

DEPARTMENT OF ENERGY

Federal Energy Regulatory
Commission

[Docket No. TM98-8-23-000]

**Eastern Shore Natural Gas Company;
Notice of Proposed Changes in FERC
Gas Tariff**

May 15, 1998.

Take notice that on May 12, 1998, Eastern Shore Natural Gas Company (ESNG) tendered for filing certain revised tariff sheets in the above captioned docket as part of its FERC Gas Tariff, First Revised Volume No. 1, bear a proposed effective date of June 1, 1998.

ESNG states that the purpose of this instant filing is to track rate changes attributable to storage service purchased from Columbia Gas Transmission Corporation (Columbia). The storage service purchased from Columbia is under its Rate Schedules SST and FSS the costs of which comprise the rates and charges under ESNG's Rate Schedule CFSS. The changes are reflected in the rates applicable to storage service rendered by ESNG under its Rate Schedule CFSS.

ESNG states that copies of the filing have been served upon its jurisdictional customers and interested State 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, NE., Washington, DC 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 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 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. 98-13491 Filed 5-20-98; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory
Commission

[Docket No. CP85-221-105]

**Frontier Gas Storage Company; Notice
of Sale Pursuant to Settlement
Agreement**

May 15, 1998.

Take notice that on May 12, 1998, Frontier Gas Storage Company (Frontier), c/o Reid & Priest, Market Square, 701 Pennsylvania Ave., N.W., Suite 800, Washington, D.C. 20004, in compliance with provisions of the Commission's February 13, 1985, Order in Docket No. CP82-487-000, *et al.*, submitted an executed Service Agreement under Rate Schedule LVS-1 providing for the possible sale of up to a daily quantity of 30,000 MMBtu, not to exceed 5 Bcf of Frontier's gas storage inventory on an "as metered" basis to Prairielands Energy Marketing, Inc., for term ending May 31, 1999.

Under Subpart (b) of Ordering Paragraph (F) of the Commission's February 13, 1985, Order, Frontier is "authorized to commence the sale of its inventory under such an executed service agreement fourteen days after filing the agreement with the Commission, and may continue making such sale unless the Commission issues an order either requiring Frontier to stop selling and setting the matter for hearing or permitting the sale to continue and establishing other procedures for resolving the matter."

Any person desiring to be heard or to make a protest with reference to said filing should, within 10 days of the publication in such notice in the **Federal Register**, file with the Federal Energy Regulatory Commission (888 1st Street, N.E., Washington, D.C. 20426) a motion to intervene or protest in accordance with the requirements of the Commission's Rules of Practice and Procedures, 18 CFR 385.214 or 385.211. 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. Copies of this filing are on file with the Commission and are available for public inspection.

Linwood A. Watson, Jr.,*Acting Secretary.*

[FR Doc. 98-13492 Filed 5-20-98; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Secretary of Energy Advisory Board;
Notice of Open Meeting

AGENCY: Department of Energy

SUMMARY: Consistent with the provisions of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770), notice is hereby given of the following advisory committee meeting:

Name: Secretary of Energy Advisory Board—Task Force on Education

DATES AND TIMES: Friday, June 5, 1998, 8:30 AM—3:30 PM.

ADDRESSES: U.S. Department of Energy, Program Review Center (Room 8E-089), Forrestal Building, 1000 Independence Avenue, SW, Washington, D.C. 20585

FOR FURTHER INFORMATION CONTACT: Bruce Bornfleth, Secretary of Energy Advisory Board (AB-1), U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, D.C. 20585, (202) 586-4040 or (202) 586-6279 (fax).

SUPPLEMENTARY INFORMATION: The purpose of the Task Force on Education is to provide information and recommendations to the Secretary of Energy Advisory Board on ways to make the Department's scientific, technical and supercomputing capabilities more available to our Nation's schools, colleges and universities, and to provide recommendations on how the Department can best enhance science, technology, engineering and mathematics education in the United States. The Task Force on Education will prepare a report for submission to the Secretary of Energy Advisory Board.

Tentative Agenda*Friday, June 5, 1998*

8:30-8:45 AM Welcome and Opening Remarks—Dr. Hanna Gray, Task Force Chairman.
8:45-10:15 AM Task Force Discussion.
10:15-10:30 AM Break.
10:30-12:00 PM Presentations.
12:00-1:00 PM Lunch Break.
1:00-2:30 PM Presentations.
2:30-3:15 PM Discussion of Task Force Action Plan.
3:15-3:30 PM Public Comment Period.

This tentative agenda is subject to change. The final agenda will be available at the meeting.

Public Participation: The Chairman of the Task Force is empowered to conduct the meeting in a fashion that will, in the Chairman's judgment, facilitate the orderly conduct of business. During its meeting in Washington, D.C., the Task Force welcomes public comment. Members of the public will be heard in the order in which they sign up at the

beginning of the meeting. The Task Force will make every effort to hear the views of all interested parties. Written comments may be submitted to Skila Harris, Executive Director, Secretary of Energy Advisory Board, AB-1, U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, D.C. 20585.

Minutes: Minutes and a transcript of the meeting will be available for public review and copying approximately 30 days following the meeting at the Freedom of Information Public Reading Room, 1E-190 Forrestal Building, 1000 Independence Avenue, SW, Washington, D.C., between 9:00 AM and 4:00 PM, Monday through Friday except Federal holidays. Information on the Task Force on Education and future reports may be found at the Secretary of Energy Advisory Board's web site, located at <http://www.hr.doe.gov/seab>.

