

solicitation. Applications must be received by 5:00 pm on Tuesday, June 30, 1998. Applications should be mailed to the Department of Energy; Denver Regional Support Office; 1617 Cole Boulevard—Building MS 1721; Golden, CO; 80401. Please submit 4 copies of your proposal, bound by staple without any special binders or covers. Project selections should be announced by August 1, 1998.

Issued in Golden, Colorado on May 22, 1998.

John W. Meeker,

Chief, Procurement, GO.

[FR Doc. 98-14402 Filed 5-29-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. GP98-32-000]

Anadarko Petroleum Corporation; Notice of Complaint and Motion for Remand

May 26, 1998.

Take notice that, on May 4, 1998, Anadarko Petroleum Corporation (Anadarko) filed: (1) a complaint against PanEnergy Pipe Line Company (PanEnergy), Panhandle Eastern Pipe Line Company (Panhandle), PanEnergy Corporation (PanEnergy Corp), and Panhandle Eastern Corporation (Panhandle Corp) [collectively: Panhandle Parties], pursuant to an Order of the United States District Court for the Southern District of Texas (U.S. District Court) staying *Anadarko Petroleum Corp. v. PanEnergy Pipe Line Company*, Civil Action No. H-97-1705 (March 19, 1998), that referred the issues in that proceeding to the Commission for the exercise of its regulatory jurisdiction; and (2) a motion that the Commission either determine the issues or remand the issues back to the U.S. District Court for resolution. Anadarko's complaint and motion for remand is on file with the Commission and open to public inspection.

Anadarko explains that, at one time, Panhandle owned certain natural gas leases that included producing properties, that Panhandle created a producer affiliate who acquired certain leases from Panhandle and made sales from Kansas production to Panhandle, and that Panhandle's producer affiliate recovered Kansas ad valorem taxes from Panhandle. Anadarko further explains that it was created by Panhandle's producer affiliate, on or about August 1, 1985, as a new pipeline affiliated

producer, that properties (including Kansas gas leases) were transferred to Anadarko, and that Anadarko was spun-off and became an independent producing company on October 1, 1986.

Anadarko contends that Panhandle and its producer affiliate were Anadarko's predecessors-in-interest and, as such, are liable for any Kansas ad valorem tax refunds, and interest, required by the Commission's September 10, 1997 order, in Docket No. RP97-369-000 *et al.*,¹ on remand from the D.C. Circuit Court of Appeals.² That order required First Sellers to refund Kansas ad valorem tax reimbursements to the appropriate pipelines, with interest, for the period from 1983 to 1988. Anadarko contends that the Panhandle Parties agreed to indemnify Anadarko from any liability associated with the possible refund of Kansas ad valorem taxes, both before and after the transfer to Anadarko, as part of the consideration for the transfer price. Thus, Anadarko contends that all Kansas ad valorem tax refund liabilities arising from production after October 4, 1983, and associated with the working interests of Anadarko, should be paid by Panhandle or one of its affiliates, not by Anadarko. Anadarko further contends that (a) the Commission may either adjudicate Anadarko's complaint, or decide not to exercise its primary regulatory jurisdiction, and (b) if the Commission decides not to exercise its regulatory jurisdiction, it may (after making the necessary findings that Anadarko's allegations are cognizable in court, remand this matter back to the court, by final order.

Anadarko states that it filed its complaint in the above-referenced proceeding before the U.S. District Court, seeking (a) judgment (against the Panhandle Parties) that the Panhandle Parties assumed all of the obligations of Anadarko and the Panhandle Parties for refunds, plus interest, claimed on natural gas sold in Kansas, and (b) recovery of the refunds that Anadarko has already paid to Panhandle Parties as a result of the Commission's September 10 order, based on tax bills rendered after June 22, 1988. Anadarko states that the U.S. District Court, in its Order staying the Anadarko case, stated that it shall retain jurisdiction pending resolution of the issues by the FERC and the exhaustion of any appeals from the FERC's decision.

¹ See 80 FERC ¶ 61,264 (1997); order denying rehearing issued January 28, 1998, 82 FERC ¶ 61,058 (1998).

² *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).

Any person desiring to comment on or make any protest with respect to Anadarko's complaint should on or before June 25, 1998, file with the Federal Energy Regulatory Commission, 888 First 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 Procedure (18 CFR 385.214 or 385.211). 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 the proceeding, or to participate as a party in any hearing therein, must file a motion to intervene in accordance with the Commission's Rules. Answers to the complaint should also be filed on or before June 25, 1998.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 98-14353 Filed 5-29-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 1417-001, Project No. 1835-013]

Central Nebraska Public Power and Irrigation District; Nebraska Public Power District; Notice of Settlement Offer

May 26, 1998.

On May 15, 1998, the Central Nebraska Public Power and Irrigation District, Nebraska Public Power District, U.S. Department of the Interior, State of Wyoming, State of Colorado, Sierra Club, Nebraska Wildlife Federation, American Rivers, National Audubon Society, and Platte River Whooping Crane Critical Habitat Maintenance Trust filed an offer of settlement for the Kingsley Dam Project (FERC No. 1417) and the North Platte/Keystone Diversion Project (FERC No. 1835) per Rule 602 of the Commission's Rules of Practice and Procedure, 18 CFR 385.602.

Comments on the proposed settlement may be filed with Commission no later than June 4, 1998, and replies no later than June 15, 1998. Copies of comments and replies by parties and intervenors must be served on all other parties and intervenors. Under Rule 602(f)(3), a failure to file comments constitutes a