

Copies of this filing were served upon the Public Utilities Commission of the State of California and all interested parties.

*Comment date:* October 8, 1998, in accordance with Standard Paragraph E at the end of this notice.

### 9. Tampa Electric Company

[Docket No. ER98-4580-000]

Take notice that on September 18, 1998, Tampa Electric Company (Tampa Electric), tendered for filing service agreements with Hardee Power Partners Limited (HPP), Tenaska Power Services Co. (Tenaska), and the Tennessee Valley Authority (TVA), for firm point-to-point transmission service, and service agreements with HPP, Tenaska, TVA and Engage Energy US, L.P. (Engage), for non-firm point-to-point transmission service, under Tampa Electric's open access transmission tariff.

Tampa Electric proposes an effective date of September 1, 1998, for the service agreements, and therefore requests waiver of the Commission's notice requirements.

Copies of the filing have been served on HPP, Tenaska, TVA, Engage and the Florida Public Service Commission.

*Comment date:* October 8, 1998, in accordance with Standard Paragraph E at the end of this notice.

### 10. Consumers Energy Company

[Docket No. ER98-4581-000]

Take notice that on September 18, 1998, Consumers Energy Company (Consumers), tendered for filing an executed service agreement for Non-Firm Point-to-Point Transmission Service pursuant to the Joint Open Access Transmission Service Tariff filed on December 31, 1996, by Consumers and The Detroit Edison Company (Detroit Edison) with Western Resources.

Copies of the filed agreement were served upon the Michigan Public Service Commission, Detroit Edison and the transmission customer.

*Comment date:* October 8, 1998, in accordance with Standard Paragraph E at the end of this notice.

### 11. CU Power Canada Limited

[Docket No. ER98-4582-000]

Take notice that on September 18, 1998, CU Power Canada Limited (CUPCAN), tendered for filing pursuant to Rule 205, 18 CFR 385.205, a petition for waivers and blanket approvals under various Regulations of the Commission and for an order accepting its FERC Electric Rate Schedule No. 1, to be effective at the earliest possible date but no later than 60 days from the date of its filing.

CUPCAN intends to engage in electric power and energy transactions as a marketer and a broker. In transactions where CUPCAN sells electric energy, it proposes to make such sales on rates, terms and conditions to be mutually agreed upon between itself and the purchasing party. As outlined in the petition, CUPCAN is an affiliate of Alberta Power Limited, an integrated electric utility serving customers in Alberta, Canada.

*Comment date:* October 8, 1998, in accordance with Standard Paragraph E at the end of this notice.

### 12. American Electric Power Service Corporation

[Docket No. ER98-4583-000]

Take notice that on September 18, 1998, the American Electric Power Service Corporation (AEPSC), tendered for filing service agreements under the Wholesale Market Tariff of the AEP Operating Companies (Power Sales Tariff). The Power Sales Tariff was accepted for filing effective October 10, 1997 and has been designated AEP Operating Companies FERC Electric Tariff Original Volume No. 5. AEPSC respectfully requests waiver of notice to permit the service agreements to be made effective for service as specified in the submittal letter to the Commission with this filing.

A copy of the filing was served upon the Parties and the State Utility Regulatory Commissions of Indiana, Kentucky, Michigan, Ohio, Tennessee, Virginia and West Virginia.

*Comment date:* October 8, 1998, in accordance with Standard Paragraph E at the end of this notice.

### 13. New Century Services, Inc.

[Docket No. ER98-4584-000]

Take notice that on September 18, 1998, New Century Services, Inc., on behalf of Cheyenne Light, Fuel and Power Company, Public Service Company of Colorado, and Southwestern Public Service Company (collectively Companies), tendered for filing a Service Agreement under their Joint Open Access Transmission Service Tariff for Firm Point-to-Point Transmission Service between the Companies and Southwestern Public Service Company—Wholesale Merchant Function.

The Companies request that the Agreement be made effective on August 31, 1998.

*Comment date:* October 8, 1998, in accordance with Standard Paragraph E at the end of this notice.

### Standard Paragraphs

E. 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 the comment date. 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 these filings are on file with the Commission and are available for public inspection.

**David P. Boergers,**

*Secretary.*

[FR Doc. 98-26362 Filed 10-1-98; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER98-4602-000, et al.]

