

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 KN to appear or be represented at the hearing.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 98-9157 Filed 4-7-98; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP98-169-000]

Kern River Gas Transmission Company; Notice of Petition for Grant of Expedited Limited Waiver of Tariff

April 2, 1998.

Take notice that on March 30, 1998, pursuant to Rule 207(a)(5) of the Commission's Rules of Practice and Procedure, 18 CFR 385.207(a)(5), Kern River Gas Transmission Company (Kern River) tendered for filing a Petition for Grant of Expedited Limited Waiver of Tariff, Section 3.1 of Rate Schedule KRF-1 in its FERC Gas Tariff, First Revised Volume No. 1.

Kern River seeks a one-time waiver of Section 3.1 of its Rate Schedule KRF-1 to allow its customers to request KRF-1 service earlier than the ninety days currently specified in its tariff. Kern River proposes to post and award for competitive bid up to 40,000 Mcf per day of firm capacity that is available during the 1998-99 winter heating season, and wishes to post the capacity and receive bids earlier than ninety days before the proposed commencement date of that service. Kern River also requests that the Commission grant any

other waivers it may deem necessary to allow Kern River to proceed as outlined.

Kern River states that a copy of this filing has been served upon its jurisdictional customers and affected states regulatory commissions.

Any person desiring to be heard or to protest this filing should file a motion to intervene or a 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 on or before April 9, 1998. 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 proceedings. 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.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 98-9166 Filed 4-7-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 469-MN]

Minnesota Power & Light Company; Notice of Minnesota Power & Light Company's Request for Waiver and to Use Alternative Procedures in Filing a License Application

April 2, 1998.

On March 30, 1998, the existing licensee, Minnesota Power & Light Company (Minnesota Power), filed a request to waive certain Commission regulations and to use alternative procedures for submitting an application for new license for the existing Winton Hydroelectric Project No. 469. The project is located on the Kawishiwi River, in Lake and St. Louis Counties, Minnesota, and consists of the Winton Dam and a 4.0-MW powerhouse, Garden Lake Reservoir, Birch Lake Dam, and Birch Lake Reservoir. The project occupies lands of the United States within the Superior National Forest.

Minnesota Power has demonstrated that it has made an effort to contact all resource agencies, Indian tribes, nongovernmental organizations (NGOs), and others affected by the proposal, and that a consensus exists that the use of alternative procedures is appropriate in

this case. Further, waiving the Commission's regulations will be automatic upon approval of the alternative procedures stipulated in Order No. 596.¹

Minnesota Power has submitted a communications protocol that is supported by the interested entities.

The purpose of this notice is to invite any additional comments on Minnesota Power's request to use the alternative procedures, pursuant to Section 4.34(i) of the Commission's regulations. Additional notices seeking comments on the specific project proposal, interventions and protests, and recommended terms and conditions will be issued at a later date.

The alternative procedures being requested here combine the pre-filing consultation process with the environmental review process, allowing Minnesota Power to complete and file an Environmental Assessment (EA) in lieu of Exhibit E of the license application. This differs from the traditional process, in which an applicant consults with agencies, Indian tribes, and NGOs during preparation of the application for the license and before filing it, but the Commission staff performs the environmental Project No. 469 review after the application is filed. The alternative procedures are intended to simplify and expedite the licensing process by combining the pre-filing consultation and environmental review processes into a single process, to facilitate greater participation, and to improve communication and cooperation among the participants.

Applicant Prepared EA Process and Winton Project Schedule

Minnesota Power has distributed an Initial Consultation Packet for the proposed project to state and federal resource agencies and NGOs. Minnesota Power has submitted a proposed schedule for the alternative procedures that leads to the filing of a license application by October 2001.

Comments

Interested parties have 30 days from the date of this notice to file with the Commission, any comments on Minnesota Power's proposal to use the alternative procedures to file an application for the Winton Hydroelectric Project.

Filing Requirements

The comments must be filed by providing an original and 8 copies as required by the Commission's

¹ Order No. 596, Regulations for the Licensing of Hydroelectric Projects, 81 FERC ¶ 61,103 (1997).

regulations to: Federal Energy Regulatory Commission, Office of the Secretary, Dockets—Room 1A, 888 First Street, NE, Washington, DC 20426.

All comment filings must bear the heading "Comments on the Alternative Procedures," and include the project name and number (Winton Hydroelectric Project No. 469).

For further information on this process, please call Tom Dean of the Federal Energy Regulatory Commission at 202-219-2778.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 98-9159 Filed 4-7-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. SA98-44-001 and SA98-44-002]

Molz Oil Company; Notice of Amendment to Petition for Adjustment and Request for Extension of Time

April 2, 1998.

