

Name	Case No.
Mullis Petroleum Co	RF321-20635
Read's Service Station	RF300-21680
Richland Parish	RF272-85808
Roosevelt County	RF272-85784
Town of Manlius	RF272-85818
Tri-Gas & Oil Co., Inc	RF321-20657
Venable, Baetjer, and Howard, LLP	VFA-0028

Copies of the full text of these decisions and orders are available in the Public Reference Room of the Office of Hearings and Appeals, Room 1E-234, Forrestal Building, 1000 Independence Avenue SW., Washington, D.C. 20585, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays. They are also available in *Energy Management: Federal Energy Guidelines*, a commercially published loose leaf reporter system.

Dated: April 27, 1995.

George B. Breznay,

Director, Office of Hearings and Appeals.

[FR Doc. 95-10900 Filed 5-2-95; 8:45 am]

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Office of Hearings and Appeals

Issuance of Decisions and Orders During the Week of March 27 Through March 31, 1995

During the week of March 27 through March 31, 1995 the decisions and orders summarized below were issued with respect to appeals and applications for other relief filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a list of submissions that were dismissed by the Office of Hearings and Appeals.

Appeals

David K. Hackett, 3/31/95, VFA-0032

David K. Hackett filed an Appeal from a determination issued by the Oak Ridge Operations Office (Oak Ridge) of the Department of Energy. In its determination, Oak Ridge stated that it was providing all documents responsive to the Appellant's November 6, 1994 request under the Freedom of Information Act (FOIA) which were in the possession of Oak Ridge. In his Appeal, the Appellant challenged the adequacy of Oak Ridge's search. The DOE found that some confusion had arisen because the Appellant had submitted three partially overlapping FOIA requests, and because three different DOE offices had been assigned to respond to the request at issue in this Appeal. In its Decision and Order, the DOE explained which offices were

responsible for responding to each request and how the request at issue in this particular case had been divided among these offices. The DOE concluded that there may be responsive documents that were not identified in the initial search and that some factual issues needed clarification. Accordingly, the DOE granted the Appeal and remanded the matter to Oak Ridge for further action.

J. Eileen Price, 3/27/95 VFA-0031

J. Eileen Price filed an Appeal from a determination issued to her by the Western Area Power Administration (WAPA) of the Department of Energy. The determination partially denied a Request for Information which Ms. Price submitted under the Freedom of Information Act. Ms. Price requested copies of all appraisal information in her personnel file, including any unofficial documents, notes and files which pertained to her or her employment in WAPA's Loveland Area Office beginning in October 1992. In its determination, the WAPA provided Ms. Price various documents responsive to her Freedom of Information Act Request. However, Ms. Price, in her Appeal, argued that further responsive documents must exist, since she had knowledge regarding the existence of several documents which WAPA failed to provide to her in its response. During its consideration of the Appeal, the DOE was notified by WAPA that it had discovered several documents which might be responsive to Ms. Price's FOIA Request. Consequently, the DOE granted the Appeal and remanded the matter to WAPA for a determination on the newly discovered documents.

Mid-Missouri Nuclear Weapons Freeze, Inc., 3/27/95 VFA-0029

Mid-Missouri Nuclear Weapons Freeze, Inc. (MNWF) filed an Appeal from a denial issued to it by the FOIA/Privacy Act Division of the Department of Energy and a partial denial issued to it by the Office of Nuclear Energy (DOE/NE) of a Request for Information which it had submitted under the Freedom of Information Act. In considering the Appeal, the DOE found that the Oak Ridge Operations Office and the Office of Nuclear Energy had conducted

searches reasonably calculated to find the requested information, and that all responsive documents had been released to MNWF. The DOE also found that MNWF had erred in believing that the Oak Ridge Operations Office was withholding subcontractor records. The Appeal was therefore denied.

Physicians for Social Responsibility, Inc., 3/29/95 VFA-0030

Physicians for Social Responsibility, Inc. (PSR) filed an Appeal from a denial issued to it by FOIA/Privacy Act Division of the Department of Energy and a partial denial issued to it by the Office of Nuclear Energy (DOE/NE) of a Request for Information which it had submitted under the Freedom of Information Act. In considering the Appeal, the DOE found that the Oak Ridge Operations Office and the Office of Nuclear Energy had conducted searches reasonably calculated to find the requested information, and that all responsive documents had been released to PSR. The DOE also found that PSR had erred in believing that the Oak Ridge Operations Office was withholding subcontractor records. The Appeal was therefore denied.