### Illinois Power Company, et al.; Electric Rate and Corporate Regulation Filings

September 25, 1998.

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

#### 1. Illinois Power Company

[Docket No. ER98-4602-000]

Take notice that on September 21, 1998, Illinois Power Company (Illinois Power), 500 South 27th Street, Decatur, Illinois 62526, tendered for filing firm transmission agreements under which Tenneco Packaging, Inc. will take transmission service pursuant to its open access transmission tariff. The agreements are based on the Form of Service Agreement in Illinois Power's tariff.

Illinois Power has requested an effective date of September 1, 1998.

*Comment date:* October 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

#### 2. Edison Sault Electric Company v. Cloverland Electric Cooperative Consumers Energy Company

[Docket No. EL98-77-000; Docket No. ER98-4624-000; Docket No. ER97-1386-000]

Take notice that on September 22, 1998, Edison Sault Electric Company (Edison Sault) filed a "Complaint, Request for Authorization of

Cancellation of Effective Rate Schedule, Request for Authorization to Withhold Refund Amounts and Request for Clarification of Settlement Implementation." The matters raised in this filing address Edison Sault's FPC Rate Schedule 8 which is the "Contract for Electric Service" between Edison Sault and Cloverland Electric Cooperative, Inc. (Cloverland.) This rate schedule provides the terms and conditions under which Edison Sault makes available to Cloverland—without markup—energy sold to Edison Sault by Consumers Energy Company (Consumers). Pursuant to 18 CFR 35.15, Edison Sault requests that cancellation of the rate schedule be effective sixty (60) days from the filing of this pleading. Such cancellation is necessary in light of Cloverland's failure to pay Edison Sault for monies due and owing under the effective rate schedule.

In order to remediate Cloverland's failure to pay the monies owed and to make Edison Sault whole in light of Cloverland's stated intent to withhold additional payments, Edison Sault also seeks authorization from the Commission to withhold a refund due to be paid to Cloverland as a result of a Consumers' rate refund requirement in Docket No. ER97-1386. Such amounts, instead, would be placed into trust pending resolution of this matter.

Finally, Edison Sault requests clarification regarding the implementation of the recent settlement agreement between Edison Sault and Consumers in Docket No. ER97-1386 as it relates to Edison Sault's pass-through of network transmission service charges paid by Edison Sault to Consumers.

*Comment date:* October 16, 1998, in accordance with Standard Paragraph E at the end of this notice. Answers to the Complaint shall also be due on October 16, 1998.

**3. Allegheny Power Service Corp., on behalf of Monongahela Power Company, The Potomac Edison Company and West Penn Power Company (Allegheny Power)**

[Docket No. ER98-3926-000]

Take notice that on September 22, 1998, Allegheny Power Service Corporation on behalf of Monongahela Power Company, the Potomac Edison Company and West Penn Power Company (Allegheny Power), submitted a Request for an Extension of Time to complete documents for a filing adding the City of Hagerstown, the Town of Front Royal, and the Town of Thurmont to Allegheny Power's Open Access Transmission Tariff.

Copies of this filing have been provided to the Maryland Public Service

Commission and the Virginia State Corporation Commission.

*Comment date:* October 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

**4. Fitchburg Gas and Electric Light Company; Concord Electric Company; Exeter & Hampton Electric Company**

[Docket No. ER98-4601-000]

Take notice that on September 21, 1998, Fitchburg Gas and Electric Light Company, Concord Electric Company and Exeter & Hampton Electric Company (Companies) tendered for filing with the Commission, amendments to their respective Pro Forma Open Access Transmission Tariffs. These changes are being made so that the Companies' Tariffs are consistent with the changes to the NEPOOL open access tariff ordered by the Commission on April 20, 1998 in *New England Power Pool*, 83 FERC ¶ 61,045 (1998).

A copy of this filing was served upon all parties listed on the official service list in the respective Companies' original open access transmission tariff proceedings as noted above. Concord Electric Company and Exeter & Hampton Electric Company served a copy of the filing on the New Hampshire Public Utilities Commission. Fitchburg Gas and Electric Light Company served a copy of the filing on the Massachusetts Department of Telecommunications & Energy.

The Companies have requested waiver of the Commission's regulations to permit an effective date of October 1, 1998, which would enable their changes to be effective on the same date as NEPOOL's proposed effective date for its changes.

