

Commission find that WPL's tariff indemnity provision in effect at the time of the propane delivery in question was valid and enforceable against Empire.

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, 888 First Street, NE., Washington DC 20426, in accordance with Sections 385.214 and 385.211 of the Commission's Regulations. All such motions or protests must be filed on or before October 3, 1996. All protests will be considered by the Commission in determining the appropriate action to be taken in this proceeding, but will not serve to make protestants a party 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 inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 96-23595 Filed 9-13-96; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 8278-015, 8278-016 and 8278-017]

Crystal Springs Hydroelectric Limited Partnership; Notice of Availability of Environmental Assessment

September 10, 1996.

An environmental assessment (EA) is available for public review. The DEA reviews an application to amend the license for the Cedar Draw Creek Project located on Cedar Draw Creek in Twin Falls County, Idaho. The license would be amended to: (1) allow the replacement of Unit No. 3 turbine with a new turbine which would reduce the project's total installed capacity from 2,914 kW to 2,878 kW; (2) reduce the minimum flow requirement from 25 cubic feet per second (cfs) to 10 cfs; and (3) replace 1/4 inch screens with 3/8 inch screens. The EA concluded that approving the installation of the variable flow turbine, reduction of the minimum flow requirement and increasing the mesh size of the fish screens would not constitute a major federal action significantly affecting the quality of the human environment.

The EA was written by staff in the Office of Hydropower Licensing, Federal Energy Regulatory Commission. Copies of the EA can be obtained by calling the Commission's Public Reference Room at (202) 208-1371.

Lois D. Cashell,

Secretary.

[FR Doc. 96-23596 Filed 9-13-96; 8:45 am]

BILLING CODE 6717-01-M

Notice of Public Meeting

September 10, 1996.

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

- a. Type of Notice: Notice of Public Meeting.
- b. Project No: 10813-011.
- c. Applicant: Town of Summersville.
- d. Name of Project: Summersville.
- e. Location of Project: On the Gauley River in Nicholas and Fayette Counties, West Virginia, and would use surplus water from the U.S. Army Corps of Engineers' Summersville Dam.
- f. Applicant Contact: James B. Price, President, Noah Corporation, 120 Calumet Court, Aiken, SC 29803, (803) 642-29803, (803) 642-2749.
- g. FERC Contact: Mohamad Fayyad, (202) 219-2665.

h. Description: The Federal Energy Regulatory Commission (FERC) will hold a public meeting regarding an amendment of license for the Summersville Hydroelectric Project. The licensee is proposing the following design changes: (1) installing two instead of the authorized four generating units, but with the same total capacity of 8 MW, and (2) re-routing the project's transmission line. The proposed transmission line alignment will extend about 9.9 miles from project's switchyard in a southerly direction and connect to an Appalachian Power Company substation in Fayette County, WV. This proposed alignment would require the clearing of about 75 acres of woods.

The amendment application, which was filed on September 25, 1995, was public noticed on November 2, 1995, with December 4, 1995, as the last date to file comments, motions to intervene, or protests. Nothing was filed in response to that public notice. On April 29, 1996, we issued a Draft Environmental Assessment with a comment date of May 28, 1996. We received two comments in timely fashion. After the comment period, however the FERC received a numerous number of petitions from area residents and property owners commenting on the proposed transmission line route.

A public meeting will be held on September 19, 1996, to give the public another opportunity to comment on the amendment application. The meeting will be held at the Summersville Municipal Building, 400 N. Broad Street, Summersville, WV. The meeting will begin at 7:00 pm and is expected to last until approximately 10:00 pm. Persons unable to attend the meeting, or persons choosing not to speak at the

meeting, may submit statements to Secretary, Federal Energy Regulatory Commission, 888 North Capitol Street, NE., Washington, DC 20426, no later than September 20, 1996. All correspondence should clearly show the following caption on the first page—Summersville Project No. 10813. For further information, please contact Moe Fayyad at (202) 219-2665.

Lois D. Cashell,

Secretary.

[FR Doc. 96-23566 Filed 9-13-96; 8:45 am]

BILLING CODE 6717-01-M

Office of Hearings and Appeals

Notice of Issuance of Decisions and Orders; Week of June 26 Through June 30, 1995

During the week of June 26 through June 30, 1995, the decisions and orders summarized below were issued with respect to appeals, applications, petitions, or other requests 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.

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, S.W., Washington, D.C. 20585-0107, 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. Some decisions and orders are available on the Office of Hearings and Appeals World Wide Web site at <http://www.oha.doe.gov>.

Dated: August 30, 1996.

Richard W. Dugan,

Acting Director, Office of Hearings and Appeals.

Appeals

Richard W. Miller, 6/30/95, VFA-0046; VFA-0049

Richard W. Miller filed an Appeal from three determinations issued by the Strategic Petroleum Reserve Project Management Office (SPRO) of the Department of Energy in response to a request from Mr. Miller under the Freedom of Information Act (FOIA). Mr. Miller sought documents related to three DOE contracts. In considering the Appeal, the Office of Hearings and Appeals found that SPRO had not adequately justified the withholding of the documents under FOIA Exemption