Court of Appeals[3] directed first sellers under the NGPA to make Kansas ad valorem tax refunds, with interest, for the period from 1983 to 1988. The Commission issued a January 28, 1998 order in Docket No. RP98–39–001, *et al.* (January 28 Order),[4] clarifying the refund procedures, stating that producers could request additional time to establish the uncollectability of royalty refunds, and that first seller may file requests for NGPA section 502(c) adjustment relief from the refund requirement and the timing and procedures for implementing the refunds, based on the individual circumstances applicable to each first seller.

Ensign requests that the Commission resolve any potential dispute between Ensign and Williams Gas Pipelines Central, Inc., formerly: Williams Natural Gas Company (Williams), finding that Ensign has no liability for reimbursement of Kansas ad valorem taxes paid over the period 1983 to 1988, based on a 1990 Settlement Agreement between Ensign and Williams or, in the alternative (if the Commission decides that the Ensign-Williams settlement does not resolve the refund liability issues) that adjustment relief from such refund liability be granted to Ensign, based on Ensign's assertion that it would be inequitable and an unfair distribution of burdens for the Commission to require Ensign to make refunds when Ensign, in good faith, negotiated a settlement with Williams in 1990, under which Ensign gave up its claims against Williams in return for a release from all claims by Williams that were not excluded under the 1990 Settlement Agreement. Ensign further argues that it would be inequitable and an unfair distribution of burdens for the Commission to require Ensign to refund royalties with respect to its sales to Williams, since Amoco Production Company made all of the royalty disbursements and Ensign has no knowledge of who the royalty interest owners are. Ensign also asserts that relief is justified on equitable grounds, in view of the fact that Ensign previously relied on the Commission's orders that permitted first sellers to collect Kansas ad valorem tax reimbursements.

In addition, Ensign requests procedural adjustment relief, pursuant to the January 28 Order, with respect to sales to Northern Natural Gas Company (Northern). Specifically, Ensign requests that it be allowed to:

(1) Defer payment of principal and interest attributable to royalty refunds under these sales for one year until March 9, 1999;

(2) Place into its escrow account the principal on its share of refunds allegedly due Northern [excluding royalties covered above in 1) above], pending a final determination whether there has been any violation of the maximum lawful prices under the NGPA;[5] and

(3) Place into its escrow account the interest on the total amount of refunds allegedly due Northern [excluding royalties deferred under 1) above], pending resolution of the maximum lawful price issue discussed in 2) above and pending final judicial action on review of the Commission's orders establishing the interest obligation.

Ensign states that it is committed to resolve the maximum lawful price issue or present it to the Commission on or before September 6, 1998.

Any person desiring to be heard or to make any protest with reference to said petition 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, 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 384.214, 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. 98–6239 Filed 3–10–98; 8:45 am]

**BILLING CODE 6717–01–M**

[3] *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).

[4] 82 FERC ¶ 61,059 (1998).

[5] Ensign indicates that it will disburse the principal on recovered royalties to Northern Natural, if it has been determined that the price collected, plus the Kansas ad valorem tax reimbursement, exceed the maximum lawful price. Ensign also indicates that it will, at that time, place the interest on recovered royalties in its escrow account, and will file with the Commission for relief from unrecovered or de minimus royalties (principal and interest).

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

**[Docket Nos. TM98–3–4–000 and RP98–155–000]**

### Granite State Gas Transmission, Inc.; Notice of Proposed Changes in FERC Gas Tariff

March 5, 1998.

Take notice that on March 2, 1998, Granite State Gas Transmission, Inc. (Granite State), tendered for filing as part of its FERC Gas Tariff, Third Revised Volume No. 1, the following revised tariff sheets listed below for effectiveness on April 1, 1998:

Eleventh Revised Sheet No. 21
Twelfth Revised Sheet No. 22
First Revised Sheet Nos. 333 and 334

According to Granite State, the foregoing revised tariff sheets comprise the quarterly adjustment in its Power Cost Adjustment (PCA), surcharge, a tracking mechanism to pass through to Granite State's firm transportation customers certain electric power costs for which it is obligated to reimburse Portland Pipe Line Corporation under the terms of a lease of a pipeline. Granite State further states that the foregoing revised tariff sheets include a revision in the reconciliation procedure in the PCA tariff provision for past over and under collections of electric power costs billed Granite State by Portland Pipe Line. However, in the event that the Commission does not accept the foregoing tariff sheets, Granite State has submitted the alternate revised tariff sheets below for effectiveness on April 1, 1998:

Alternate Eleventh Revised Sheet No. 21
Alternate Twelfth Revised Sheet No. 22

According to Granite State, the PCA surcharge tariff provision was accepted by the Commission in a filing in Docket No. RP97–300–000 and approved as part of the settlement of Granite State's most recent rate proceeding in Docket No. RP97–8–000. Granite State further states that it proposes to change the reconciliation procedure in the tariff provision to a quarterly sequence, beginning October 1, 1998, instead of semi-annual sequence, each January and July. Granite State says that it has had one year's experience with the present reconciliation procedure and the semi-annual reconciliations result in erratic swings in the PCA surcharge; it states that quarterly reconciliations of past over and under collections for the reimbursement power costs due Portland Pipe Line will result in surcharges that are more reflective of

actually incurred expenses for the power costs with less erratic swings from quarter to quarter.

