

CIG. The Commission, by order issued September 10, 1997, in Docket No. RP97-369-000 *et al.*,¹ on remand from the D.C. Circuit Court of Appeals,² required first sellers to refund the Kansas ad valorem tax reimbursements to the pipelines, with interest, for the period from 1983 to 1988. In its January 28, 1998 Order Clarifying Procedures, the Commission stated that producers (i.e., first sellers) could file dispute resolution requests with the Commission, asking the Commission to resolve the dispute with the pipeline over the amount of Kansas ad valorem tax refunds owed.³ La Jolla's petition is on file with the Commission and open to public inspection.

La Jolla's accountants state that the Kansas ad valorem tax refunds that CIG is seeking from La Jolla pertain to production in 1980, 1981, and 1982. La Jolla's accountants state that they sent two letters to CIG (dated December 8, 1997 and February 25, 1998), and have not received any response from CIG. In view of the above, La Jolla's accountant's on behalf of La Jolla, request the Commission's attention to this matter, i.e., that the Commission resolve this dispute.

Any person desiring to comment on or make any protest with respect to said petition should, on or before April 24, 1998, file with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, a motion to intervene or protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211). 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 the proceeding, or to participate as a party in any hearing therein, must file a motion to intervene in accordance with the Commission's Rules.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 98-9296 Filed 4-8-98; 8:45 am]

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¹ See 80 FERC ¶ 61,264 (1997); order denying reh'g issued January 28, 1998, 82 FERC ¶ 61,058 (1998).

² *Public Service Company of Colorado v. FERC*, 91 F.3d 1478 (D.C. 1996), cert. denied, Nos. 96-954 and 96-1230 (65 U.S.L.W. 3751 and 3754, May 12, 1997).

³ 82 FERC ¶ 61,059 (1998).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. GP98-21-000]

Midgard Energy Company; Notice of Petition for Dispute Resolution

April 3, 1998.

Take notice that, on March 6, 1998, Midgard Energy Company (Midgard), formerly; Maxus Exploration Company (Maxus), filed a petition requesting the Commission to resolve Midgard's dispute with K N Interstate Gas Transmission Company (KNI) over Midgard's Kansas ad valorem tax refund liability to KNI. The Commission, by order issued September 10, 1997, in Docket No. RP97-369-000 *et al.*,¹ on remand from the D.C. Circuit Court of Appeals,² required first sellers to refund the Kansas ad valorem tax reimbursements to the pipelines, with interest, for the period from 1983 to 1988.³ Midgard's petition is on file with the Commission and open to public inspection.

In its petition, Midgard argues that it has no refund liability to KNI because, during the 1983 through 1988 period at issue Midgard did not own the properties and/or the production under Contract No. 130 on which KNI claims refunds. Midgard adds that it does not own those properties now.

Midgard states that KNI's Statement of Refunds Due lists Maxus Energy (as successor to Cotton Petroleum) as the first seller under Contract No. 130, for production from the Betts A-1 well. Midgard states that it did not collect any Kansas ad valorem tax reimbursements under Contract No. 130 during the 1983 to 1988 period, and that it believes that Cotton Petroleum owned the Betts A-1 well production under Contract No. 130 from 1983 through 1986, and that Apache Corporation or an Apache affiliate (Apache) acquired the subject well in 1986. Midgard states that it acquired the Betts A-1 well from Apache, effective May 1, 1991, as part of a producing property acquisition and that, effective August 1, 1992, Midgard

¹ See 80 FERC ¶ 61,264 (1997); order denying reh'g issued January 28, 1998, 82 FERC ¶ 61,058 (1998).

² *Public Service Company of Colorado v. FERC*, 91 F.3d 1478 (D.C. 1996), cert. denied, Nos. 96-954 and 96-1230 (65 U.S.L.W. 3751 and 3754, May 12, 1997).

³ In its January 28, 1998 Order Clarifying Procedures, the Commission stated that producers (i.e., first sellers) could file dispute resolution requests with the Commission, asking the Commission to resolve the dispute with the pipeline over the amount of Kansas ad valorem tax refunds owed, see 82 FERC ¶ 61,059 (1998).

and KNI entered into a termination agreement for Contract No. 130 that specifically provided (among other things) that "each party does hereby forever release and discharge the other from any and all liability under the contract." Midgard adds that, effective July 1, 1996, it sold its interest in the Betts A-1 well to Mr. Kenneth R. Lang, Sr., of Garden City, Kansas, for \$5,000.

Midgard contends that the 1983-1988 Kansas ad valorem tax refund liability should fall to Cotton Petroleum and Apache, not Midgard, since Midgard did not receive any Kansas ad valorem tax reimbursements during the 1983-1988 period at issue. Therefore, Midgard contends that it has no refund liability to KNI under Contract No. 130.