Take notice that on, March 13, 1998, in Docket No. SA98-44-001, and March 20, 1998, in Docket No. SA98-44-002, Molz Oil Company (Molz) filed supplements amending its March 9, 1998 petition, in Docket No. SA98-44-000, for a procedural adjustment and request for a 90-day extension of time to resolve disputes with Panhandle Eastern Pipe Line Company (Panhandle) over the amount of Kansas ad valorem tax refunds owed by the First Sellers (including Molz) listed in the March 9 petition.¹ The March 13 amending supplement states that Dean Courson (individually and on behalf of M-C Oil), Darry Brown (individually and on behalf of Lieble Brown), L.L. Demaree, Doug McGinness, Viola McGinness,

¹ The working interest owners in Molz's original list of First Sellers include: Donald Albers; Molz Oil Company; James Jukes (as successor to Barber Assoc., D.M. Associates, KMAD Associates, KMAD #3 Associates, and Logan McGuire Assoc.); C.H. Bartlett; Marvin Blubauh, Carlos (a.k.a. Charles) Brewer; Darry Brown; Caruthers Const.; D.L. Caruthers; Rick Caruthers; M.D. Christensen; Judy Courson; Donald E. Evans; Helen Evans; Judy Evans; K.B. Evans; Clarence Hrencher; K&K Leasing; Kansas Oil & Gas; Keen Oil, Inc.; Kenla Oil Co.; Thereon Krehbiel; Tommie Littell; Joyce Lutz; Viola McGinness; Lee Mackey; Robert McCaffree; John Michel; Beverly Molz; Jim Molz; Ronald Molz; Kristi Molz; Russell Molz; Judith Ann Price; A.W. Powell; Rathgeber & Rathgeber; Ben Rathgeber; Bob and Lometa Rathgeber; Eloise Rathgeber; B. Jean Sandifer; Lamoine Schrock; Dexter Smith; Super Service; Sweetman Drilling; R.K. Sweetman; Kelly Thiesing; Kevin Thiesing; Jana Thiesing; Traffas Herfords; Vinmar Children; Vinmar Farms; Westmore Drilling Co.; Wilderness Oil & Gas; Marilyn Wiles; and Betty Winn.

Marvin Miller, Joe Nagele, Cindy Nagele a.k.a. Cindy Yandell, Helen Thiesing, Tri-K Equipment, Kenneth Vassar, Bob Watts, and Mollie Watts are included as First Sellers under Molz's March 9 petition, and updates the amount reported to be in dispute with Panhandle. The March 20 amending supplement states that MBT Antrim MBT Oil, Darrol Miller, and Pauline Miller (a.k.a. Mrs. Darrol Miller), are included as First Sellers under Molz's March 9 petition. The March 20 amending supplement also further updates the amount reported to be in dispute with Panhandle.

The March 9 petition and March 13 and March 20 supplements amending the March 9 petition are on file with the Commission and open to public inspection.

Molz filed the March 9 petition pursuant to section 502(c) of the Natural Gas Policy Act of 1978, on its own behalf and the working interest owners for whom Molz operated, and in response to the Commission's September 10, 1997, order in Docket No. RP97-369-000 *et al.*,² on remand from the D.C. Circuit Court of Appeals,³ which directed first sellers to make Kansas ad valorem tax refunds, with interest, for the period from 1983 to 1988. The March 9 petition, in addition, to the request for a 90-day extension of the March 9, 1998 refund deadline, requests that the Commission: (1) Grant a procedural adjustment, allowing Molz and the listed First Sellers (as amended) to escrow the disputed amount of the refund set forth in the Statement of Refunds Due that Panhandle filed in Docket No. RP98-40-000 (as revised); (2) to allow Molz (following resolution of the dispute) to retain in that account (a) the principal and interest on amounts attributable to production prior to October 4, 1983, and (b) the interest on all reimbursed principal determined to be refundable as being in excess of maximum lawful prices, excluding interest retained under (a) above; and (3) determine that Molz is liable solely for its proportionate share of the tax refunds.

Molz's March 20 amending supplement states that Panhandle served Molz with a revised Statement of Refunds Due, dated February 6, 1998, indicating a total refund due of \$301,843.59, and that the entire

² See 80 FERC ¶ 61,264 (1997); order denying reh'g issued January 28, 1998, 82 FERC ¶ 61,058 (1998).

³ *Public Service Company of Colorado v. FERC*, 91 F. 3d 1478 (D.C. Cir. 1996), cert. denied, 65 U.S.L.W. 3751 and 3754 (May 12, 1997) (Nos. 96-954 and 96-1230).

disputed amount (with interest through March 9, 1998) is now \$261,992.05.

Any person desiring to answer Molz's March 13 and March 20 amendments should file such answer with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, on or before 15 days after the date of publication of this notice in the **Federal Register**, in accordance with the Commission's Rules of Practice and Procedure (18 CFR 385.213, 385.215, 385.1101, and 385.1106).

Linwood A. Watson, Jr.

Acting Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP98-167-000]

NorAm Gas Transmission Company; Notice of Filing

April 2, 1998.

Take notice that on March 30, 1998, NorAm Gas Transmission Company (NGT) submitted its annual revenue crediting filing pursuant to its FERC Gas Tariff, Fourth Revised Volume No. 1, Section 5.7(c)(ii)(2) B. (Imbalance Cash Out), Section 23.2(b)(iv) (IT and SBS Revenue Crediting) and Section 23.7 (IT Revenue Credit).

NGT states that its filing addresses the period from February 1, 1997 through January 31, 1998. The IT and FT Cash Balancing Revenue Credits and the IT Revenue Credit for the period reflected in this filing are zero. Since NGT's current tariff sheets already reflect zero Cash Balancing and IT Revenue Credits, no tariff revisions are necessary.

Any person desiring to be heard or to protest this filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with § 385.214 and 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed on or before April 9, 1998. 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 proceedings. 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