

29. Western Resources, Inc.

[Docket No. ER98-4402-000]

Take notice that on August 28, 1998, Western Resources, Inc. tendered for filing an agreement between Western Resources and Kansas Municipal Energy Agency. Western Resources states that the purpose of the agreement is to permit the customer to take service under Western Resources' market-based power sales tariff on file with the Commission.

Western Resources proposes that the agreement become effective August 3, 1998.

Copies of the filing were served upon Kansas Municipal Energy Agency and the Kansas Corporation Commission.

Comment date: September 17, 1998, in accordance with Standard Paragraph E at the end of this notice.

30. Bridgeport Energy L.L.C.

[Docket No. ER98-4403-000]

Take notice that on August 28, 1998, Bridgeport Energy L.L.C. (Bridgeport), 10 Atlantic Street, Bridgeport, CT 06604, filed with the Federal Energy Regulatory Commission (the Commission) an "Installed Capability Purchase and Sale Agreement" for the sale of installed capability by Bridgeport to Northeast Utilities Service Company. Bridgeport has filed this Agreement in compliance with the Commission's Order issued June 24, 1998 in Docket No. ER98-2783-000, where the Commission granted Bridgeport's request for authority to sell electric power at market rates.

Service under this Agreement commenced on August 1, 1998.

Comment date: September 17, 1998, in accordance with Standard Paragraph E at the end of this notice.

31. Bridgeport Energy L.L.C.

[Docket No. ER98-4404-000]

Take notice that on August 26, 1998, Bridgeport Energy L.L.C. (Bridgeport), 10 Atlantic Street, Bridgeport, CT 06604, filed with the Federal Energy Regulatory Commission (the Commission) the "Agreement Between Bridgeport Energy LLC and Duke Energy Trading and Marketing, LLC" (the Agreement) under which Bridgeport will supply electric power to Duke Energy Trading and Marketing Services, L.L.C. Bridgeport has filed this Agreement in compliance with the Commission's Order issued June 24, 1998 in Docket No. ER98-2783-000, where the Commission granted Bridgeport's request for authority to sell electric power at market rates.

Service under this Agreement commenced on August 1, 1998.

Comment date: September 17, 1998, in accordance with Standard Paragraph E at the end of this notice.

32. Connexus Energy

[Docket No. ER98-4407-000]

Take notice that on August 28, 1998, Connexus Energy submitted for filing an amendment to its Rate Schedule. Connexus Energy states that the purpose of the amendment is to change the purchase obligation of Elk River Municipal Utilities.

Comment date: September 17, 1998, in accordance with Standard Paragraph E at the end of this notice.

33. Connexus Energy

[Docket No. ER98-4428-000]

Take notice that on August 28, 1998, Anoka Electric Cooperative submitted for filing a notice stating that, effective August 20, 1998, Anoka Electric Cooperative changed its name to Connexus Energy.

Comment date: September 17, 1998, in accordance with Standard Paragraph E at the end of this notice.

34. Two Elk Power Company Two Elk Generation Partners, Limited Partnership

[Docket No. QF95-197-001]

On August 31, 1998, Two Elk Power Company, on behalf of Two Elk Generation Partners, Limited Partnership, c/o North American Power Group, Ltd., 8480 East Orchard Road, Suite 4000, Greenwood Village, Colorado 80111, submitted for filing a supplement to its May 12, 1998, application for Commission recertification of a small power production facility pursuant to Section 292.207(b) of the Commission's Regulations. No determination has been made that the submittal constitutes a complete filing.

According to the applicant, the proposed power production facility will be located in Campbell County, Wyoming. The facility will produce a net electrical output of approximately 250 MW, and will utilize waste coal as its primary energy source. Commercial operations are scheduled to commence in 2001, whereupon the applicant proposes to sell a majority of the facility's electric energy output into the public power grid at market based rates with the remainder of its output to be sold to the Black Thunder Mine. The initial application for Commission recertification was submitted on May 12, 1998, in Docket No. QF95-197-001. The instant supplemental filing is made in response to a July 31, 1998, Commission letter requesting additional

information regarding the May 12, 1998, application.

Comment date: October 13, 1998.

Standard Paragraphs

E. 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, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. 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 these filings are on file with the Commission and are available for public inspection.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 98-24299 Filed 9-9-98; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****Notice of Application for Conduit Exemption**

September 3, 1998.

