

Copano states its belief that the Encinal Channel Lateral Facilities meet the criteria of "gathering facilities" under Section 1(b) of the NGA as interpreted by the Commission under the "modified primary function" test, as set forth in *Amerada Hess Corporation, et al.*, as amended. 52 FERC ¶ 61,268 (1990).

It is asserted that the Encinal Channel Lateral Facilities are well within the range of systems the Commission has determined to be gathering because the facilities consist of relatively short, small-diameter pipe configured in a web-like arrangement; there is a typical backbone-type arrangement which collects gas from many wells for delivery to the FGT mainline; there are no compressors or processing plants located on the Encinal Channel Lateral Facilities; and the facilities operate based on wellhead pressures for delivery to FGT's mainline.

Copano also states its belief that its acquisition of the Encinal Channel Lateral Facilities for use as non-jurisdictional gathering will bring increased use of the Encinal Channel Lateral Facilities for the benefit of consumers served by means of the FGT transmission system.

Any person desiring to be heard or to make any protest with reference to said petition should on or before May 23, 1997, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Lois D. Cashell,

Secretary.

[FR Doc. 97-11988 Filed 5-7-97; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP97-362-000]

Florida Gas Transmission Company; Notice of Application

May 2, 1997.

Take notice that on April 21, 1997, Florida Gas Transmission Company (FGT), 1400 Smith Street, Houston, Texas 77002, filed in Docket No. CP-362-000 an application pursuant to Section 7(b) of the Natural Gas Act, for permission and approval to abandon, by sale to Copano Field Services Copano Bay, L.P., a Texas Limited Partnership (Copano), certain natural gas supply laterals and related appurtenant facilities located in the counties of Nueces and San Patricio, Texas, all as more fully set forth in FGT's application which is on file with the Commission and open to public inspection.

FGT states that it has agreed to sell Copano the 17.5 mile 12-inch Encinal Channel Lateral; the 0.3 mile 4-inch Shell East White Point Lateral; the 2.7 mile 4-inch Nueces Bay Lateral; the 0.2 mile 4-inch Phillips East White Point Lateral; the 2.1 mile 3-inch Angelita Lateral; and all related appurtenant facilities. In addition, FGT states that it seeks Commission permission to transfer by sale to Copano the 0.3 mile 4-inch Phillips Spradley Lateral which FGT states was abandoned in place pursuant to an order issued by the Commission on May 5, 1983, in Docket No. CP83-80-000.

It is further stated that the abandonment and sale proposed herein will not impair any current services nor will it disadvantage any existing customer of FGT. FGT indicates that the proposed abandonment and sale of the subject facilities will save FGT approximately \$10,500 per year in operating and maintenance costs.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 23, 1997, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest 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 Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a

party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for FGT to appear or be represented at the hearing.

Lois D. Cashell,

Secretary.

[FR Doc. 97-11986 Filed 5-7-97; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. GT97-22-000]

Great Lakes Gas Transmission Limited Partnership; Notice of Filing

May 2, 1997.

Take notice that on April 30, 1997, Great Lakes Gas Transmission Limited Partnership (Great lakes) tendered for filing the following tariff sheets, proposed to become effective January 1, 1997:

Second Revised Volume No. 1
Second Revised Sheet No. 3
First Revised Sheet No. 3A
First Revised Sheet No. 3B
First Revised Sheet No. 3C

Great Lakes states that the tariff sheets listed above are being filed to revise the system and zone maps included in Great Lakes' tariff pursuant to § 154.106(c) of the Commission's regulations. The revisions to the maps reflect the addition of several meter stations on Great Lakes' system as well as the construction of two loop sections.

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 Section 385.214 and Section 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed as provided in 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 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 Commission's Public Reference Room.

Lois D. Cashell,

Secretary.

[FR Doc. 97-12026 Filed 5-7-97; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP97-351-000]

Koch Gateway Pipeline Company; Notice of Proposed Changes in FERC Gas Tariff

May 2, 1997.

Take notice that on April 30, 1997, Koch Gateway Pipeline Company (Koch) tendered for filing as part of its FERC Gas Tariff, Fifth Revised Volume No. 1, the following tariff sheets, to become effective June 1, 1997:

Second Revised Sheet No. 1902
Fifth Revised Sheet No. 1906
Fifth Revised Sheet No. 2707
First Revised Sheet No. 2708
Original Sheet No. 2709

Koch states that it is filing is submitted as an application pursuant to Section 4 of the Natural Gas Act, 15 U.S.C. § 717c (1988), and Part 154 of the Rules and Regulations of the Federal Energy Regulatory Commission.

Koch states that it files the above tariff sheets to provide certain options to the procedure for assessing the Unauthorized Gas penalty on its shippers.

Koch also states that it has served copies of this filing upon each affected customer, state commission, and interested parties.

Any person desiring to be heard or to protest this filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Sections 385.214 and 385.211 of the Commission's Rules and Regulations.

All such motions or protests must be filed as provided by 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 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.

Lois D. Cashell,

Secretary.

[FR Doc. 97-12039 Filed 5-7-97; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP97-359-000]

National Fuel Gas Supply Corporation; Notice of Application to Abandon Facilities and Petition for Declaratory Order

May 2, 1997.

Take notice that on April 21, 1997, National Fuel Gas Supply Corporation (National Fuel), 10 Lafayette Square, Buffalo, New York 14203, and Lobo Energy, Inc. (Lobo), 3333 East Florida Avenue, No. 6, Denver, Colorado 80210, filed an application in Docket No. CP97-359-000. In the application, National Fuel requests permission and approval, pursuant to section 7(b) of the Natural Gas Act, to abandon/sell a certificated gathering line (Line N-50, in Erie County, New York) to Lobo, and Lobo requests a declaratory order from the Commission disclaiming jurisdiction over the Line N-50 facilities after it acquires them, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

The Line N-50 facilities to be sold to Lobo include Line N-50 (approximately 6,086 feet of 2-inch and 4-inch pipeline), one uncertificated metering and regulating station (designated EM-MS-93-XX), and the applicable rights-of-way, easements, permits, and property interests related thereto. According to National Fuel and Lobo, Line N-50 is a dead-end system with five (5) production wells attached to it, that operates at a pressure of 60 psig, without compression or gas processing facilities.

National Fuel further states that Line N-50 was constructed under budget authorization granted to National Fuel on July 6, 1978 in Docket No. CP78-297,

and that it has agreed to sell the Line N-50 facilities to Lobo for \$1,000.

Lobo requests the Commission to determine that, subsequent to their transfer to Lobo, the Line N-50 facilities will not be subject to the Commission's jurisdiction. Lobo states that the Commission should find that the primary function of the Line N-50 facilities is gathering, given the characteristics of the facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 23, 1997, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest 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 Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants party to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application, if no motion to intervene is filed within the time required herein, or if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for National Fuel and Lobo to appear or be represented at the hearing.

Lois D. Cashell,

Secretary.

[FR Doc. 97-11987 Filed 5-7-97; 8:45 am]

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