

DEPARTMENT OF ENERGY

Federal Energy Regulatory
CommissionNotice of Application for Preliminary
Permit

February 17, 1998.

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

a. Type of Application: Preliminary Permit.

b. Project No.: 11611-000.

c. Date filed: January 14, 1998.

d. Applicant: Alaska Power & Telephone Company.

e. Name of Project: Twin Basin Hydroelectric.

f. Location: Off Kizhuyak Bay, on two unnamed streams, near the town of Kodiak, Kodiak Island Borough, Alaska.

g. Filed Pursuant to: Federal Power Act, 16 U.S.C., § 791(a)-825(r).

h. Applicant Contact: Mr. Glen D. Martin, Project Manager, Alaska Power and Telephone Co., 191 Otto Street, P.O. Box 222, Port Townsend, WA 98368, (360) 385-1733.

i. FERC Contact: Surender M. Yepuri, P.E., (202) 219-2847.

j. Comment Date: April 22, 1998.

k. Description of Project: The proposed project would consist of: (1) two 30-foot-long, 15-foot-high concrete or wood crib diversion structures with screened intakes; (2) two reservoirs with a total surface area of maximum 5 acres; (3) two 30-inch-diameter penstocks totaling 5,300 feet; (4) a 40-foot-long, 30-foot-wide, and 20-foot-high powerhouse with a total installed capacity of 5 MW; (5) a tailrace; (6) a 12.5-kV, 2.0-mile-long transmission line connecting the project to an existing substation; and (7) other appurtenances.

1. This notice also consists of the following standard paragraphs: A5, A7, A9, A10, B, C, and D2.

A5. Preliminary Permit—Anyone desiring to file a competing application for preliminary permit for a proposed project must submit the competing application itself, or a notice of intent to file such an application, to the Commission on or before the specified comment date for the particular application (see 18 CFR 4.36).

Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30(b) and 4.36.

A7. Preliminary Permit—Any qualified development applicant desiring to file a competing development application must submit to the Commission, on or before a specified comment date for the particular application, either a competing development application or a notice of intent to file such an application. Submission of a timely notice of intent to file a development application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

A9. Notice of intent—A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

A10. Proposed Scope of Studies under Permit—A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

B. Comments, Protests, or Motions to Intervene—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

C. Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", "MOTION TO

INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named document must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426. An additional copy must be sent to Director, Division of Project Review, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

D2. Agency Comments—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

David P. Boergers,

Acting Secretary.

[FR Doc. 98-4432 Filed 2-20-98; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Office of Hearings and Appeals

Notice of Cases Filed With the Office
of Hearings and Appeals; Week of
January 5 through January 9, 1998

During the Week of January 5 through January 9, 1998, the appeals, applications, petitions or other requests listed in this Notice were filed with the Office of Hearings and Appeals of the Department of Energy.

Any person who will be aggrieved by the DOE action sought in any of these cases may file written comments on the application within ten days of publication of this Notice or the date of receipt of actual notice, whichever occurs first. All such comments shall be filed with the Office of Hearings and Appeals, Department of Energy, Washington, D.C. 20585-0107.

Dated: February 11, 1998.

George B. Breznay,

Director, Office of Hearings and Appeals.

LIST OF CASES RECEIVED BY THE OFFICE OF HEARINGS AND APPEALS
[Week of January 5 through January 9, 1998]

Date	Name and location of Applicant	Case No.	Type of Submission
1/5/98	Cincinnati Gas & Electric Co., Cincinnati, OH.	VEA-0008	Appeal of an Order Issued Under A.F.T.P. 10 CFR Part 490. <i>If granted:</i> The Cincinnati Gas & Electric Co. would receive a waiver of the requirements of 10 CFR Part 490 that would give the firm credit for vehicles converted to alternative fuel use during the period October 1, 1997 through December 31, 1997 which would count toward Model Year 1997 compliance.
1/5/98	Personnel Security Review	VSA-0170	Request for Review of Opinion Under 10 CFR Part 710. <i>If granted:</i> The December 8, 1997 Opinion of the Office of Hearings and Appeals Case No. VSO-0170 would be reviewed at the request of an individual employed by the Department of Energy.
1/5/98	The Oregonian Portland, OR	VFA-0368	Appeal of an Information Request Denial. <i>If granted:</i> The November 26, 1997 Freedom of Information Request Denial issued by the Bonneville Power Administration would be rescinded, and the Oregonian would receive access to certain DOE information.

[FR Doc. 98-4501 Filed 2-20-98; 8:45 am]
BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Office of Hearings and Appeals

Notice of Case Filed With the Office of Hearings and Appeals; Week of January 12 Through January 16, 1998

During the Week of January 12 through January 16, 1998, the appeal,

application, petition or other request listed in this Notice were filed with the Office of Hearings and Appeals of the Department of Energy.

Any person who will be aggrieved by the DOE action sought in in this case may file written comments on the application within ten days of publication of this Notice or the date of receipt of actual notice, whichever occurs first. All such comments shall be filed with the Office of Hearings and

Appeals, Department of Energy, Washington, D.C. 20585-0107.

Dated: February 11, 1998.

George B. Breznay,

Director, Office of Hearings and Appeals.

LIST OF CASES RECEIVED BY THE OFFICE OF HEARINGS AND APPEALS
[Week of January 12 through January 16, 1998]

Date	Name and location of applicant	Case No.	Type of submission
1/13/98	Personnel Security Hearing	VSO-0191	Request for Hearing under 10 CFR part 710. If Granted, an individual employed by a contractor of the Department of Energy would receive a hearing under 10 CFR Part 710.

[FR Doc. 98-4502 Filed 2-20-98; 8:45 am]
BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Office of Hearings and Appeals

Notice of Issuance of Decisions and Orders; Week of October 13 through October 17, 1997

During the week of October 13 through October 17, 1997, 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, SW, 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.o.ha.doe.gov>.

Dated: February 11, 1998.

George B. Breznay,

Director, Office of Hearings and Appeals.

[Decision List No. 55] Week of October 13 Through October 17, 1997

Appeal

Dr. Daniel D. Eggers, 10/4/97; VFA-0332

Dr. Daniel D. Eggers Appealed a Determination issued to him in response to a request he submitted under the Freedom of Information Act for

documents generated in connection with a patient his father, a DOE contractor employee, had filed in the 1940s. In its Determination, the Oak Ridge Operations Office (Oak Ridge) found that the DOE could not locate any responsive documents. On appeal, the DOE found that adequate search was adequate, because the Appellant had provided insufficiently specific information to enable Oak Ridge to focus its search. However, DOE determined that the Appellant possessed more specific information that might permit Oak Ridge to narrow its search and locate responsive documents. Therefore, OHA granted the Appeal remanded the matter to Oak Ridge for a further search.

Personnel Security Hearing

Personnel Security Hearing, 10/14/96; VSO-0161

A Hearing Officer recommended that access authorization not be restored to