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

- a. *Type of Application:* Conduit Exemption.
- b. *Project No.:* 11610-000.
- c. *Date filed:* November 7, 1997.
- d. *Applicant:* Gary R. Hubbs.
- e. *Name of Project:* Cherry Grove Project.
- f. *Location:* At the Crab Creek Canyon, in Utah County, Utah.
- g. *Filed Pursuant to:* Federal Power Act 16 USC 791(a)-825(r).
- h. *Applicant Contact:* Gary R. Hubbs, H.C. 13 Box 520, Fairview, UT 84629, (801) 873-3343.
- i. *FERC Contact:* Robert W. Bell (202) 219-2806.
- j. *Status of Environmental Analysis:* This application is ready for environmental analysis at this time—see attached paragraph D-4.
- k. *Comment Date:* November 12, 1998.
- l. *Description of Project:* The proposed project consists of (1) a powerhouse that would be built on the City of Spanish Fork's 14-inch-diameter ductile iron

pipeline with one generating unit having an installed capacity of 224-kW. The applicant would use all the power generated for a proposed housing development. The average annual generation would be 1,726,000 kWh.

m. *This notice also consists of the following standard paragraphs:* A2, A9, B1, and D4.

n. *Available Locations of Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference and Files Maintenance Branch, located at 888 First Street, N.E., Room 2A, Washington, D.C. 20426, or by calling (202) 208-1371. A copy is also available for inspection and reproduction at the address shown in item h above.

A2. Development Application—Any qualified applicant desiring to file a competing application must submit to the Commission, on or before the specified deadline date for the particular application, a competing development application, or a notice of intent to file such an application. Submission of a timely notice of intent allows an interested person to file the competing development application no later than 120 days after the specified deadline date for the particular application. Applications for preliminary permits will not be accepted in response to this notice.

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.

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.

D4. Filing and Service of Responsive Documents—The application is ready for environmental analysis at this time, and the Commission is requesting

comments, recommendations, terms and conditions, and prescriptions.

The Commission directs, pursuant to Section 4.34(b) of the Regulations (see Order No. 533 issued May 8, 1991, 56 FR 23108, May 20, 1991) that all comments, recommendations, terms and conditions and prescriptions concerning the application be filed with the Commission within 60 days from the issuance date of this notice. All reply comments must be filed with the Commission within 105 days from the date of this notice.

Anyone may obtain an extension of time for these deadlines from the Commission only upon a showing of good cause or extraordinary circumstances in accordance with 18 CFR 385.2008.

All filings must (1) bear in all capital letters the title "PROTEST", "MOTION TO INTERVENE", "NOTICE OF INTENT TO FILE COMPETING APPLICATION," "COMPETING APPLICATION," "COMMENTS," "REPLY COMMENTS," "RECOMMENDATIONS," "TERMS AND CONDITIONS," or "PRESCRIPTIONS;" (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, terms and conditions or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. Any of these documents must be filed by providing the original and the number of copies required 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, Office of Hydropower Licensing, Federal Energy Regulatory Commission, at the above address. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in

accordance with 18 CFR 4.34(b) and 385.2010.

Linwood A. Watson, Jr.,

Acting Secretary.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6158-8]

Proposed Stipulation of Settlement; Minor Amendments to Clean Air Act Conformity Regulations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed stipulation; request for public comment.

SUMMARY: In accordance with section 113(g) of the Clean Air Act (Act), notice is hereby given of a proposed stipulation of partial settlement in litigation instituted against the Environmental Protection Agency (EPA) challenging EPA's third set of amendments to rules on determining conformity of federal actions to State Implementation Plans (SIPs). The Environmental Defense Fund (EDF) challenged several aspects of EPA's amendments to the transportation conformity rules issued under section 176(c) of the Act (62 FR 43780, Aug. 15, 1997). *EDF v. EPA, et al.*, D.C. Cir. No. 97-1637.

EPA has agreed to reconsider certain provisions of these amendments. These include a provision relating to grace periods for newly designated nonattainment areas which was overturned by the court in *Sierra Club v. EPA*, 129 F.3d 137 (D.C. Cir 1996), as well as several issues included in EDF's 1994 Petition for Reconsideration of the original conformity rule relating to time horizons for hot spot air quality analysis, growth assumptions to be used in regional conformity analyses, and credit for transportation control measures where implementation has been delayed. Therefore, EPA proposes to enter into a stipulation with EDF in which EPA will commit to take final action completing the reconsideration of the conformity regulations with respect to these issues by no later than January 1, 2000.

For a period of thirty (30) days following the date of publication of this document, the Agency will receive written comments relating to the proposed stipulation of settlement. EPA or the Department of Justice may withhold or withdraw consent to the proposed stipulation if the comments