

Before a Presidential permit or electricity export authorization may be issued or amended, the environmental impacts of the proposed DOE action must be evaluated pursuant to the National Environmental Policy Act of 1969 (NEPA).

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above.

Issued in Washington, DC, on August 9, 1995.

Anthony J. Como,

Director, Office of Coal & Electricity, Office of Fuels Programs, Office of Fossil Energy.

[FR Doc. 95-20291 Filed 8-15-95; 8:45 am]

BILLING CODE 6450-01-P

Office of Energy Efficiency and Renewable Energy

[Case No. CW-003]

Energy Conservation Program for Consumer Products: Granting of the Application for Interim Waiver and Publishing of the Petition of Miele Appliance Inc. (Miele) for Waiver From the Department of Energy Clothes Washer Test Procedure, (Case No. CW-003).

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

SUMMARY: Today's notice publishes a letter granting an Interim Waiver to Miele and a Petition for Waiver request from the existing Department of Energy (Department or DOE) clothes washer test procedure for the company's clothes washer models W1903, W1918, and W1930. The design features that differ from those covered by the existing clothes washer test procedure are: an internal electrical heater for heating wash water, a continuously variable wash water temperature control; 208/240 volt electrical power supply; and machine-controlled water fill capability.

Miele seeks to test by internally heating inlet cold water instead of using externally heated water; test by using the coldest and hottest temperature setting available on its machines, along with warm (minimum of 100 °F to maximum of 105 °F) and hot (minimum of 140 °F to 145 °F) temperature settings with new temperature use factors instead of the existing test procedure temperature requirements and temperature use factors; test using a 208/240 volt power supply instead of a 120 volt power supply; and test without selecting a desired level of fill instead of manually selecting minimum and maximum fill settings. DOE is soliciting

comments and information regarding the Petition for Waiver.

DATES: DOE will accept comments, data, and information not later than September 15, 1995.

ADDRESSES: Written comments and statements shall be sent to: Department of Energy, Office of Energy Efficiency and Renewable Energy, Case No. CW-003, Mail Stop EE-431, Room 1J-018, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC, 20585 (202) 586-7574.

FOR FURTHER INFORMATION CONTACT:

P. Marc LaFrance, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Mail Station EE-431, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586-8423

Eugene Margolis, Esq., U.S. Department of Energy, Office of General Counsel, Mail Station GC-72, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586-9507.

SUPPLEMENTARY INFORMATION: The Energy Conservation Program for Consumer Products (other than automobiles) was established pursuant to the Energy Policy and Conservation Act, Public Law 94-163, 89 Stat. 917, amended by the National Energy Conservation Policy Act, Public Law 95-619, 92 Stat. 3266, the National Appliance Energy Conservation Act of 1987, Public Law 100-12, the National Appliance Energy Conservation Amendments of 1988, Public Law 100-357, and the Energy Policy Act of 1992, Public Law 102-486, 106 Stat. 2776, which requires DOE to prescribe standardized test procedures to measure the energy consumption of certain consumer products, including clothes washers. The intent of the test procedures is to provide a comparable measure of energy consumption that will assist consumers in making purchasing decisions. These test procedures appear at 10 CFR Part 430, Subpart B.

DOE amended the prescribed test procedures by adding 10 CFR 430.27 on September 26, 1980, creating the waiver process (45 FR 64108). Thereafter, DOE further amended the appliance test procedure waiver process to allow the Assistant Secretary for Energy Efficiency and Renewable Energy (Assistant Secretary) to grant an Interim Waiver from test procedure requirements to manufacturers that have petitioned DOE for a waiver of such prescribed test procedures (51 FR 42823, November 26, 1986).

The waiver process allows the Assistant Secretary to temporarily waive the test procedures for a particular basic model when a petitioner shows that the basic model contains one or more design characteristics which prevent testing according to the prescribed test procedures, or when the prescribed test procedures may evaluate the basic model in a manner so unrepresentative of its true energy consumption as to provide materially inaccurate comparative data. Waivers generally remain in effect until final test procedure amendments become effective, resolving the problem that is the subject of the waiver.

The Interim Waiver provisions, added by the 1986 amendment, allow the Assistant Secretary to grant an Interim Waiver when it is determined that the applicant will experience economic hardship if the Application for Interim Waiver is denied, if it appears likely that the Petition for Waiver will be granted, and/or the Assistant Secretary determines that it would be desirable for public policy reasons to grant immediate relief pending a determination on the Petition for Waiver. An Interim Waiver remains in effect for a period of 180 days, or until DOE issues its determination on the Petition for Waiver, whichever is sooner, and may be extended for an additional 180 days, if necessary.