Issued at Washington, D.C., on May 15, 1998.

Rachel M. Samuel,

Deputy Advisory Committee Management Officer.

[FR Doc. 98-13588 Filed 5-20-98; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Small Entity Compliance Guidance and Civil Penalty Reduction and Waiver Pursuant to the Small Business Regulatory Enforcement Fairness Act of 1996; Statement of Policy

AGENCY: Department of Energy.

ACTION: Notice.

SUMMARY: The Department of Energy today publishes a statement of policy regarding guidance to small entities concerning compliance with statutory and regulatory requirements and the waiver or reduction of civil penalties for small entities that violate statutory and regulatory requirements. This policy statement is published to comply with sections 213 and section 223 of the Small Business Regulatory Enforcement Fairness Act of 1996.

DATES: This policy takes effect on June 22, 1998.

ADDRESSES: Interested persons may submit any comments or suggestions with respect to this policy statement to Michael W. Bowers, U.S. Department of Energy, Office of General Counsel, GC-74, 1000 Independence Avenue, SW, Washington, DC 20585, (202) 586-9507.

FOR FURTHER INFORMATION CONTACT: Michael W. Bowers, U.S. Department of Energy, Office of General Counsel, GC-74, 1000 Independence Avenue, SW, Washington, DC 20585, (202) 586-9507.

SUPPLEMENTARY INFORMATION:

I. Background

The Small Business Regulatory Enforcement Fairness Act (SBREFA), which was enacted as title II of Pub. L. 104-121, was signed into law on March 29, 1996. The primary goals of SBREFA as stated in the Act are to implement recommendations of the 1995 White House Conference on Small Business; provide small entities enhanced opportunities for judicial review of final agency action; encourage small business participation in the regulatory process; develop more accessible sources of information on regulatory and reporting requirements for small entities; create a more cooperative regulatory environment for small businesses; and make federal regulators more accountable for "excessive" enforcement actions.

Section 221 of SBREFA, 5 U.S.C. 601 note, defines the term "small entity" as having the same meaning as in section 601 of the Regulatory Flexibility Act (RFA). The RFA defines "small entity" as any "small business," "small organization," or "small governmental jurisdiction." 5 U.S.C. 601(6). Under the RFA, a "small business" has the same meaning as "small business concern" under section 3 of the Small Business Act, unless an agency, after consultation with the Office of Advocacy of the Small Business Administration (SBA) and after an opportunity for public comment, establishes other appropriate definitions. 5 U.S.C. 601(3). Under the Small Business Act, a "small business concern" is one that is independently owned and operated and not dominant in its field of operation (15 U.S.C. 632(a)(1)). SBA regulations further define "small business concern" using number of employees or annual income by industry category. 13 CFR part 121. SBA's regulations also provide that the affiliates of an enterprise are included in determining its size. 13 CFR 121.103. The RFA defines "small organization" as a not-for-profit enterprise which is independently owned and operated and not dominant in its field, unless an agency, after opportunity for public comment, establishes other definitions of the term appropriate to its activities and publishes such definitions in the **Federal Register**. 5 U.S.C. 601(4). The RFA defines a "small governmental jurisdiction" as governments of cities, counties, towns, townships, villages, school districts, or special districts with a population of less than 50,000, unless an agency establishes other appropriate definitions after opportunity for public comment. 5 U.S.C. 601(5). The Department of Energy (DOE or

Department) has not established alternative definitions of these terms. The RFA definitions of these terms are included in Section III of the policy statement published today.

The Department currently does not administer any program that is focused principally on the regulation of small entities. DOE does administer programs that involve financial assistance to, or procurement from, small entities. Moreover, requirements in particular rules issued by DOE, which may be enforced by assessment of civil penalties, may apply to some small entities as well as large ones. Therefore, to comply with sections 213 and 223 of SBREFA, the Department has issued the policies set forth in this notice in order to provide for: (1) Guidance to small entities concerning compliance with statutes and regulations under the Department's jurisdiction, and (2) the reduction and waiver of civil penalties for small entities.

II. Policy on Compliance Guidance to Small Entities

Under section 213 of SBREFA, 5 U.S.C. 601 note, each agency that regulates the activities of small entities is directed to establish a program for responding to inquiries from small entities concerning compliance, utilizing existing functions and personnel of the agency to the extent practicable. Section 213(a) provides: "Whenever appropriate in the interest of administering statutes and regulations within the jurisdiction of an agency which regulates small entities, it shall be the practice of the agency to answer inquiries by small entities concerning information on, and advice about, compliance with such statutes and regulations, interpreting and applying the law to specific sets of facts supplied by the small entity. In any civil or administrative action against a small entity, guidance given by an agency applying the law to facts provided by the small entity may be considered as evidence of the reasonableness or appropriateness of any proposed fines, penalties or damages sought against such small entity."

The Department provides a variety of information and guidance to persons about compliance with the requirements of the programs it administers. Each substantive area under the Department's jurisdiction has staff members who respond to inquiries about compliance with applicable laws and regulations. If sources of general information are insufficient to provide the needed guidance or assistance, DOE staff members may provide specific, informal advice, or may advise the requester to