

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Docket No. RP95-363-013]

El Paso Natural Gas Company; Notice of Filing

April 2, 1998.

Take notice that on March 30, 1998, El Paso Natural Gas Company (El Paso) tendered for filing its report detailing the fuel adjustments made to affected shippers on February 12, 1998 for the period January 1, 1997 through November 30, 1997, in accordance with the provisions of the Fuel Settlement at Docket No. RP95-363-010.

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 protests must be filed on or before April 9, 1998. 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. 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. 98-9161 Filed 4-7-98; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Project No. 2177, GA]

Georgia Power Company; Notice of Georgia Power Company's Request to Use Alternative Procedures In Preparing a License Application

April 2, 1998

On March 23, 1998, the existing licensee, Georgia Power Company (GPC), filed a request to use alternative procedures for submitting an application for new license for the existing Middle Chattahoochee Project No. 2177.¹ GPC has demonstrated that they have made an effort to contact resource agencies, Indian tribes, nongovernmental organizations (NGOs),

¹ The 115.7-megawatt Middle Chattahoochee project is located on the Chattahoochee River in Harris and Muscogee Counties, Georgia, and Chambers, Lee and Russell Counties, Alabama. The project consists of three developments: Goat Rock, Oliver Dan, and North Highlands.

and others affected by their proposal, and that a consensus exists that the use of an alternative procedure is appropriate in this case.

The purpose of this notice is to invite comments on GPC's request to use the alternative procedure pursuant to Section 4.34(i) of the Commission's regulations.² Additional notices seeking comments on the specific project proposal, interventions and protests, and recommended terms and conditions will be issued at a later date.

The alternative procedures being requested here combine the prefiling consultation process with the environmental review process, allowing the applicant to complete and file an environmental document (NEPA document) in lieu of Exhibit E of the license application. This differs from the traditional process, in which the applicant consults with agencies, Indian tribes, and NGOs during preparation of the application for the license and before filing it, but the Commission staff performs the environmental review after the application is filed. The alternative procedures are intended to simplify and expedite the licensing process by combining the prefiling consultation and environmental review processes into a single process, to facilitate greater participation, and to improve communication and cooperation among the participants.

Comments

Interested parties have 30 days from the date of this notice to file with the Commission, any comments on GPC's proposal to use the alternative procedures to prepare an application to relicense the Middle Chattahoochee Project.

Filing Requirements

The comments must be filed by providing an original and 8 copies as required by the Commission's regulations to: Federal Energy Regulatory Commission, Office of the Secretary, Dockets—Room 1A, 888 First Street, NE, Washington, DC 20426.

All comment filings must bear the heading "Comments on the Alternative Procedure," and include the project name and number (Middle Chattahoochee Project, No. 2177).

For further information, please contact Ronald McKittrick of the Federal Energy Regulatory Commission at 770-

² Order No. 596, Regulations for Licensing of Hydroelectric Projects, 81 FERC ¶61,103 (1997).

452-2363 ext. 44 or E-mail at ronald.mckittrick@FERC.Fed.US.

Linwood A. Watson, Jr.*Acting Secretary*

[FR Doc. 98-9160 Filed 4-7-98; 8:45 am]

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DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Docket Nos. SA98-49-001 and SA98-49-002]

Graham-Michaelis Corporation; Notice of Amendment to Petition for Adjustment and Request for Extension of Time

April 2, 1998.

Take notice that on March 13, 1998, in Docket No. SA98-49-001, and on March 26, 1998, in Docket No. SA98-49-002, Graham-Michaelis Corporation (GMC) filed supplements amending its March 9, 1998 petition for adjustment and request for an extension of time regarding the Kansas ad valorem tax refunds that GMC and the working interest owners for whom GMC operated¹ (hereafter collectively referred to as the: Applicants) owe to Northern Natural Gas Company (Northern). The March 13 amending supplement adds North Dakota University, Beresco Properties, Inc., Chris Dobbins Family Trust, Dr. Edwin W. Brown, and the Fred and June MacMurray Trust to the original list of Applicants in the March 9 petition, deletes George D. Rosel Estate, Aikman Oil & Gas Company, CEA Corporation, Robert E. Aikman, William H. Aikman, Clenard O. McLaughlin Revocable Trust, H.R. Michaelis Revocable Trust, Leona P. Maxfield, and Kaiser-Francis Oil Company, and revises GMC's determination of Applicants' refund liability to Northern, from \$269,280.80 to \$275,687.38. The March 26 amending supplement adds Daniel C. Searle, and the John L. Burns Estate as Applicants and revises GMC's determination of Applicants' refund liability, to \$280,653.90. The March 9 petition and

¹ GMC'S Original list of Applicants includes: Graham-Michaelis Corporation; W.A. Michaelis, Jr. Revocable Trust; John L. James Revocable Trust; George D. Rosel Estate; Airman Oil & Gas Company; CEA Corporation; Robert E. Aikman; William H. Aikman; Dail C. West; Graham Enterprises; William L. Graham Revocable Trust; Betty Harrison Graham Revocable Trust; Clenard O. McLaughlin Revocable Trust; GrahamCo; H.R. Michaelis Revocable Trust; David M. Dayvault Revocable Trust; Jack L. Yinger Revocable Trust; K & B Producers Inc.; William Graham, Inc.; Chas. A. Neal & Company; March Oil Company; Minatome Corporation; Leona P. Maxfield; Lake Forest Academy; and Kaiser-Francis Oil Company.

