

Pipeline	Docket No.
KN Interstate Gas Transmission Company.	SA98-99-000
Panhandle Eastern Pipe Line Company.	SA98-100-000

If adjustment relief becomes necessary (i.e., if the Commission determines that IMC owes Kansas ad valorem tax refunds to one or more of the subject pipelines), IMC requests to be relieved from making the refunds attributable to royalties, on the ground that such refunds are now uncollectible, owing to the enactment of section 7 of House Bill No. 2419, by the State of Kansas. IMC's petitions are on file with the Commission and they are open to public inspection.

The Commission, by order issued September 10, 1997, in Docket No. RP97-369-000 *et al.*,<sup>1</sup> on remand from the D.C. Circuit Court of Appeals,<sup>2</sup> directed First Sellers to make Kansas ad valorem tax refunds, with interest, to the appropriate pipelines, for the period from 1983 to 1988. In its January 28, 1998 Order Clarifying Procedures [82 FERC ¶ 61,059 (1998)], the Commission stated that producers (i.e., First Sellers) could file dispute resolution requests with the Commission, asking the Commission to resolve the dispute with the pipeline over the amount of Kansas ad valorem tax refunds owed.

Any person desiring to be heard or to make any protest with reference to any of these petitions should on or before 15 days after the date of publication in the **Federal Register** of this notice, file with the Federal Energy Regulatory Commission, 888 First Street, N.E., 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, 385.211, 385.1105, and 385.1106). 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.

**David P. Boergers,**

*Acting Secretary.*

[FR Doc. 98-20207 Filed 7-28-98; 8:45 am]

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<sup>1</sup> See: 80 FERC ¶ 61,264 (1997); rehearing denied January 28, 1998, 82 FERC ¶ 61,058 (1998).

<sup>2</sup> *Public Service Company of Colorado v. FERC*, 91 F.3d 1478 (D.C. 1996), cert. denied, Nos. 96-954 and 96-1230 (65 U.S.L.W. 3751 and 3754, May 12, 1997).

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP98-356-000]

#### Mississippi River Transmission Corporation; Notice of Proposed Changes in FERC Gas Tariff

July 23, 1998.

Take notice that on July 17, 1998, Mississippi River Transmission Corporation (MRT) tendered for filing as part of its FERC Gas Tariff, Third Revised Volume No. 1, Fifth Revised Sheet No. 9, to be effective August 16, 1998.

MRT states that the purpose of this filing is to provide for recovery of additional prior period adjustments to MRT's Account No. 191 balance, representing amounts paid by MRT to resolve litigation involving pre-Order No. 636 gas purchase contracts, pursuant to Sections 16.2(b) and (c) of the General Terms and Conditions of MRT's Tariff.

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 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.

**David P. Boergers,**

*Acting Secretary.*

[FR Doc. 98-20204 Filed 7-28-98; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2696-006]

#### Niagara Mohawk Power Corp. Late-Filed Request for Rehearing Rejected

July 23, 1998.

On May 29, 1998, the Commission issued an order accepting the surrender of a license for the Stuyvesant Falls Hydroelectric Project No. 2696 from

Niagara Mohawk Power Corporation.<sup>1</sup> On July 1, 1998, New York Rivers United filed a request for rehearing of the Commission's order, and of the Final Environmental Assessment (EA) issued in connection with the surrender order.<sup>2</sup>

Section 313(a) of the Federal Power Act requires an aggrieved party to file its request for rehearing within 30 days after issuance of a Commission order.<sup>3</sup> In this instance, the deadline for filing a request for rehearing was June 29, 1998. Because the rehearing deadline is statutorily based, and New York Rivers United did not file its request within the statutorily prescribed period, its request for rehearing must be rejected. The Final EA was attached to, and issued with, the order. The fact that a Notice of Availability of the Final EA was issued on June 1, 1998, does not extend the statutory deadline for requesting rehearing of the order.

This notice constitutes final agency action. Requests for rehearing of this notice may be filed within 30 days of the date of issuance of this notice, pursuant to Rule 713 of the Commission's Rules of Practice and Procedure.<sup>4</sup>

**David P. Boergers,**

*Acting Secretary.*

[FR Doc. 98-20202 Filed 7-28-98; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP98-672-000]

#### NorAm Gas Transmission Company; Notice of Request Under Blanket Authorization

July 23, 1998.

Take notice that on July 16, 1998, NorAm Gas Transmission Company (NGT), 1600 Smith Street, Houston, Texas 77002, filed in Docket No. CP98-672-000 a request pursuant to Sections 157.205 and 157.211 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.211) for authorization to construct certain facilities in Howard County, Arkansas, under NGT's blanket certificate issued in Docket No. CP82-384-000 and CP82-384-001 pursuant to Section 7 of the Natural Gas Act, all as

<sup>1</sup> 83 FERC ¶ 61,226.