Pursuant to § 430.27(g), the Assistant Secretary shall publish in the **Federal Register** notice of each waiver granted, and any limiting conditions of each waiver.

In accordance with § 430.27 of 10 CFR Part 430, on June 2, 1995, Miele filed a Petition for Waiver and an Application for Interim Waiver regarding its clothes washer models W1903, W1918, and W1930, with the following design features that differ from those covered by the existing clothes washer test procedure: an internal electrical heater for heating wash water; a continuously variable wash water temperature control; 208/240 volt electrical power supply; and machine-controlled water fill capability. Miele's Application seeks an Interim Waiver from the DOE provisions that require an externally heated water supply, three specified temperature settings (i.e., 140° F, 100° F, and 60° F), 120 volt electrical power supply, and manually selected water fill settings. Instead, Miele requests the allowance to test its machines with: a cold water supply that is heated internally for washing; the coldest and hottest temperature setting available on its machines along with warm (minimum of 100° F to maximum of 105° F) and hot (minimum of 140° F to

maximum 145° F) temperature settings with new temperature use factors; manufactured specified voltages of 208/240; and allowing the machine to automatically select the fill settings based on the existing test procedure test load.

Miele states in its application that it is likely the Waiver will be granted, because waivers for clothes washers with such design characteristics were granted to Asko (59 FR 15719, April 4, 1994) and New Harmony (59 FR 15710, April 4, 1994). Miele also stated that its clothes washer is intended to be sold as a pair with one of the Miele clothes dryers, and denial of an interim waiver for the clothes washer would adversely affect sales of the clothes dryer as well. Miele indicated that because revenue from the sales of laundry products is essential to the financial well-being of its company, a denial would severely affect the company. Miele explained how its clothes washers are energy efficient and innovative, and believes that from a public policy standpoint, the Interim Waiver should be granted to promote energy savings.

In those instances, where the likely success of the Petition for Waiver has been demonstrated based upon DOE having granted a waiver for a similar product design, it is in the public interest to have similar products tested and rated for energy consumption on a comparable basis.

Therefore, based on the above, DOE is granting Miele an Interim Waiver for its clothes washer models WI1903, WI1918, and WI1930. Pursuant to paragraph (e) of § 430.27 of the Code of Federal Regulations Part 430, the following letter granting the Application for Interim Waiver to Miele was issued.

Pursuant to paragraph (b) of 10 CFR 430.27, DOE is hereby publishing the "Petition for Waiver." The Miele Appendix 1 of its Petition is not being published, because it is essentially a duplicate to the modifications to the DOE test procedures provided in the Department's letter granting the Interim Waiver to Miele. However, the original submission is available upon request at the address provided at the beginning of today's notice. The petition contains no confidential information. DOE solicits comments, data and information regarding the Petition discussed above.

Issued in Washington, DC August 10, 1995.

Christine A. Ervin,

Assistant Secretary, Energy Efficiency and Renewable Energy.

Department of Energy

Washington, DC 20585

August 10, 1995

Mr. Nick Ord,

Vice-President and General Manager, Miele Appliances, Inc., 22D Worlds Fair Drive, Somerset, NJ 08873

Dear Mr. Ord: This is in response to your Petition for Waiver and Application for Interim Waiver of June 2, 1995, from the Department of Energy (the Department) test procedure pursuant to Title 10 CFR Part 430.27 for clothes washers, regarding Miele Appliances Inc. (Miele) clothes washer models W1903, W1918, and W1930. The Miele clothes washers have the following design features that differ from those covered by the existing clothes washer test procedure: an internal electrical heater for heating wash water; a continuously variable wash water temperature control; 208/240 volt electrical power supply; and machine-controlled water fill capability.

Previous waivers from DOE test procedures for clothes washers with such design features have been granted to DOE to Asko (59 FR 15719, April 4, 1994) and New Harmony (59 FR 15710, April 4, 1994). Thus, it appears likely that the Miele's Petition for Waiver will be granted by DOE.

Miele also stated that its clothes washer is intended to be sold as a pair with one of the Miele clothes dryers, and that denial of an interim waiver for the clothes washer would adversely affect sales of the clothes dryer as well. Miele indicated that revenue from the sales of laundry products is essential to the financial well-being of its company, and that a denial would severely affect the company. Miele explained how its clothes washers are energy efficient and innovative, and believes that from a public policy standpoint, the Interim Waiver should be granted to promote energy savings.

