

reimbursements received by KMITG pursuant to the Settlement Agreement. KMITG further states that on December 24, 2003, it refunded to Public Service Company of Colorado (PSCo) amounts from pre-2003 refunds that it had been holding in suspense attributable to service proposed by KMITG's predecessor to Iowa Electric Light and Power Company pursuant to an indemnification and release agreement executed between KMITG and PSCo.

KMITG states that copies of the filing have been served upon all to Docket No. RP98-53, on all affected state regulatory commissions, and on all LDCs listed on Appendix B to the Settlement Agreement, whether or not they are parties to this proceeding.

Any person desiring to protest said 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 on or before the protest date as shown below. 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. This filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the eLibrary link. Enter the docket number excluding the last three digits in the docket number field to access the document. Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll-free at (866) 208-3676, or TTY, contact (202) 502-8659. The Commission strongly encourages electronic filings. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the e-Filing link.

Protest Date: January 23, 2004.

Linda Mitry,

Acting Secretary.

[FR Doc. E4-105 Filed 01-23-04; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP04-50-000]

Texas Eastern Transmission, LP; Notice of Certificate Application

January 16, 2004.

Take notice that Texas Eastern Transmission, LP (Texas Eastern), 5400 Westheimer Court, Houston, Texas 77056-5310, filed in Docket No. CP04-50-000 on January 6, 2004, pursuant to section 7(C) of the Natural Gas Act (NGA), as amended, and part 157 of the Commission's regulations its application for a certificate of public convenience and necessity and related authorizations to lease 100,000 Dekatherms per day (Dth/d) of capacity to Discovery Gas Transmission LLC (Discovery). Texas Eastern states that the Lease Capacity will serve to support Discovery's proposed Market Expansion Project, for which Discovery has filed a related certificate application with the Commission in Docket No. CP03-342-000. As described in the application, Discovery's Market Expansion Project is being constructed for Discovery to serve new markets in southern Louisiana. Texas Eastern requests that the Commission issue a certificate no later than March 1, 2004, for its application, all as more fully set forth in the application which is on file with the Commission and open to public inspection. The filing is available for review at the Commission in the Public Reference Room or may be viewed on the Web at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll-free at (866) 208-3676 or for TTY, (202) 502-8659.

Any questions regarding the amendment applications should be directed to Steven E. Tillman, General Manager, Regulatory Affairs, Texas Eastern Transmission, LP, P.O. Box 1642, Houston, Texas, 77251-1642, at (713) 627-5113, with fax at (713) 627-5947.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, a motion to intervene 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). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

The Commission may issue a preliminary determination on non-environmental issues prior to the completion of its review of the environmental aspects of the project. This preliminary determination typically considers such issues as the need for the project and its economic effect on existing customers of the applicant, on other pipelines in the area, and on landowners and communities. For example, the Commission considers

the extent to which the applicant may need to exercise eminent domain to obtain rights-of-way for the proposed project and balances that against the non-environmental benefits to be provided by the project. Therefore, if a person has comments on community and landowner impacts from this proposal, it is important either to file comments or to intervene as early in the process as possible.

Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. The Commission strongly encourages electronic filing.

Comment Date: January 29, 2004.

Linda Mitry,

Acting Secretary.

[FR Doc. E4-107 Filed 01-23-04; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP00-426-018]

Texas Gas Transmission, LLC; Notice of Filing of Negotiated Rate Agreement

January 16, 2004.

Take notice that on January 7, 2004, Texas Gas Transmission, LLC (Texas Gas), submitted for filing an addendum to a negotiated rate agreement with Tennessee Valley Authority (TVA).

Texas Gas states that the purpose of this filing is to submit an addendum to the TVA negotiated rate agreement, which corrects an erroneously referenced loan contract number. Both Texas Gas and TVA accepted and agreed to the addendum, thereby acknowledging the correction and upholding all other provisions of the October 21, 2003, negotiated rate agreement.

Texas Gas states that copies of this filing are being mailed to all parties on the official service list in this docket, to Texas Gas's official service list, to Texas Gas's jurisdictional customers, and to interested state commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with sections 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed in accordance with 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. This filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the eLibrary. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll-free at (866) 208-3676, or TTY, contact (202) 502-8659. The Commission strongly encourages electronic filings. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the e-Filing link.

Linda Mitry,

Acting Secretary.

[FR Doc. E4-108 Filed 1-23-04; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP04-139-000]

Virginia Natural Gas, Inc., Complainant v. Columbia Gas Transmission Corporation, Respondent; Notice of Complaint

January 14, 2004.

Take notice that on January 13, 2004, Virginia Natural Gas, Inc. (VNG) pursuant to rule 206 of the rules of practice and procedure of the Federal Energy Regulatory Commission (Commission), 18 CFR 385.206 (2003), filed a Complaint against Columbia Gas Transmission Corporation (Columbia). VNG alleges that Columbia violated Sections 4, 5, and 7(b) of the Natural Gas Act, 15 U.S.C. 717c, 717d, and 717f(b), and the Commission's regulations applicable to open-access transportation of natural gas, 18 CFR 284, Columbia's Tariff, and Columbia's service agreements with VNG when Columbia:

- Reduced by 75 percent, for a period beginning February 20, 2003, and extending through the end of the 2002-2003 heating season, Liquefaction Demand under Columbia's Rate Schedule X-133, providing for natural gas liquefaction, storage, vaporization and delivery service to VNG, for reasons of claimed "*force majeure*" when, in fact, the reason was the innate inability of Columbia's facilities to perform

consistently with the requirements of Columbia's certificate;

- With respect to deliveries to VNG's Southern System, failed on five separate occasions during the 2002-03 heating season, to meet Minimum Daily Pressure Obligations set out, pursuant to Columbia's Tariff, in Columbia's service agreements with VNG under Columbia's Rate Schedules FTS and SST; and

- Curtailed, severely if not entirely, VNG's storage withdrawals under Columbia's Rate Schedule FSS providing for firm storage service when Columbia's inability to perform is traceable to Columbia's own operating practices, including, during the critical period, offering service under its PAL Rate Schedule providing for interruptible parking and lending service.

VNG states that Columbia's violations harmed VNG by requiring VNG to take extraordinary and costly measures to continue to serve the customers, including high priority customers, that depend upon VNG's Southern System and requiring VNG to forego numerous asset value maximization opportunities.

By way of remedy, VNG requests the Commission to order Columbia, pursuant to section 16 of the NGA, 15 U.S.C. 717o, to make a monetary payment to VNG to prevent Columbia's unjust enrichment and to place VNG in the position VNG would have occupied absent Columbia's violations. Additionally, VNG also requests the Commission to require Columbia to take all necessary actions, including the construction or repair of facilities without additional cost to VNG or Columbia's other shippers, to ensure that Columbia has the requisite facilities in place to meet Columbia's firm obligations to VNG each and every day. VNG also requests the Commission to grant VNG any other relief the Commission believes is appropriate under the circumstances. Lastly, VNG requests, pursuant to 18 CFR 1b.8(a), that the Commission issue, pursuant to 18 CFR 1b.5, an Order of Investigation setting a formal, public investigation into whether Columbia unlawfully subordinated firm storage service to interruptible service.

Any person desiring to be heard or to protest this filing should file 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). 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.