*Comment date:* October 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

**5. Montaup Electric Company**

[Docket No. ER98-4603-000]

Take notice that on September 21, 1998, Montaup Electric Company (Montaup) filed revised sheets of its Open Access Transmission Tariff required to conform that tariff with the Open Access Transmission Tariff filed by the New England Power Pool (NEPOOL) on July 22, 1998. Montaup tendered these revised sheets for filing in compliance with the Commission's order in *New England Power Pool*, *et al.*, Docket Nos. OA97-237-000, *et al.*, requiring NEPOOL Transmission Providers to file conforming amendments to their individual tariffs 60 days after the filing of NEPOOL's compliance report.

*Comment date:* October 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

**6. Northeast Utilities Service Co.**

[Docket No. ER98-4604-000]

Take notice that on September 21, 1998, Northeast Utilities Service Company (NUSCO) on behalf of the Northeast Utilities (NU) System Companies, tendered for filing a supplement and amendments to the NU System Companies Open Access Transmission Service Tariff No. 9 to conform to the Revised New England Power Pool Open Access Transmission filed with the Commission on July 22, 1998 in Docket No. ER98-3853-000.

NUSCO requests that the Commission waive its regulations to permit the supplement and conforming changes to become effective on October 1, 1998 or such other effective date of the Revised NEPOOL Agreement ordered by the Commission.

*Comment date:* October 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

**7. Ameren Services Company**

[Docket No. ER98-4605-000]

Take notice that on September 22, 1998, Ameren Services Company (ASC) tendered for filing Service Agreements for Long-Term Firm Point-to-Point Transmission Services between ASC and Electric Clearinghouse, Inc., (ECI). ASC asserts that the purpose of the agreement is to permit ASC to provide transmission service to ECI pursuant to Ameren's Open Access Transmission Tariff filed in Docket No. ER97-677-004.

The parties respectfully request that the agreement become effective on January 1, 1998.

*Comment date:* October 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

**8. South Carolina Electric & Gas Company**

[Docket No. ER98-4606-000]

Take notice that on September 22, 1998, South Carolina Electric & Gas Company (SCE&G) submitted a service agreement establishing Michigan Electric Power Coordination Center as a customer under the terms of SCE&G's Negotiated Market Sales Tariff.

SCE&G requests an effective date of September 21, 1998. Accordingly, SCE&G requests waiver of the Commission's notice requirements.

Copies of this filing were served upon Michigan Electric Power Coordination Center and the South Carolina Public Service Commission.

*Comment date:* October 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

### 9. California Power Exchange Corporation

[Docket No. ER98-4607-000]

Take notice that on September 21, 1998, the California Power Exchange Corporation (PX) filed for Commission acceptance in this docket, pursuant to Section 205 of the Federal Power Act, an application to amend the PX Operating Agreement and Tariff (including Protocols) (PX Tariff) and a motion for waiver of the 60-day notice requirement. The PX requests that the proposed PX Tariff amendments be accepted because the amendments contain adjustments to the PX Tariff that will reflect actual PX operating experience.

The PX proposes amendments to the PX Tariff and Protocols involving (i) the establishment of a Suspense Account; (ii) notification of changes to the PX Payments Calendar; (iii) clarification of permissible banking arrangements between the PX and PX Participants; (iv) inclusion of PX Participants' ISO Adjustment Bids in the PX's data requirements; (v) clarification of billing and settlement operations; (vi) implementation of negative Market Clearing Prices; (vii) deletion of provisions requiring Meter Data to indicate whether it is an hourly value or a profiled value; (viii) removal of requirements that PX Participants flag whether their Meter Data is estimated or calculated; (ix) the inclusion of provisions to allow the PX to provide new value added services at the request of PX Participants; (x) deletion of the Options Addenda from the PX Participation Agreement; and (xi) flexibility in allocating new ISO charges and prior day ISO charges.

*Comment date:* October 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

### 10. PP&L Energy Plus Co.

[Docket No. ER98-4608-000]

Take notice that on September 22, 1998, PP&L EnergyPlus Co. (PP&L EnergyPlus), filed with the Commission an Application for Authority to Sell Energy and Capacity at Market-Based Rates and to Resell Transmission Rights. PP&L requested waiver of Commission regulations to permit the Market-Based Rate Tariff to become effective on October 1, 1998.