Therefore, based on the likely approval of the Petition for Waiver and potential economic hardship which may result if Miele is unable to sell its products during the time required to process the Petition for Waiver, the Department grants Miele's Application for an Interim Waiver from the DOE test procedures for its clothes washer models W1903, W1918, and W1930.

Miele shall be permitted to test its clothes washers on the basis of the test procedures specified in 10 CFR Part 430, Subpart B, Appendix J, with the following modifications:

(i) Add new sections, 1.19 and 1.20 in Appendix J to read as follows:

1.19 "Water-heating clothes washer" means a clothes washer that has an internal electrical heater which provides all the energy needed to heat water for washing.

1.20 "Non-water-heating clothes washer" means a clothes washer that does not have an internal electrical heater which provides the energy needed to heat water for washing.

(ii) Sections 2.2 and 2.3 in Appendix J shall be deleted and replaced with the following:

2.2 Electrical energy supply. Maintain the electrical supply to the clothes washer terminal block within 1.7 percent of 120/208Y or 120/240 volts, as applicable to the particular terminal block wiring system as specified by the manufacturer. If the clothes

washer has a dual voltage conversion capability, conduct the test at the highest voltage recommended by the manufacturer.

2.3 Water temperature.

2.3.1 Water-heating clothes washers. The temperature of the water supply shall be maintained at a minimum of 55°F (12.8°C) and a maximum of 60°F (15.6°C).

(iii) Sections 3.2.1 through 3.3.5 in Appendix J shall be deleted and replaced with the following:

3.2.1 Per-cycle electrical energy consumption at maximum fill. Set the water level selector to the maximum fill position, if manually controlled.

3.2.1.1 Hottest wash at maximum fill.

Activate the machine and insert the appropriate test load as specified in Section 2.8.2.1. Select the normal or its equivalent wash cycle. Where spin speed selection is available, set the control to its maximum setting. Set the water temperature selector to the hottest setting and activate the wash cycle. Measure and record the kilowatt-hours of electrical energy consumed for the complete cycle as $E_{ht,max}$.

3.2.1.2 Hot wash at maximum fill. Insert a water temperature sensing device inside the inner drum prior to testing. Activate the machine and insert the appropriate test load as specified in Section 2.8.2.1. Select the normal or its equivalent wash cycle. Where spin speed selection is available, set the control to its maximum setting. Set the water temperature selector to the hot setting (a minimum of 140 °F (60 °C) and a maximum of 145 °F (62.8 °C)) and activate the wash cycle. Verify the wash water temperature, which must be a minimum of 140 °F (60 °C) and a maximum of 145 °F (62.8 °C). If the measured water temperature is not within the specified range, stop testing, adjust the temperature selector accordingly, and repeat the procedure. Otherwise, proceed and complete testing. Measure and record the kilowatt-hours of electrical energy consumed for the complete cycle as $E_{h,max}$.

3.2.1.3 Warm wash at maximum fill.

Repeat Section 3.2.1.2 for a warm wash setting at a minimum of 100 °F (37.8 °C) and a maximum of 105 °F (40.6 °C). Measure and record the kilowatt-hours of electrical energy consumed for the complete cycle as $E_{w,max}$.

3.2.1.4 Cold wash at maximum fill.

Repeat Section 3.2.1.1 for the coldest water setting. Measure and record the kilowatt-hours of electrical energy consumed for the complete cycle as $E_{c,max}$. Ensure that the inlet water temperature is maintained per Section 2.3.1.

3.2.2 Per-cycle electrical energy and consumption at minimum fill. Set the water level selector to the minimum fill position, if manually controlled.

3.2.2.1 Hottest wash at minimum fill.

Repeat Section 3.2.1.1 for a test load as specified in Section 2.8.2.1. Measure and record the kilowatt-hours of electrical energy consumed for the complete cycle as $E_{ht,min}$.

3.2.2.2 Hot wash at minimum fill. Repeat Section 3.2.1.2 for a test load as specified in Section 2.8.2.1. The hot wash setting shall be at a minimum of 140 °F (60 °C) and a maximum of 145 °F (62.8 °C). Measure and record the kilowatt-hours of electrical energy consumed for the complete cycle as $E_{h,min}$.

3.2.2.3 Warm wash at minimum fill. Repeat Section 3.2.1.2 for warm wash setting at a minimum of 100 °F (37.8 °C) and a maximum of 105 °F (40.6 °C). Measure and record the kilowatt-hours of electrical energy consumed for the complete cycle as $E_{w,min}$.

