

**48. Consumers Energy Company**

[Docket No. ES98-31-000]

Take notice that on January 31, 2000 Consumers Energy Company filed a request for waiver of the Commission's competitive bid or negotiated placement requirements of 18 CFR 34.2 with regard to guarantees for loans for purchase and/or installation of equipment related to the provision of energy, which guarantees would be made pursuant to authorization already granted in this docket.

*Comment date:* February 25, 2000, in accordance with Standard Paragraph E at the end of this notice.

**Standard Paragraphs**

E. Any person desiring to be heard or to protest such filing 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). 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. This filing 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. 00-3307 Filed 2-11-00; 8:45 am]

BILLING CODE 6717-01-P

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****Notice of Declaration of Intention and Soliciting Comments, Motions To Intervene, and Protests**

February 8, 2000.

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

a. *Application Type:* Declaration of Intention.

b. *Docket No.:* DI00-2-000.

c. *Date Filed:* December 3, 1999.

d. *Applicant:* Garkane Power Association, Inc.

e. *Name of Project:* Glen Canyon-Paria Transmission Project.

f. *Location:* In Kane County, Utah, and Coconino County, Arizona. The project occupies lands of the United States managed by the Department of the Interior's Bureau of Land Management.

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

h. *Applicant Contact:* Mr. Michael Avant, Engineering Manager, Garkane Power Association, Inc., 1802 South 175 East, Kanab, Utah 84741 (435) 644-5026, and Glen L. Ortman, Esq., Adrienne E. Clair, Esq., Verner, Liipfert, Benhard, McPherson and Hand, Chartered, 901 15th Street, NW, Suite 700, Washington, DC 20005-6000, (202) 371-6000.

i. *FERC Contact:* Any questions on this notice should be addressed to Etta Foster at (202) 219-2679, or e-mail address: [etta.foster@ferc.fed.us](mailto:etta.foster@ferc.fed.us).

j. *Deadline for filing comments and or motions:* March 13, 2000.

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.

Please include the docket number (DI00-2-000) on any comments or motions filed.

k. *Description of Project:* The existing project works consists of: a 138-kilovolt transmission line, extending about 36.1 miles from the Bureau of Reclamation's Glen Canyon Dam Powerhouse Switchyard to Garkane Power Association, Inc.'s Paria Substation, and apurtenant facilities.

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, DC 20426, or by calling (202) 208-1371. This filing may be viewed on <http://www.ferc.fed.us/online/rims.htm> (call (202) 208-2222 for assistance). A copy is also available for inspection and reproduction at the address in item h above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

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.

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. 00-3316 Filed 2-11-00; 8:45 am]

BILLING CODE 6717-01-M

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****Notice of Application Accepted for Filing and Soliciting Motions To Intervene and Protests**

February 8, 2000.

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

a. *Type of Application:* New Minor License.

b. *Project No.:* P-2694-002.

c. *Date filed:* September 27, 1999.

d. *Applicant:* Nantahala Power and Light.

e. *Name of Project:* Queens Creek Hydroelectric Project.

f. *Location:* On Queens Creek, near the town of Tipton, in Macon County, North Carolina. The project would not utilize federal lands.

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

h. *Applicant Contact:* Thomas D. Smitherman; Vice President: Production, Transmission, and Distribution; 301 NP&L Loop Road; Franklin, NC 28734; (828) 369-4514.

i. *FERC Contact:* Kevin Whalen (202) 219-2790, [kevin.Whalen@ferc.fed.us](mailto:kevin.Whalen@ferc.fed.us).

j. *Deadline for filing interventions and protests:* April 14, 2000.

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 Procedure require all intervenors filing documents with the Commission to serve a copy of that 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 may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Status of environmental analysis:* This application is not ready for environmental analysis at this time.

l. *Description of the Project:* The project consists of the following existing facilities: (1) a 78-foot-high, 382-foot-long earth-faced rock fill dam; (2) a 4-foot-wide by 4-foot-high horizontal intake structure, having a trashrack with 1.0-inch clear bar spacing; (3) a 6,250-foot-long steel penstock leading to a concrete and steel powerhouse containing a single generating unit, having an installed capacity of 1,440 kilowatts; (4) a 37-acre impoundment that extends approximately 0.7 miles upstream; and (5) appurtenant facilities. The applicant estimates the total average annual generation would be approximately 5,000 megawatt hours.

m. *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, DC 20246, or by calling (202) 208-1371. The application may be viewed on the web at <http://www.ferc.fed.us/online/rims.htm> (call (202) 208-2222 for assistance). A copy is also available for inspection and reproduction at the address in item h. above.

