

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****[Docket No. RP00-212-002]****NUI Corporation (City Gas Company of Florida Division) v. Florida Gas Transmission Company; Notice of Proposed Compliance Filing**

August 18, 2000.

Take notice that on August 14, 2000, Florida Gas Transmission Company ("FGT") tendered for filing to become part of its FERC Gas Tariff, Third Revised Volume No. 1 ("Tariff") effective August 25, 2000, the following tariff sheets:

Substitute First Revised Sheet No. 186
Substitute Fifth Revised Sheet No. 187

FGT states that on March 8, 2000, NUI Corporation (City Gas Company of Florida Division) (NUI) filed a complaint contending that FGT violated applicable Commission policy, as well as FGT's tariff, by not permitting NUI to reduce its contract demand selectively by season in matching a bid submitted under FGT's Right-of-First-Refusal ("ROFR") procedures. Subsequently, on July 14, 2000, the Commission issued an order in the referenced docket ("July 14 Order") requiring FGT to clarify shippers' rights to uniformly reduce contract demand when exercising their ROFR rights. In compliance with the Commission's July 14 Order, on July 27, 2000, FGT filed tariff sheets ("July 27 Filing") adding tariff language allowing shippers exercising ROFR rights to reduce contract demand by either a uniform percentage reduction for each season or by the same absolute volume amount in each season.

In response to FGT's filing, several shippers protested FGT's inclusion in proposed tariff language the phrase "that does not require its entire contract quantities to serve its core customers." The protesting shippers stated that the phrase was ambiguous, limited the rights of certain shippers to reduce their contract quantities and was beyond the scope of the Commission's Order. FGT states that it did not intend to limit the rights of shippers in the ROFR process in any way, but included this phrase as a result of the issues raised in the NUI complaint proceeding. However, after reviewing the protests, FGT states that it agrees that the language could be interpreted as limiting ROFR rights. In the instant filing, FGT states that it is refiling tariff language to comply with the Commission's July 14 Order, but without the language that has been

interpreted as limiting shipper's rights of reduction in the ROFR process.

Any person desiring to protest this filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 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. This filing may be viewed on the web at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

David P. Boergers,
Secretary.

[FR Doc. 00-21598 Filed 8-23-00; 8:45 am]

BILLING CODE 6717-01-M**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****[Docket No. RP00-212-003]****NUI Corporation (City of Gas Company of Florida Division) v. Florida Gas Transmission Company; Notice of Filings**

August 21, 2000.

Take notice that on August 14, 2000, Florida Gas Transmission Company (FGT), and Enron North America Corp. (ENA) each tendered for filing in the above referenced docket to comply with the requests for information in the Commission's Order on Complaint, Requiring Tariff Filing, And Requiring Filing of Information (Order on Complaint) issued on July 14, 2000, in this proceeding.¹

FGT and ENA filed information relating to ENA's need for capacity on the FGT system and ENA's decision to submit a bid on an expiring contract of NUI Corporation (City Gas Company of Florida Division) (NUI) during the right-of-first-refusal process.

FGT and ENA both request privileged and confidential treatment for some of the filed information because they assert the information sought relates to both FGT's and ENA's on-going business and personnel matters and, therefore, is proprietary and sensitive and would cause FGT, or its customers, and ENA

substantial competitive harm if disclosed. Accordingly, FGT and ENA request that the Commission treat their respective filings and the information contained therein as confidential and proprietary and not disclose such information, or require FGT or ENA to disclose such information to third parties pursuant to § 388.112 of the Commission's Regulations.

It is not clear from the filings whether FGT or ENA has served a redacted copy of their filings on the parties to the proceeding. As set forth in § 385.213(c)(5)(ii) of the Commission's regulations, FGT and ENA must provide a redacted copy of its filing without the privileged information to all parties on the official service list. In addition, both FGT and ENA must provide each party with a proposed form of protective agreement.

Under the July 14, 2000 order, parties were to have thirty days from the date of the filings within which to file a response to the FGT and ENA filings. The time period will be extended to October 13, 2000 to permit sufficient time to execute protective agreements and review the filings. Copies of these filings are on file with the Commission and are available for public inspection in the Public Reference Room. This filing may be viewed on the web at <http://www.ferc.fed.us/online/rims.htm> (Call 202-208-2222 for assistance).

Linwood A. Watson, Jr.,
Acting Secretary.

[FR Doc. 00-21665 Filed 8-23-00; 8:45 am]

BILLING CODE 6717-01-M**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****[Docket No. ER00-3109-000]****NYSD Limited Partnership, et al.; Notice of Issuance of Order**

August 18, 2000.

