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 Procedures (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before April 4, 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.

Lois D. Cashell,

Secretary.

[FR Doc. 97-7995 Filed 3-28-97; 8:45 am]

BILLING CODE 6717-01-M

Notice of Non-Project Use of Project Lands and Waters

March 25, 1997.

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

a. Type of Application: Non-Project Use of Project Lands and Waters.

b. Project Name: Catawba-Wateree Project.

c. Project No.: FERC Project No. 2232-336.

d. Date Filed: January 7, 1997.

e. Applicant: Duke Power Company.

f. Location: Mecklenburg, North Carolina, Davidson Pond on Lake Norman, Town of Davidson.

g. Filed pursuant to: Federal Power Act, 16 U.S.C. § 791(a)-825(r).

h. Applicant Contact: Mr. E.M. Oakley, Duke Power Company, P.O. Box

1006 (EC12Y), Charlotte, NC 28201-1006, (704) 382-5778.

i. FERC Contact: Brian Romanek, (202) 219-3076.

j. Comment Date: April 21, 1997.

k. Description of the filing:

Application to grant a permit to the Town of Davidson (Town) to excavate a 0.16 acre area in Davidson Pond. The proposed excavation will reestablish the pond's shoreline and reshape the pond bottom to improve the appearance of and safety in the area. Also, the excavation work is intended to reduce the proliferation of mosquitoes and enhance fishing and boating opportunities. In conjunction with the excavation work, the pond would be drained and regraded. A gabion wall would be installed on the southeast end of the pond and 14,000 cubic yards of excavated material would be transported to a location owned by the Town.

1. This notice also consists of the following standard paragraphs: B, C1, D2.

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, .211, .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, N.E., Washington, D.C. 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.

Lois D. Cashell,

Secretary.

[FR Doc. 97-8006 Filed 3-28-97; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP96-178-003]

Maritimes & Northeast Pipeline, L.L.C.; Notice of Amendment

March 25, 1997.

Take notice that on February 24, 1997, Maritimes & Northeast Pipeline, L.L.C. (Maritimes), c/o M&N Management Company, 1284 Soldiers Field Road, Boston, MA 02135, a Delaware limited liability company, filed in Docket No. CP96-178-003 an amendment to its Application for Phase I of its project (Phase I Amendment) pursuant to Section 7(c) of the Natural Gas Act. The Phase I amendment reflects the effect of the Joint Facilities Application of Maritimes and Portland Natural Gas Transmission System (PNGTS), initially filed with the Commission on February 10, 1997, and completed on March 18, 1997 in Docket No. CP97-238-000 (Joint Facilities Application)¹, on Maritimes' February 8, 1996, Phase I Application, in Docket No. CP96-178-000.

The completion of the Joint Facilities Application, originally filed February 10, 1997, was preceded by two public conferences at the Commission and four letters from the Office of Pipeline Regulation (OPR) requesting the information required to complete the filing. However, certain information which is needed to complete the processing of the Joint Facilities Application remains to be filed.² Complete and accurate filing of that information on the schedule stated in the joint applicants' March 18, 1997, filing is essential for the expeditious processing of the Phase I applications.

The Joint Facilities Application requests authorization to construct and operate approximately 99.8 miles of jointly-owned 30-inch pipeline and appurtenant facilities to accommodate natural gas volumes that would otherwise be transported through the same area by separate pipeline facilities. The Joint Facilities Application

¹ See Notice of Application for Docket No. CP97-238-000 issued on March 21, 1997.

² See the March 21, 1997, OPR Director's letter to the Joint applicants.