3.2.2.4 Cold wash at minimum fill. Repeat Section 3.2.1.1 for the coldest wash setting. Measure and record the kilowatt-hours of electrical energy consumed for the complete cycle as $E_{c,min}$. Ensure that the inlet water temperature is maintained per Section 2.3.1.

(iv) Sections 4.1 through 4.6 in Appendix J shall be deleted and replaced with the following:

4.1 Per-cycle temperature-weighted machine electrical energy consumption for maximum and minimum water fill levels. Calculate the per-cycle temperature-weighted electrical energy consumption for the maximum water fill level, E_{max} , and for the minimum water fill level, E_{min} , expressed in kilowatt-hours per cycle and defined as:

$$E_{max} = (0.05 \times E_{ht,max}) + (0.25 \times E_{w,max}) + (0.55 \times E_{c,max})$$

$$E_{min} = (0.05 \times E_{ht,min}) + (0.25 \times E_{h,min}) + (0.55 \times E_{c,min})$$

where:

$E_{ht,max}$ = as defined in Section 3.2.1.1

$E_{h,max}$ = as defined in Section 3.2.1.2

$E_{w,max}$ = as defined in Section 3.2.1.3

$E_{c,max}$ = as defined in Section 3.2.1.4

$E_{ht,min}$ = as defined in Section 3.2.2.1

$E_{h,min}$ = as defined in Section 3.2.2.2

$E_{w,min}$ = as defined in Section 3.2.2.3

$E_{c,min}$ = as defined in Section 3.2.2.4

4.2 Total per-cycle machine electrical energy consumption. Calculate the total per-cycle energy-consumption, E_{TE} , expressed in kilowatt-hours per cycle and defined as:

$$E_{TE} = (0.72 \times E_{max}) + (0.28 \times E_{min})$$

where:

E_{max} , E_{min} = as defined in Section 4.1

(v) In CFR Section 430.22, paragraph

(j)(1)(i)(B), change the following:

From: ". . . according to 4.6 of Appendix (j)

. . .

To: ". . . according to 4.2 of Appendix (j)

. . .

(vi) Section 430.22 of the CFR, paragraph (j)(2), shall be deleted and replaced with the following:

(j)(2) The energy factor for water-heating clothes washers shall be the quotient of the cubic foot capacity of the clothes container as determined in 3.1 of Appendix J to this subpart divided by the clothes washer energy consumption per cycle expressed as the total per cycle machine electrical energy consumption as determined in 4.2 of Appendix J to this subpart. The resulting shall be rounded off to the nearest 0.01 cubic foot per kilowatt-hour.

This interim Waiver is based upon the presumed validity of statements and all allegations submitted by Miele Appliances Inc. This Interim Waiver may be revoked or modified at any time upon a determination that the factual basis underlying the application is incorrect.

The Interim Waiver shall remain in effect for a period of 180 days, or until the Department acts on the Petition for Waiver, whichever is sooner, and may be extended

for an additional 180-day period, if necessary.

Best regards,
Christine A. Evin,

Assistant Secretary, Energy Efficiency and Renewable Energy.

Miele

Appliances, Inc.

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1-800-843-7281 • FAX (908) ???????

June 2, 1995

Assistant Secretary, U.S. Department of Energy, Office of Energy Efficiency and Renewable Resources, Room 5E-066, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585

Re: Application for Interim Waiver and Petition for Waiver, 10 C.F.R. Subparts B, Appendix J—Uniform Test Method For Measuring Energy Consumption of Automatic and Semi-Automatic Clothes Washers

Dear Assistant Secretary: Miele Appliances, Inc. ("Miele") hereby submits this application for Interim Waiver and Petition for Waiver pursuant to 10 C.F.R. § 430.27. This Section provides for waiver of test methods on the grounds that a basic model contains design characteristics that either prevent testing according to the prescribed test procedure or produce data so unrepresentative of a covered product's true energy consumption characteristics as to provide materially inaccurate comparative data. Miele clearly qualifies for such relief.

Miele requests an interim waiver and a waiver from DOE's test procedures for its clothes washers Models W1903, W1918, and W1930. These models have the following design features that differ from those covered by DOE's existing clothes washer testing procedures:

- An internal electrical heater for heating clothes wash water;
- Variable wash water temperature controls;
- 208/240 volt electrical power supply; and
- machine-controlled water-fill capability.