<sup>2</sup> There is no provision under applicable statutes or regulations for requesting rehearing of a Final EA.

<sup>3</sup> 16 U.S.C. 825f.

<sup>4</sup> 18 CFR 385.713 (1998).

more fully set forth in the request that is on file with the Commission and open to public inspection.

Specifically, NGT proposes to install a 6-inch tap on its Line AC in Pike County and construct approximately 16.7 miles of 6-inch pipe (Line ACT-5) to deliver additional gas to an existing customer in Howard County. NGT states that it will install this tap, Line ACT-5, a 6-inch meter station and four 2-inch first-cut regulators to provide an incremental delivery of 3,000 Dth to James Hardie Gypsum, Inc. (Hardie Gypsum). NGT estimates the peak day and annual deliverability of gas through these facilities to be 8,000 Dth and 2.9 million Dth, respectively. The estimated cost of the facilities to be installed is approximately \$2.2 million.

NGT states that in lieu of reimbursement to NGT, Hardie Gypsum has executed a transportation agreement with initial contract demand of 3,000 Dth per day and a primary term extending through December 31, 2010. NGT states that it currently delivers 5,000 Dth to Hardie Gypsum through Line AM-165, but will file to abandon and relocate that point to Line ACT-5 upon completion of Hardie Gypsum's plant expansion.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

**David P. Boergers,**

*Acting Secretary.*

[FR Doc. 98-20198 Filed 7-28-98; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP98-601-001]

#### Northwest Pipeline Corporation; Notice of Amendment

July 23, 1998.

Take notice that on July 15, 1998, Northwest Pipeline Corporation (Northwest), 295 Chipeta Way, Salt Lake City, Utah 84108, filed in Docket No. CP98-601-001 an amendment to the pending request filed on June 9, 1998, in Docket No. CP98-601-000, to reflect changes in the facilities originally proposed and other related aspects of the project, under Northwest's blanket certificate issued in Docket No. CP82-433-000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Northwest proposed in its original request to construct and operate approximately 2.8 miles of 6-inch loop line on its Moscow Lateral in Whitman County, Washington and to upgrade its Moscow Meter Station in Latah County, Idaho to better accommodate existing firm service delivery obligations to the Washington Water Power Company (Water Power).

Northwest states that as originally proposed, the new 6-inch loop line on the Moscow Lateral would commence at a new 6-inch tap on the existing 12-inch Lewiston Lateral, adjacent to the existing 4-inch Moscow Lateral tap and terminate at milepost 2.8 on the Moscow Lateral with a tie-in valve installed at the terminus of the loop line.

Northwest states that because the landowner has expressed concern regarding its proposal to locate the site for the tie-in valve in the middle of a field he uses for agricultural purposes, Northwest has redesigned the loop line and with the approval of the landowner proposes to install the tie-in valve at a site near the edge of the landowner's property. Northwest states that the proposed loop line will now terminate at milepost 2.39 on the Moscow Lateral and will be approximately 2,221 feet shorter in length than the loop line as originally proposed.

Northwest states that as a result of the proposed change, the maximum design capacity of the Moscow Lateral and loop line will increase from approximately 8,300 Dth per day to approximately 9,500 Dth per day. Northwest states that even though the proposed maximum design capacity has decreased by

approximately 300 Dth per day from its original proposal, Northwest believes that the Moscow Lateral and proposed loop line will still have sufficient capacity to meet Water Power's projected market growth downstream of the Moscow Meter Station through the year 2001.

Northwest states that it had originally proposed to use temporary work space at four locations along the 75-foot wide Moscow Lateral right-of-way, but will now only need temporary work space at three locations.

Northwest states the estimated cost of constructing the loop line and the Moscow Meter Station will decrease from approximately \$1,634,617 to approximately \$1,484,617.

Northwest states that all other pertinent information as stated in its original prior notice request filed in Docket No. CP98-601-000 remain accurate as previously filed.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

**David P. Boergers,**

*Acting Secretary.*

[FR Doc. 98-20197 Filed 7-28-98; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. RP93-5-030 and RP93-96-010]

#### Northwest Pipeline Corporation; Notice of Refund Report

July 23, 1998.

Take notice that on July 17, 1998, Northwest Pipeline Corporation, (Northwest) tendered for filing a corrected refund report to replace in its entirety the refund report filed on June 29, 1998 in the above-referenced dockets.