

services are under Niagara Mohawk's FERC Electric Tariff, Original Volume No. 4; as modified by an Order of the Commission in this proceeding dated November 7, 1997. Niagara Mohawk's customer is Select Energy, Inc.

*Comment date:* February 12, 1999, in accordance with Standard Paragraph E at the end of this notice.

### 31. Tampa Electric Company

[Docket No. ER99-1460-000]

Take notice that on January 26, 1999, Tampa Electric Company (Tampa Electric), tendered for filing service agreements with the Reedy Creek Improvement District (RCID) and Florida Power Corporation (FPC) for firm point-to-point transmission service, and a service agreement with FPC for non-firm point-to-point transmission service, under Tampa Electric's open access transmission tariff.

Tampa Electric proposes an effective date of January 1, 1999, for the service agreements, and therefore requests waiver of the Commission's notice requirement.

Copies of the filing have been served on RCID, FPC, and the Florida Public Service Commission.

*Comment date:* February 12, 1999, in accordance with Standard Paragraph E at the end of this notice.

### 32. Indeck Pepperell Power Associates, Inc.

[Docket No. ER99-1462-000]

Take notice that on January 16, 1999, Indeck Pepperell Power Associates, Inc. (Indeck Pepperell), tendered for filing with the Federal Energy Regulatory Commission a Power Purchase and Sale Agreement (Service Agreement) between Indeck Pepperell and Great Bay Power Corporation (Great Bay), dated December 11, 1998, for service under Indeck Pepperell's Rate Schedule FERC No. 1. Indeck Pepperell requests that the Service Agreement be made effective as of December 11, 1998.

*Comment date:* February 12, 1999, in accordance with Standard Paragraph E at the end of this notice.

### 33. New Century Services, Inc.

[Docket No. ER99-1463-000]

Take notice that on January 25, 1999, 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 Non-Firm Point-to-Point Transmission Service between the Companies and Cielo Power Market, LP.

*Comment date:* February 12, 1999, 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. 99-2705 Filed 2-4-99; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

February 1, 1999.

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

- a. *Type of Application:* Preliminary Permit.
- b. *Project No.:* 11660-000.
- c. *Date Filed:* January 14, 1999.
- d. *Applicant:* Universal Electric Power Corporation.
- e. *Name of Project:* Union City Dam Hydroelectric Project.
- f. *Location:* On the French River near Union City, Erie County, Pennsylvania.
- g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. §§ 791(a)-825(r).
- h. *Applicant Contact:* Ronald S. Feltenberger, Universal Electric Power Corporation, 1145 Highbrook Street, Akron, Ohio 44301, (330) 535-7115.
- i. *FERC Contact:* Any questions on this notice should be addressed to Tom Dean, E-mail address, thomas.dean@ferc.fed.us, or telephone 202-219-2778.

j. *Deadline for filing comments, motions to intervene, and protests:* 60 days from the issuance date of this notice.

*All documents (original and eight copies) should be filed with:* David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

The Commission's Rules of Practice and Procedures require all intervenors filing documents with the Commission to serve a copy of the document on each person whose name appears on the official service list for the project.

Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Description of the Project:* The project would be located at the existing U.S. Army Corps of Engineers Union City Dam and would consist of the following proposed facilities: (1) a penstock and discharge works; (2) a powerhouse on the tailrace side of the dam with a total installed capacity of 360 kW; (3) a transmission line; and (4) other appurtenances.

Applicant estimates that the average annual generation would be 1,200 MWh and that the cost of the studies under the permit would be \$250,000.

l. *Locations of the application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE, Room 2A, Washington, D.C. 20426, or by calling (202) 208-1371. The application may be viewed on the web at [www.ferc.fed.us](http://www.ferc.fed.us). Call (202) 208-2222 for assistance. A copy is also available for inspection and reproduction at the address in item h above.

m. *This notice also consists of the following standard paragraphs:* A5, A7, A9, A10, B, C, and D2.

A5. *Preliminary Permit*—Anyone desiring to file a competing application for preliminary permit for a proposed project must submit the competing application itself, or a notice of intent to file such an application, to the Commission on or before the specified comment date for the particular application (see 18 CFR 4.36). Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30(b) and 4.36.

A7. *Preliminary Permit*—Any qualified development applicant desiring to file a competing development application must submit to the Commission, on or before a

specified comment date for the particular application, either a competing development application or a notice of intent to file such an application. Submission of a timely notice of intent to file a development application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

**A9. Notice of Intent**—A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

**A10. Proposed Scope of Studies under Permit**—A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

**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.

**C. Filing and Service of Responsive Documents**—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", "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. An additional copy must be sent to Director, Division of Project Review, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent competing application or 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.

**David P. Boergers,**

Secretary.

[FR Doc. 99-2804 Filed 2-4-99; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

February 1, 1999.

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

*a. Type of Application:* Preliminary Permit.

*b. Project No.:* 11661-000.

*c. Date Filed:* January 14, 1999.

*d. Applicant:* Universal Electric Power Corporation.

*e. Name of Project:* Gathright Dam Hydroelectric Project.

*f. Location:* On the Jackson River near the town of Covington, Alleghany County, Virginia.

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

*h. Applicant Contact:* Ronald S. Feltenberger, Universal Electric Power Corporation, 1145 Highbrook Street, Akron, Ohio 44301, (330) 535-7115.

*i. FERC Contact:* Any questions on this notice should be addressed to Tom Dean, E-mail address, [thomas.dean@ferc.fed.us](mailto:thomas.dean@ferc.fed.us), or telephone 202-219-2778.

*j. Deadline for filing comments, motions to intervene, and protests:* 60

days from the issuance date of this notice.

*All documents (original and eight copies) should be filed with:* David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

The Commission's Rules of Practice and Procedures require all intervenors filing documents with the Commission to serve a copy of the document on each person whose name appears on the official service list for the project.

Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

*k. Description of the Project:* The project would be located at the existing U.S. Army Corps of Engineers Gathright Dam and would consist of the following proposed facilities: (1) a penstock and discharge works; (2) a powerhouse on the tailrace side of the dam with a total installed capacity of 4,540 kW; (3) a transmission line; and (4) other appurtenances.

Applicant estimates that the average annual generation would be 17,000 MWh and that the cost of the studies under the permit would be \$1,250,000.

*l. Locations of the application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE, Room 2A, Washington, D.C. 20426, or by calling (202) 208-1371. The application may be viewed on the web at [www.ferc.fed.us](http://www.ferc.fed.us). Call (202) 208-2222 for assistance. A copy is also available for inspection and reproduction at the address in item h above.

*m. This notice also consists of the following standard paragraphs:* A5, A7, A9, A10, B, C, and D2.

**A5. Preliminary Permit**—Anyone desiring to file a competing application for preliminary permit for a proposed project must submit the competing application itself, or a notice of intent to file such an application, to the Commission on or before the specified comment date for the particular application (see 18 CFR 4.36). Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30(b) and 4.36.

**A7. Preliminary Permit**—Any qualified development applicant desiring to file a competing