Any person desiring to comment on or make any protest with respect to said petition should, on or before April 24, 1998, file with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, a motion to intervene or protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211). 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 the proceeding, or to participate as a party in any hearing therein, must file a motion to intervene in accordance with the Commission's Rules.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 98-9298 Filed 4-8-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. TM98-8-16-000]

National Fuel Gas Supply Corporation; Notice of Tariff Filing

April 3, 1998.

Take notice that on March 31, 1998, National Fuel Gas Supply Corporation (National) tendered for filing as part of its FERC Gas Tariff, Fourth Revised Volume No. 1, Ninth Revised Sheet No. 9, with a proposed effective date of April 1, 1998.

National states that pursuant to Article I, Section 4, of the approved settlement at Docket Nos. RP94-367-000, *et al.*, National is required to redetermine quarterly the Amortization Surcharge to reflect revisions in the Plant to be Amortized, interest and

associated taxes, and a change in the determinants. The recalculation produced an Amortization Surcharge of 11.68 cents per dth.

Further, National states that under Article II, Section 2, of the approved settlement, National is required to recalculate the maximum Interruptible Gathering (IG) rate monthly and to charge that rate on the first day of the following month if the result is an IG rate more than 2 cents above or below the IG rate as calculated under section 1 of Article II. The recalculation produced an IG Rate of 11 cents per dth.

Any person desiring to be heard or to protest this filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Sections 385.214 and 385.211 of the Commission's Rules and Regulations. All such motions or protests 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 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 in the Public Reference Room.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 98-9305 Filed 4-8-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP96-200-031]

NorAm Gas Transmission Company; Notice of Proposed Changes in FERC Gas Tariff

April 3, 1998.

Take notice that on March 31, 1998, NorAm Gas Transmission Company (NGT) tendered for filing as part of its FERC Gas Tariff, Fourth Revised Volume No. 1, the following revised tariff sheets to be effective April 1, 1998:

Seventh Revised Sheet No. 7C
Fourth Revised Sheet No. 7E.03
Fourth Revised Sheet No. 7G
Second Revised Sheet No. 7K
First Revised Sheet No. 7L

NGT states that the purpose of this filing is to reflect the expiration of certain negotiated rate contracts.

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 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 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. 98-9317 Filed 4-8-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. TM98-4-28-000]

Panhandle Eastern Pipe Line Company; Notice of Proposed Changes in FERC Gas Tariff

April 3, 1998.

Take notice that on March 31, 1998, Panhandle Eastern Pipe Line Company (Panhandle) tendered for filing as part of its FERC Gas Tariff, First Revised Volume No. 1, the tariff sheets listed on Appendix A to the filing, to become effective May 1, 1998.

Panhandle states that this filing is made in accordance with Section 25 (Flow Through of Cash-Out Revenues In Excess of Costs and Scheduling Charges Assessed Against Affiliates) of the General Terms and Conditions in Panhandle's FERC Gas Tariff, First Revised Volume No. 1. Panhandle states that the revised tariff sheets filed herewith reflect the following changes to Panhandle's currently effective Maximum Reservation Rates under Rate Schedules FT, EFT, and LFT, currently effective one-part rate under the Rate Schedule SCT, and the currently effective Maximum Commodity Rates under Rate Schedules IT, and EIT:

(1) a \$.02 per Dt. increase from the Base Reservation Rate for each of the Gathering Charge Rate, Field Zone Transmission Charge Rate and Market Zone Access Charge Rate under Rate Schedules FT, EFT and LFT;

(2) a 0.13¢ per Dt. increase from the Base Rate for each of the Gathering Charge Rate, Field Zone Transmission Charge Rate and Market Zone Access Charge Rate under Rate Schedule SCT; and

(3) a 0.07¢ per Dt. increase from the Base Rate for each of the Gathering Charge Rate, Field Zone Transmission Charge Rate and Market Zone Access Charge Rate under Rate Schedules IT and EIT.

Panhandle states that copies of this filing are being served on all affected customers and applicable state regulatory agencies.

Any person desiring to be heard or to protest this filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Sections 385.214 and 385.211 of the Commission's Rules and Regulations. All such motions or protests 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 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 in the Public Reference Room.

Linwood A. Watson, Jr.,

Acting Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. EG98-46-000, EG98-41-000, EG98-45-000, EG98-42-000, EG98-44-000, and EG98-43-000 (not consolidated)]

Sithe Mystic LLC et al; Notice of Supplemental Filing for Commission Determination of Exempt Wholesale Generator Status

April 3, 1998.

On March 25, 1998, Sithe Mystic LLC, Sithe Framingham LLC, Sithe Edgar LLC, Sithe West Medway LLC, Sithe New Boston LLC, and Sithe Wyman LLC (together the Sithe New England Projects), 450 Lexington Avenue, 37th Floor, New York, New York 10017, filed with the Commission a supplement to their applications for determination of exempt wholesale generator status pursuant to Part 365 of the Commission's Regulations. On March 27, 1998, the Sithe New England Projects filed a sworn statement in support of the supplemental filing. The Sithe New England Projects state that the supplemental filing provides additional information concerning the