PP&L EnergyPlus stated that it served a copy of the foregoing on the Pennsylvania Public Utility Commission.

*Comment date:* October 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

### 11. Central Power and Light Company; West Texas Utilities Company; Public Service Company of Oklahoma; Southwestern Electric Power Company

[Docket No. ER98-4609-000]

Take notice that on September 22, 1998, Central Power and Light Company, West Texas Utilities Company, Public Service Company of Oklahoma and Southwestern Electric Power Company (collectively, the CSW Operating Companies) submitted for filing revised pages to the CSW Operating Companies' open access transmission service tariff filed in docket No. OA97-24-000 on November 1, 1996.

The CSW Operating Companies state that a copy of the filing was served on all parties to docket No. OA97-24-000, all customers under the tariff, the Public Utility Commission of Texas, the Oklahoma Corporation Commission, the Louisiana Public Service Commission and the Arkansas Public Service Commission.

*Comment date:* October 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

### 12. Edison Sault Electric Company

[Docket No. ER98-4610-000]

Take notice that on September 22, 1998, Edison Sault Electric Company (Edison Sault), tendered for filing the unexecuted Supplemental Agreement Number Eight (8) to the February 1, 1977, Contract for Electric Service between Edison Sault and Cloverland Electric Cooperative (Agreement). The Contract for Electric Service provides the terms and conditions under which Edison Sault makes available to Cloverland—without markup—energy sold to Edison Sault by Consumers Energy Company.

As explained in a filing made contemporaneously with this one, Edison Sault requests cancellation of the rate schedule in light of Cloverland's failure to pay Edison Sault for monies due and owing under the effective rate schedule. Edison Sault is filing to amend the Contract for Electric Service to include a dispute resolution provision in light of the Commission's recent discussion in *Southern Company Energy Marketing, L.P., et al.*, 84 FERC ¶ 61,199, fn.5 (1998).

The sole purpose of Supplemental Agreement Number Eight is to clarify the rights of the parties regarding failure to pay for amounts due and owing under the Contract for Electric Service.

Supplemental Agreement Number Eight does not otherwise propose to change any other terms and conditions of service.

Because Cloverland refused to negotiate a termination provision, Edison Sault requests that the Commission accept this filing as a unilateral amendment to the Contract for Electric Service, and waive the sixty day notice period. In addition, Edison Sault requests that this filing serve as notice of Edison Sault's request for Commission approval of termination of the Contract for Electric Service pursuant to Section 35.15 of the Commission's Regulation (18 CFR 35.15).

*Comment date:* October 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

### 13. Central Power and Light Company, West Texas Utilities Company, Public Service Company of Oklahoma, Southwestern Electric Power Company

[Docket No. ER98-4611-000]

Take notice that on September 22, 1998, Central Power and Light Company, West Texas Utilities Company, Public Service Company of Oklahoma and Southwestern Electric Power Company (collectively, the CSW Operating Companies), submitted for filing revised pages to the CSW Operating Companies open access transmission service tariff filed in Docket No. OA97-24-000 on February 17, 1998.

The CSW Operating Companies state that a copy of the filing was served on all parties to Docket No. OA97-24-000, all customers under the CSW Operating Companies' currently effective open access tariff, the Public Utility Commission of Texas, the Oklahoma Corporation Commission, the Louisiana Public Service Commission and the Arkansas Public Service Commission.

*Comment date:* October 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

### 14. Cambridge Electric Light Company, Commonwealth Electric Company

[Docket No. ER98-4612-000]

Take notice that, on September 22, 1998, Cambridge Electric Light Company (Cambridge), and Commonwealth Electric Company (Commonwealth), submitted for filing, pursuant to Section 205 of the Federal Power Act, and Part 35 of the Commission's Regulations, Open Access Transmission Tariffs. These tariffs are revised and restated primarily to reflect changes to conform to the July 22, 1998, tariff modifications of the New England

Power Pool. In addition, portions of Cambridge's tariff have been revised to reflect divestiture of its generation pursuant to the retail restructuring of electric utilities in Massachusetts.

Copies of the filing have been served on the regulatory agencies in the Commonwealth of Massachusetts.

*Comment date:* October 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

#### 15. UtiliCorp United Inc.

[Docket No. ER98-4613-000]

Take notice that on September 10, 1998, UtiliCorp United Inc. (UtiliCorp), tendered for filing separate market-based sales tariffs for each of itself and its Missouri Public Service, WestPlains Energy-Kansas, and WestPlains Energy-Colorado operating divisions.