*Protests or Motions to Intervene—* Anyone may submit a protest or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, and 385.214. In determining the appropriate action to take, the Commission will consider all protests 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 protests or motions to intervene must be received on or before the specified deadline date for the particular application.

*Filing and Service of Responsive Documents—* The application is not ready for environmental analysis at this time; therefore, the Commission is not now requesting comments, recommendations, terms and conditions, or prescriptions.

When the application is ready for environmental analysis, the Commission will issue a public notice requesting comments, recommendations, terms and conditions, or prescriptions.

All filings must (1) bear in all capital letters the title "PROTEST" or

"MOTION TO INTERVENE;" (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. Agencies may obtain copies of the application directly from the applicant. Any of these documents must be filed by providing the original and the number of copies required by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426. An additional copy must be sent to Director, Division of Project Review, Office of Hydropower Licensing, Federal Energy Regulatory Commission, at the above address. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application.

David P. Boergers,

Secretary.

[FR Doc. 00-3322 Filed 2-11-00; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Sunshine Act Meeting

**AGENCY HOLDING MEETING:** Federal Energy Regulatory Commission.

**FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT:** February 7, 2000, 65 FR 5866.

**PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING:** February 9, 10:00 a.m.

**CHANGE IN THE MEETING:** The following Docket No. has been added to Item CAE-15 on the Agenda scheduled for the February 9, 2000 meeting:

Item No.	Docket No. and company
CAE-15 ...	EL00-41-000, PJM Interconnection L.L.C.

David P. Boergers,

Secretary.

[FR Doc. 00-3432 Filed 2-9-00; 4:27 pm]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Office of Hearings and Appeals

#### Proposed Implementation of Special Refund Procedures

**AGENCY:** Office of Hearings and Appeals, Department of Energy.

**ACTION:** Notice of proposed implementation of special refund procedures.

**SUMMARY:** The Office of Hearings and Appeals (OHA) of the Department of Energy (DOE) announces the proposed procedures for disbursement of \$1,368,143.60, plus accrued interest, in refined petroleum overcharges obtained by the DOE under the terms of remedial and consent orders with respect to Bi-Petro Refining Company, Inc., *et al.*, Case Nos. VEF-0035, *et al.* The OHA has tentatively determined that the funds will be distributed in accordance with the provisions of 10 CFR part 205, Subpart V and 15 U.S.C. § 4501, the Petroleum Overcharge Distribution and Restitution Act (PODRA).

#### DATE AND ADDRESS:

Comments must be filed in duplicate on or before March 15, 2000 and should be addressed to the Office of Hearings and Appeals, Department of Energy, 1000 Independence Ave., SW, Washington, DC 20585-0107. All comments should display a reference to Case Nos. VEF-0035, *et al.*

#### FOR FURTHER INFORMATION CONTACT:

Dawn L. Goldstein, Staff Attorney, Office of Hearings and Appeals, 1000 Independence Ave. SW, Washington, DC 20585-0107; (202) 426-1527, [Dawn.Goldstein@hq.doe.gov](mailto:Dawn.Goldstein@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:** In accordance with 10 CFR § 205.282(b), notice is hereby given of the issuance of the Proposed Decision and Order set out below. The Proposed Decision sets forth the procedures that the DOE has tentatively formulated to distribute to eligible claimants \$1,368,143.60, plus accrued interest, obtained by the DOE under the terms of Remedial Orders and Consent Orders regarding Bi-Petro Refining Company, Inc., *et al.* Under the Remedial Orders, companies were found to have violated the Federal petroleum price and allocation regulations involving the sale of refined petroleum products during the relevant audit periods. The Consent Orders resolved alleged violations of these regulations.

The OHA has proposed to distribute the funds in a two-stage refund proceeding. Purchasers of certain covered petroleum products from any one of the firms considered in the