Miele requests that an interim waiver and a waiver be granted to allow for testing that takes these features into account.

There is strong precedent for such an interim waiver and waver. See, 59 Fed. Reg. 15719 (April 4, 1994) (waiver; Asko, Inc.); 59 Fed. Reg. 15710 (April 4, 1994) (waiver; New Harmony Systems Corp.); 58 Fed. Reg. 47130 (Sept. 7, 1993) (interim waiver; Asko, Inc.); 58 Fed. Reg. 33089 (June 15, 1993) (interim waiver; New Harmony Systems Corp.).

These four features are discussed below.

• *Internal electrical heater.* Miele's clothes washer models W1903, W1918, and W1030 use an internal heater that heats the water supplied for washing. The DOE test procedure is not based on an internal heater. Since the nature of a water-heating clothes washer is significantly different from a non-water-heating clothes washer, the waiver is warranted. Such a waiver was granted to Asko and New Harmony.

The W1903 has only a cold-water connection. This places it outside the scope

of the DOE test procedure, since the incoming water temperature cannot be controlled by thermostatically controlled valves as per Section 2.3, or by opening and closing the valves as called for in Section 3.2.2.6. The W1918 and W1930 have both cold and hot-water connections and thermostatically controlled water valves, but the internal heater nonetheless heats the wash water to whatever temperature is selected and maintains this temperature for the duration of the wash program. Therefore, a waiver is warranted on all three models in the light of the internal water heater.¹

• *208/240 volt electrical power supply.*

Miele's units use a 208/240 volt power supply. Miele therefore requests a waiver from the DOE test provision that requires 120+/-2 volts electrical power supply.

• *Variable wash water temperature controls.* Miele's clothes washers have variable wash water temperature controls. Since the selectable temperatures on the Miele models do not correspond to the temperatures in the DOE test procedures, which are 140°F/60°C for hot, 100°F/38°C for warm, and 60°F/16°C for cold, Miele therefore requests a waiver from the DOE test provision that requires testing at three specific temperatures obtained using two specified intake water temperatures.

• *Machine-controlled water-fill capability.*

The DOE procedure is based on a manual water-fill control. Miele's washing machines do not have a manual water-fill control. Miele requests a waiver concerning its design feature that automatically controls the water level in the clothes washer based on the clothes load.

Miele therefore proposes an interim waiver and waiver to amend the test procedure for testing its clothes washers, according to the test method attached as Appendix 1 hereto.

* * * * *

Miele requests immediate relief by grant of the proposed interim waiver, justified by the following reasons:

Likely Approval of Waiver. The Petition for Waiver is likely to be granted. Waivers concerning clothes washers with such design characteristics were granted to Asko and New Harmony. The design characteristics of water-heating clothes washers are distinctly different from non-heating clothes washers. It seems very likely that a test method on the lines of the proposed method will be approved.

Economic Hardship. Clothes washers, together with clothes dryers, are an important part of Miele's business. Since the Miele clothes washer is intended to be sold as a pair with one of the Miele clothes dryers, denial of an interim waiver for the clothes washers would adversely affect sales of the clothes dryers as well. Since the revenue from the sale of laundry products is essential to the financial well-being of the company, a denial would severely affect the company.

¹ Miele believes that the simplest way to test the W1918 and W1930 would be to allow them to be tested using cold water only. The proposed test procedure for Miele's waiver adopts this approach. Another option would be to develop new equations for the testing of a water-heating clothes washer with both cold- and hot-water connections.

Denial of the interim waiver would adversely affect Miele's home office, which employs 58 employees, its 175 independent service agencies, 400 independent retailers, 17 independent sales representatives and 4 regional distributors that carry the Miele product line throughout the country.

Public Policy Merits. The public policy benefits of encouraging business success and fostering innovation in clothes washer design are additional reasons for prompt approval of the requested interim waiver.

Miele clothes washers are innovative and beneficial products.

Miele's water-heating clothes washers use less than one-third of the water for washing, compared to most clothes washers. This means much less energy for heating wash water.

It also means a substantial reduction in washing chemicals introduced into the environment. Miele's water heating clothes washers are designed to efficiently extract more water from wet clothes by a high speed spin cycle, up to 1600 RPM. Such water extraction is many times more energy efficient than drying the same amount of water. This innovation in clothes washer design does not affect the test method for clothes washers, but does result in increased energy savings. These are additional reasons why the requested interim waive should receive prompt approval.