UtiliCorp requests that the Commission accept the tariffs for filing to become effective on November 9, 1998.

*Comment date:* October 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

#### 16. Mid-Continent Area Power Pool

[Docket No. ER98-4614-000]

Take notice that on September 22, 1998, the Mid-Continent Area Power Pool (MAPP), on behalf of its Members that are subject to Commission jurisdiction as public utilities under Section 201(e) of the Federal Power Act, filed an amendment to Schedule C1: Scheduled Outage Energy Interchange Service of the MAPP Restated Agreement. Schedule C1 provides for a Participant in MAPP's Reserve-Sharing Pool to supply energy to any other Pool Participant during scheduled outages of generating or transmission facilities, or both. The amendment to Schedule C1 clarifies that Scheduled Outage Service is available only after a Pool Participant receives Emergency Energy under Schedule C of the Restated Agreement, and only for a period of up to 72 continuous hours from the purchasing Pool Participant's most recent request for Emergency Energy.

MAPP requests the Commission to place these changes into effect on September 23, 1998.

*Comment date:* October 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

#### 17. The Washington Water Power Company

[Docket No. ER98-4615-000]

Take notice that on September 22, 1998, The Washington Water Power Company (WWP), filed Supplement No. 1, to WWP Rate Schedule FERC No. 178

and PGE Rate Schedule FERC No. 82. The rate schedules are the Agreement for Long Term Purchase and Sale of Capacity (Capacity Contract) between WWP and Portland General Electric (PGE). The proposed supplement would revise the assignment rights under the Capacity Contract. WWP and PGE are the only purchasers under the Capacity Contract.

*Comment date:* October 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

#### 18. Mid-Continent Area Power Pool

[Docket No. ER98-4616-000]

Take notice that on September 22, 1998, the Mid-Continent Area Power Pool (MAPP), on behalf of its Members that are subject to Commission jurisdiction as public utilities under Section 201(e) of the Federal Power Act, filed amendments to the quorum requirements contained in the MAPP Restated Agreement. These amendments decrease the quorum requirements from three-fourths to 50% or more participation for certain MAPP committees.

MAPP requests an effective date of January 14, 1999.

*Comment date:* October 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

#### Standard Paragraphs

E. 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 the comment date. 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 these filings are on file with the Commission and are available for public inspection.

**David P. Boergers,**

*Secretary.*

[FR Doc. 98-26360 Filed 10-1-98; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EC98-58-000, et al.]

#### West Texas Utilities Company, et al.; Electric Rate and Corporate Regulation Filings

September 24, 1998.

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

##### 1. West Texas Utilities Company

[Docket No. EC98-58-000]

Take notice that on September 1, 1998, West Texas Utilities Company (Applicant) filed with the Commission an application seeking authorization pursuant to section 203 of the Federal Power Act to purchase from the City of Hearne, Texas (Hearne) a substation used to reduce power delivered for Hearne's needs from transmission voltage to distribution voltage and to lease the facilities back to Hearne for a period of twenty years, along with certain facilities especially acquired by Applicant for use in the substation. Upon the termination of the lease, Hearne will purchase the facilities at their depreciated book value.

*Comment date:* October 21, 1998, in accordance with Standard Paragraph E at the end of this notice.

##### 2. New York State Electric & Gas Corporation, NGE Generation, Inc., Pennsylvania Electric Company, and Mission Energy Westside, Inc.

[Docket Nos. EC98-64-000 and ER98-4600-000]

Take notice that on September 21, 1998, New York State Electric & Gas Corporation, NGE Generation, Inc., Pennsylvania Electric Company and Mission Energy Westside, Inc. (collectively, the Applicants) tendered for filing an application under Section 203 of the Federal Power Act for approval to transfer certain jurisdictional facilities associated with the sale of the Homer City Electric Generating Station. The Applicants also tendered for filing pursuant to Section 205 of the Federal Power Act certain agreements providing for services related to the transfer of facilities.

The Applicants have served copies of this filing on the New York Public Service Commission and the Pennsylvania Public Utilities Commission.

*Comment date:* October 26, 1998, in accordance with Standard Paragraph E at the end of this notice.