March 13 and March 26 supplements amending the March 9 petition are on file with the Commission and open to public inspection.

GMC filed the March 9 petition pursuant to section 502(c) of the Natural Gas Policy Act of 1978, in response to the Commission's September 10, 1997, order in Docket No. RP97-369-000 *et al.*² on remand from the D.C. Circuit Court of appeals,³ which directed first sellers to make Kansas ad valorem tax refunds, with interest, for the period from 1983 to 1988.

The Commission also issued a January 28, 1998 order in Docket No. RP98-39-001, *et al.* (January 28 Order),⁴ clarifying the refund procedures, stating that producers could request additional time to establish the uncollectability of royalty refunds, and that first sellers may file requests for NGPA section 502(c) adjustment relief from the refund requirement and the timing and procedures for implementing the refunds, based on the individual circumstances applicable to each first seller. Pursuant to that order, GMC's March 9 petition requested the Commission: (1) to authorize a 90-day extension of the Commission's March 9, 1998 refund deadline, to allow GMC resolve any disputes with Northern over Applicants' refund liability or, if necessary, to file a dispute resolution request with the Commission; (2) to grant Applicants a 1-year deferral (i.e. to March 9, 1999) on the payment of principal and interest attributable to royalties; and (3) to allow Applicants to escrow (a) amounts that remain in dispute (b) principal and interest amounts attributable to royalty refunds which have not been collected from the royalty owners, (c) principal and interest on amounts attributable to production prior to October 4, 1983, (d) interest on royalty amounts that have been recovered from the royalty owners (where the principal has been refunded), and (e) interest on all reimbursed principal amounts determined to be refundable as being in excess of maximum lawful prices, excluding interest retained under (b), (c), and (d) above.

Any person desiring to answer GMC's March 13 and March 20 amendments should file such answer with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C.

² See 80 FERC ¶ 61,264 (1997); order denying reh'g issued January 28, 1998, 82 FERC ¶ 61,058 (1998).

³ *Public Service Company of Colorado v. FERC*, 91 F. 3d 1478 (D.C. Cir. 1996), cert. denied, 65 U.S.L.W. 3751 and 3754 (May 12, 1997) (Nos. 96-954 and 96-1230).

⁴ See 82 FERC ¶ 61,059 (1998).

20426, on or before 15 days after the date of publication of this notice in the **Federal Register**, in accordance with the Commission's Rules of Practice and Procedure (18 CFR 385.213, 385.215, 385.1101, and 385.1106).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 98-9170 Filed 4-7-98; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Intent to File an Application for a New License

April 2, 1998.

a. *Type of filing:* Notice of Intent to File an Application for a New License.

b. *Project No.:* 401

c. *Date filed:* March 23, 1998

d. *Submitted By:* Indiana Michigan Power Company, current licensee

e. *Name of Project:* Mottville Hydroelectric Project

f. *Location:* On the St. Joseph River, in St. Joseph County, Michigan

g. *Filed Pursuant to:* Section 15 of the Federal Power Act, 18 CFR 16.6 of the Commission's regulations

h. *Effective date of current license:* February 1, 1978

i. *Expiration date of current license:* September 18, 2003

j. *The project consists of:* (1) a 20-foot-high, 846-foot-long dam comprising (a) a 241-foot-long spillway containing eight 7.5-foot-high by 22-foot-long Taintor gates and two 13-foot-high by 22-foot-long Taintor gates, and (b) a 4-foot fish ladder section; (2) a 378-acre reservoir at normal full pool elevation 771.0 feet m.s.l.; (3) an integral powerhouse containing four generating units with a total installed capacity of 1,715 kW; (4) transmission facilities; and (5) appurtenant facilities.

k. *Pursuant to 18 CFR 16.7, information on the project is available at:* Indiana Michigan Power Company, Hydro Generation, 13840 East Jefferson Road, Mishawaka, IN 46545, (219) 255-8946.

l. *FERC contact:* Tom Dean (202) 219-2778.

m. Pursuant to 18 CFR 16.9 each application for a new license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for

license for this project must be filed by September 18, 2001.

Linwood A. Watson, Jr.

Acting Secretary.

[FR Doc. 98-9158 Filed 4-7-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP98-306-000]

KN Interstate Gas Transmission Company; Notice of Application

April 2, 1998

Take notice that on March 26, 1998, KN Interstate Gas Transmission Company (KN), P.O. Box 281304, Lakewood, Colorado 80228, filed in Docket No. CP98-306-000 an application pursuant to Section 7(b) of the Natural Gas Act for permission and approval to abandon by transfer to Warren Energy Resources, Limited Partnership (Warren), the compression, treating and appurtenant facilities comprising its Pawnee Rock Station which is located in Rush County, Kansas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

KN states that, by abandoning the facilities to Warren, it would eliminate the expenses associated with the operation of the facilities without diminishing or abandoning the services available to the producers connected to Warren's Pawnee Rock gathering system.

KN requests that the Commission declare that the facilities are gathering facilities exempt from the Commission's jurisdiction under Section 1(b) of the Natural Gas Act.

Any person desiring to be heard or any person desiring to make any protest with reference to said application should on or before April 23, 1998, file with the Federal Energy Regulatory Commission, 888 First Street, N.E., 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