NYSD Limited Partnership, *et al.* (NYSD) submitted for filing a rate schedule under which NYSD will engage in wholesale electric power and energy transactions at market-based rates. NYSD also requested waiver of various Commission regulations. In particular, NYSD requested that the Commission grant blanket approval under 18 CFR Part 34 of all future issuances of securities and assumptions of liability by NYSD.

On August 17, 2000, pursuant to delegated authority, the Director, Division of Corporate Applications, Office of Markets, Tariffs and Rates,

¹ 92 FERC ¶61,044 (2000).

granted requests for blanket approval under Part 34, subject to the following:

Within thirty days of the date of the order, any person desiring to be heard or to protest the blanket approval of issuances of securities or assumptions of liability by NYSD should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214).

Absent a request for hearing within this period, NYSD is authorized to issue securities and assume obligations or liabilities as a guarantor, endorser, surety, or otherwise in respect of any security of another person; provided that such issuance or assumption is for some lawful object within the corporate purposes of the applicant, and compatible with the public interest, and is reasonably necessary or appropriate for such purposes.

The Commission reserves the right to require a further showing that neither public nor private interests will be adversely affected by continued approval of NYSD's issuances of securities or assumptions of liability.

Notice is hereby given that the deadline for filing motions to intervene or protests, as set forth above, is September 18, 2000.

Copies of the full text of the Order are available from the Commission's Public Reference Branch, 888 First Street, NE., Washington, DC 20426. The Order may also be viewed on the Internet at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

David P. Boergers,
Secretary.

[FR Doc. 00-21661 Filed 8-23-00; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP00-436-000]

OneOk Caprock Pipeline Company, OkTex Pipeline Company; Notice of Application

August 21, 2000.

Take notice that on August 11, 2000, OneOk Caprock Pipeline Company (Caprock), and OkTex Pipeline Company (OkTex), both at 100 West Fifth Street, Tulsa, Oklahoma 74103, tendered for filing in Docket No. CP00-436-000 an application pursuant to section 7(b) and (c) of the Natural Gas

Act (NGA) for permission and approval for Caprock to abandon certain pipeline facilities located in Texas and Oklahoma and for OkTex to acquire and operate the same facilities, all as more fully set forth in the application on file with the Commission and open to public inspection. This filing may be viewed on the web at <http://www.ferc.fed.us/online/htm> (call 202-208-2222 for assistance).

Caprock proposes to abandon the Beckham-Wheeler pipeline facilities by merger with OkTex. It is stated that the facilities consist of 1.88 miles of 20-inch pipeline and related facilities located in Beckham County, Oklahoma, and Wheeler County, Texas. It is explained that following the merger Caprock will cease to exist as a natural gas company, and that OkTex will be the surviving entity. It is asserted that following transfer of the facilities to OkTex, Caprock will no longer have any interstate facilities subject to regulation by the Commission, and that Caprock will cancel all tariffs. It is further asserted that OkTex will operate the facilities as part of its interstate system and will assume all service obligations and operational and economic responsibilities for the subject facilities. Caprock and OkTex state that the proposal will allow optimization of system operations and will improve service to customers.

Any questions regarding the application should be directed to C. Burnett Dunn, Attorney, at (918) 595-4816 or Kathleen Mazure at (202) 467-6370, Ext. 1022.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 11, 2000, file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 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 NGA (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 proceedings. 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 is 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 Caprock or OkTex to appear or be represented at the hearing.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 00-21666 Filed 8-23-00; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP00-440-000]

Pacific Interstate Offshore Company; Application

August 18, 2000.

Take notice that on August 15, 2000, Pacific Interstate Offshore Company (PIOC), 1021 Main, Suite 2100, Houston, Texas 77002, filed in Docket No. CP00-440-000 an application pursuant to Section 7(b) of the Natural Gas Act for permission and approval to abandon all of its facilities and the services provided through those facilities, all as more fully set forth in the application on file with the Commission and open to public inspection. This filing may be viewed on the web at <http://www.ferc.fed.us/online/htm> (call 202-208-2222 for assistance).

PIOC states that it currently operates facilities consisting of 8.4 miles of 12-inch pipeline, extending from the Platform Habitat in the Pitas Point Field, in the Federal waters, offshore California, to a point onshore near Carpinteria, California, along with a meter, regulator station, and appurtenant facilities. It is indicated that PIOC offers transportation services for shippers under its Part 284 blanket certificate. PIOC indicates that as of September 1, 1999, Nuevo Energy Company (Nuevo) acquired all of the issued and outstanding stock of PIOC from Sempra Energy, and that currently Nuevo, which owns all of the gas produced at the platform and holds all of the surrounding leases, is PIOC's only shipper.