Granite State states that its preference is for acceptance of the PCA surcharge for the quarter beginning April 1, 1998 derived using the change in reconciliation procedure proposed in its filing but, in the event that the Commission does not accept the change, Granite State has filed alternate revised tariff sheets on which the quarterly surcharge has been derived without any change in the reconciliation procedure.

Granite State further states that copies of its filing have been served on its firm transportation customers and on the regulatory agencies for the States of Maine, Massachusetts and New Hampshire.

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, NE, Washington, DC 20426, in accordance with Sections 385.211 and 385.214 of the Commission's Rules and Regulations. All such motions or protests should be filed in accordance with 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 proceeding. 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.

**David P. Boergers,**

*Acting Secretary.*

[FR Doc. 98–6253 Filed 3–10–98; 8:45 am]

BILLING CODE 6717–01–M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

**[Docket No. UL96–18–001]**

### Hubbardston Hydro Company; Notice Rejecting Request for Rehearing

March 5, 1998.

On December 23, 1997, the Acting Director, Office of Hydropower Licensing, issued on order finding that the existing unlicensed Hubbardston Hydro Project, located on Fish Creek in Ionia County, Michigan, is required to be licensed.[1] On February 2, 1998, Hubbardston Hydro Company filed a late request for rehearing of that order.

Section 313(a) of the Federal Power Act[2] requires an aggrieved party to file a request for rehearing within 30 days after the issuance of the Commission's order, in this case by January 22, 1998. Because the 30-day deadline for requesting rehearing is statutorily based, it cannot be extended and Hubbardston Hydro Company's request for rehearing must be rejected as untimely.[3] However, on February 23, 1998, Hubbardston filed a motion for reconsideration and clarification which the Commission will consider.

This notice constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this notice pursuant to 18 CFR 385.713.

**David P. Boergers,**

*Acting Secretary.*

[FR Doc. 98–6254 Filed 3–10–98; 8:45 am]

BILLING CODE 6717–01–M

[1] 81 FERC ¶ 62,223. Hubbardston cites to a January 6, 1998, letter transmitting a copy of the order to Hubbardston. However, the only date that is relevant is the issuance date which is clearly identified immediately beneath the title of the order.

[2] 16 U.S.C. 825*l*.

[3] In addition, Hubbardston's pleading raises no allegations of error with respect to the December 23, order.

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

**[Project No. 1975]**

### Idaho Power Company; Notice of Authorization for Continued Project Operation

March 5, 1998.

On December 20, 1995, Idaho Power Company, licensee for the Bliss Project No. 1975, filed an application for a new or subsequent license pursuant to the Federal Power Act (FPA) and the Commission's Regulations thereunder. Project No. 1975 is located on the Snake River in Gooding, Twin Falls, and Elmore Counties, Idaho.

The license for Project No. 1975 was issued for a period ending February 28, 1998. Section 15(a)(1) of the FPA, 16 U.S.C. 808(a)(1), requires the Commission, at the expiration of a license term, to issue from year to year an annual license to the then licensee under the terms and conditions of the prior license until a new license is issued, or the project is otherwise disposed of as provided in Section 15 or any other applicable section of the FPA. If the project's prior license waived the applicability of Section 15 of the FPA, then, based on Section 9(b) of the Administrative Procedure Act, 5 U.S.C. 558(c), and as set forth at 18 CFR 16.21(a), if the licensee of such project has filed an application for a subsequent license, the licensee may continue to operate the project in accordance with the terms and conditions of the license after the minor or minor part license expires, until the Commission acts on its application. If the licensee of such a project has not filed an application for a subsequent license, then it may be required, pursuant to 18 CFR 16.21(b), to continue project operations until the Commission issues someone else a license for the project or otherwise orders disposition of the project.

If the project is subject to Section 15 of the FPA, notice is hereby given that an annual license for Project No. 1975 is issued to Idaho Power Company for a period effective March 1, 1998, through February 28, 1999, or until the issuance of a new license for the project or other disposition under the FPA, whichever comes first. If issuance of a new license (or other disposition) does not take place on or before February 28, 1999, notice is hereby given that, pursuant to 18 CFR 16.18(c), an annual license under Section 15(a)(1) of the FPA is renewed automatically without further order or notice by the Commission, unless the Commission orders otherwise.

If the project is not subject to Section 15 of the FPA, notice is hereby given that Idaho Power Company is authorized to continue operation of the Bliss Project No. 1975 until such time as the Commission acts on its application for subsequent license.

**David P. Boergers,**

*Acting Secretary.*

[FR Doc. 98–6236 Filed 3–10–98; 8:45 am]

BILLING CODE 6717–01–M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

**[Docket No. RP97–373–000]**

### Koch Gateway Pipeline Company; Notice of Informal Settlement Conference

March 5, 1998.

Take notice that an informal settlement conference will be convened in this proceeding on March 12, 1998, at 10:00 a.m., at the offices of the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C., for the purpose of exploring the possible settlement of the above-referenced docket.

Any party, as defined by 18 CFR 385.102(c), or any participant as defined by 18 CFR 385.102(b), is invited to