Personnel Security Hearing

Rocky Flats Field Office, 3/27/95, VSO-0008

A Hearing Officer from the Office of Hearings and Appeals issued an Opinion regarding the eligibility of an individual to maintain a level "Q" access authorization under the provisions of 10 CFR part 710. The individual was alleged to have an illness or mental condition (difficulty in controlling his temper) of a nature that in the opinion of a board-certified psychiatrist causes, or may cause, a significant defect in his judgment or reliability. The individual was also alleged to abuse alcohol. On January 25, 1995, an evidentiary hearing was conducted in which a DOE-sponsored psychiatrist and the individual testified, along with other relevant witnesses. After carefully examining the record of the proceeding, the Hearing Officer determined that the psychiatrist had based his diagnosis in part upon incorrect information. In addition, there

were significant mitigating factors, primarily the individual's substantial reduction of his alcohol intake over the last year and the fact that the last incident of lack of temper control was several years ago. The Hearing Officer concluded that neither the individual's alcohol use nor his mental condition

present a risk to national security. Accordingly, the Hearing Officer found that the individual's access authorization should be reinstated.

Refund Applications

The Office of Hearings and Appeals issued the following Decisions and

Orders concerning refund applications, which are not summarized. Copies of the full texts of the Decisions and Orders are available in the Public Reference Room of the Office of Hearings and Appeals.

Atlantic Richfield Company/Greens Propane Gas Co., Inc. et al	RF304-13473	03/31/95
Enron Corp./Liquigas, Inc	RF340-116	03/27/95
Highland Butane Company	RF340-175	
Knop Butane Company	RF340-193	
Robrock Oil Company, Inc	RF272-97148	03/29/95
Texaco Inc./Caranil Service Station	RR321-174	03/31/95
Texaco Inc./Roger's Port Service	RF321-7523	03/27/95
Zarate Texaco	RF321-19920	

Dismissals

The following submissions were dismissed:

Name	Case No.
Buddy O'S Texaco Service	RF321-19350
City of Florence	RF272-88608
Daymark Foods, Inc	RF272-88760
Douglas County School Dist. 4	RF272-96542
Duart Film Laboratories, Inc	RF272-88825
E.M. Melahn Construction	RF272-88979
Edgecombe County Schools	RF272-90429
Enloe's Texaco Travel Center	RF321-19351
Golden Valley County	RF272-96789
Harold J. Brim Texaco & U-Haul	RF321-20708
J.O. Ramsey Trucking Company	RF272-88928
James Devaney Fuel Co., Inc	RF321-20563
Lee County Schools	RF272-90104
Lehigh Arco	RF304-14785
Mallette Brothers Trucking	RF272-88950
Smith Sand and Gravel Co	RF315-9167
State Line Texaco	RF321-20641
Town of Mercedes	RF272-88034
Town of Poland	RF272-88135
Village of Covington	RF272-88315
Westside Elementary	RF272-88052

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Dated: April 27, 1995.

George B. Breznay,

Director, Office of Hearings and Appeals.

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Federal Energy Regulatory Commission

[Docket No. RP95-250-000]

Algonquin LNG, Inc; Notice of Proposed Changes in FERC Gas Tariff

April 27, 1995.

Take notice that on April 24, 1995, Algonquin LNG, Inc. (Algonquin LNG) submitted for filing as part of its FERC Gas Tariff, First Revised Volume No. 1, effective May 4, 1995, the following revised tariff sheet:

Second Revised Sheet No. 65

Algonquin LNG states that the purpose of this filing is to revise the capacity release provisions of its tariff to conform to changes in § 284.243(h) of the Commission's regulations pursuant to Order No. 577.

Algonquin LNG states that copies of its filing were mailed to all affected customers and interested State Commissions.

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, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with § 385.214 and § 385.211 of the Commission's Rules of Practice and Procedure. All such motions or protests should be filed on or before May 4, 1995. 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 this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

Lois D. Cashell,

Secretary.

[FR Doc. 95-10799 Filed 5-2-95; 8:45 am]

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