In that regard, the basic purpose of the Energy Policy and Conservation Act, as amended by the National Appliance Energy Conservation Act, is to foster purchase of energy efficient appliances, not to hinder such purchases. The granting of the waiver and interim waiver will promote this policy and will result in increased energy savings.

Furthermore, continued employment creation and ongoing investments in Miele's marketing, sales and service activities will be fostered by approval of the requested interim waiver. Conversely, denial would harm the company and would be anticompetitive. And, it would be unjust to grant interim waivers and waivers to Asko and New Harmony but deny them to Miele.

In the period between interim waiver and waiver, only a relatively small number of water-heating clothes washers will be sold by Miele. Any difference between the test method approved for interim waiver and that finally approved for the Waiver will have only minimal impact on energy consumption or consumer decisions.

* * * * *

Thank you for your timely attention to this request for interim waiver and waiver.

We hereby certify that all clothes washer manufacturers of domestically-marketed units known to Miele Appliances, Inc. have been notified by letter of this application, copies of which are attached as Appendix 2 hereto.

Sincerely,
Nick Ord,

Vice President and General Manager, Miele Appliances, Inc.

Attachments

[FR Doc. 95-20282 Filed 8-15-95; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Project No. 10625-003 Washington]

Kittitas Reclamation District; Availability of Final Environmental Assessment

August 10, 1995

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission's) Regulations, 18 CFR Part 380 (Order No. 386, 52 FR 47897), the Office of Hydropower Licensing has reviewed the application for minor license for the proposed Taneum Chute Hydroelectric Project, to be located on the Bureau of Reclamation's South Branch Canal in Kittitas County, near Ellensburg, Washington, and has prepared a final Environmental Assessment (EA) for the project.

In the EA, the Commission's staff has analyzed the project and has concluded that approval of the proposed project, with appropriate environmental protection and enhancement measures, would not be a major federal action significantly affecting the quality of the human environment.

Copies of the EA are available for review in the Public Reference Branch, Room 3104, of the Commission's offices at 941 North Capitol Street, N.E., Washington, D.C. 20426.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 95-20223 Filed 8-15-95; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. EL79-8-007, et al.]

Texas Utilities Electric Company, et al.; Electric Rate and Corporate Regulation Filings

August 10, 1995.

Take notice that the following filings have been made with the Commission:

1. Texas Utilities Electric Company

[Docket No. EL79-8-007]

Take notice that on August 4, 1995, Texas Utilities Electric Company (TU Electric) tendered for filing a compliance filing in the above-referenced docket. The compliance filing consists of the following: (1) an executed Facilities Charge Agreement among TU Electric, Southwestern Electric Power Company, Central Power and Light Company, and Houston Lighting & Power Company; and (2) cost support for the rates set forth in the agreement.

TU Electric requests an effective date of August 5, 1995, and accordingly, seeks waiver of the Commission's notice requirements. Copies of the filing were served upon all parties of record.

Comment date: August 25, 1995, in accordance with Standard Paragraph E at the end of this notice.

2. Catex Vitol Electric, L.L.C.

[Docket No. ER94-155-009]

Take notice that on August 3, 1995, Catex Vitol Electric, L.L.C. filed certain information as required by the Commission's January 14, 1994, order in Docket No. ER94-155-009. Copies of Catex Vitol Electric, L.L.C.'s informational filing are on file with the Commission and are available for public inspection.

3. Direct Electric Inc.

[Docket No. ER94-1161-005]

Take notice that on August 2, 1995, Direct Electric Inc. filed certain information as required by the Commission's July 18, 1994, order in Docket No. ER94-968-000. Copies of Direct Electric Inc.'s informational filing are on file with the Commission and are available for public inspection.

4. Vesta Energy Alternatives Company

[Docket No. ER94-1168-005]

Take notice that on July 25, 1995, Vesta Energy Alternatives Company tendered for filing certain information as required by the Commission's letter order dated July 8, 1994. Copies of the informational filing are on file with the Commission and are available for public inspection.

5. Ashton Energy Corporation

[Docket No. ER94-1246-004]

Take notice that on July 21, 1995, Ashton Energy Corporation tendered for filing certain information as required by the Commission's letter order dated August 10, 1994. Copies of the informational filing are on file with the Commission and are available for public inspection.

6. KCS Power Marketing, Inc.

[Docket No. ER95-208-002]

Take notice that on August 7, 1995, KCS Power Marketing, Inc. tendered for filing certain information as required by the Commission's letter order dated March 2, 1995. Copies of the informational filing are on file with the Commission and are available for public inspection.