

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. ER98-1805-000]

**Cinergy Operating Companies; Notice of Filing**

March 19, 1998.

Take notice that on January 29, 1998, Cinergy Operating Companies tendered for filing an amended quarterly report for the calendar year ending March 31, 1997.

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 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 March 26, 1998. 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. 98-7747 Filed 3-24-98; 8:45 am]

BILLING CODE 6717-01-M

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. RP97-162-006]

**Cove Point LNG Limited Partnership; Notice of Tariff Filing**

March 19, 1998.

Take notice that on March 16, 1998, Cove Point LNG Limited Partnership (Cove Point) tendered for filing to become a part of Cove Point's FERC Gas Tariff, First Revised Volume No. 1, the following revised tariff sheet to be effective March 16, 1998:

Third Revised Sheet No. 136

Cove Point states that these tariff sheets are being filed to comply with the Commission's May 15, 1997 order granting an extension, to March 16, 1998, to comply with the requirements of Order Nos. 587-B and 587-C that Cove Point establish an Internet server and Internet address for conducting business transactions over the Internet

and to establish an Internet Web page for posting certain information.

Cove Point states that copies of the filing were served upon Cove Point's customers and interested state regulatory commissions.

Any person desiring to protest this filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Section 385.211 of the Commission's Rules and Regulations. All such 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. 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. 98-7756 Filed 3-24-98; 8:45 am]

BILLING CODE 6717-01-M

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. RP97-20-015]

**El Paso Natural Gas Company; Notice of Compliance Filing**

March 19, 1998

Take notice that on March 16, 1998, El Paso Natural Gas Company (El Paso) tendered for filing to become part of its FERC Gas Tariff, Second Revised Volume No. 1-A, the following revised tariff sheets to become effective March 1, 1998:

1st Sub Fourth Revised Sheet No. 210  
1st Sub Second Revised Sheet No. 210.01  
1st Sub Second Revised Sheet No 211  
1st Sub 1st Rev Original Sheet No. 211A  
1st Sub Fourth Revised Sheet No. 215  
1st Sub Third Revised Sheet No. 217  
Original Sheet No. 219A

El Paso states that the tariff sheets are being filed here to comply with the Commission's order issued February 13, 1998 in this proceeding.

Any person desiring to protest this filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Section 385.211 of the Commission's Rules and Regulations. All such 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. 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. 98-7755 Filed 3-24-98; 8:45 am]

BILLING CODE 6717-01-M

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. SA98-15-000]

**Mark A. Gower, Notice of Petition for Adjustment**

March 19, 1998.

Take notice that on March 6, 1998, Mark A. Gower (Gower) filed a petition for adjustment under section 502(c) of the Natural Gas Policy Act of 1978 (NGPA),<sup>1</sup> requesting to be relieved of his obligation to make Kansas ad valorem tax refunds to Panhandle Eastern Pipe Line Company (Panhandle), with respect to his working interest in certain wells operated by Quinque Operating Company, (Quinque) otherwise required by the Commission's September 10, 1997 order in Docket Nos. RP97-369-000, GP97-3-000, GP97-4-000, and GP97-5-000.<sup>2</sup> Gower's petition is on file with the Commission and open to public inspection.

The Commission's September 10 order on remand from the D.C. Circuit Court of Appeals<sup>3</sup> directed first sellers under the NGPA to make Kansas ad valorem tax refunds, with interest, for the period from 1983 to 1988.

Gower seeks relief on the grounds of extreme financial hardship stating that:

1. From 1977 until 1987, he was a shareholder of Gower Oil, Inc. And sole proprietor of Mark Gower Oil Properties.

2. By 1987, Gower faced foreclosure procedures in which he lost his interest in these two companies being left with no assets or employment.

3. Gower now earns a wage of fourteen dollars an hour and has no assets which would not be exempt from execution.

4. The state of Idaho is pursuing a collection action against Gower for child support in the amount of \$92,788.

<sup>1</sup> 15 U.S.C. 3142(c) (1982).<sup>2</sup> See 80 FERC ¶ 61264 (1997); order denying reh'g issued January 28, 1998, 82 FERC ¶ 61, 058 (1998).<sup>3</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) (Public Service).

5. He has no ability to refund the Kansas ad valorem tax reimbursements.

If the Commission does not grant the relief requested Gower requests relief from the payment of any refunds based on the Big E 1-16 Well and the Keating 2-24 Well because tax reimbursement was received by Quinque on those wells for two of the four years on which Panhandle's Statement of Refunds is based. Gower claims that the two wells were deregulated on January 1, 1985 and therefore the refund should not be owed on reimbursements received at a time when the wells were not regulated. Gower also asks for relief from the payment of interest on any principal amount found to be owed by him.

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, 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. 98-7770 Filed 3-24-98; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. SA98-48-000]

#### Graham-Michaelis Corporation; Notice of Petition for Adjustment and Extension of Time

March 19, 1998.

Take notice that on March 9, 1998, Graham-Michaelis Corporation (GMC) and the working interest owners (First Sellers), filed in Docket No. SA98-48-000 a petition for adjustment pursuant to Section 502(c) of the Natural Gas Policy Act (NGPA) 15 U.S.C. 3412(c) and Rules 1101-1117 of the Commission's Rules of Practice and Procedure (18 CFR 385.1101-385.1117) requesting a 90 day extension and to be

relieved of all refund requests or obligations, all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

GMC requests a 90 day extension from March 9, 1998, in which to reach an agreement with KN Interstate Gas Transmission Company.

First Sellers requests that it be relieved from any refund obligation claimed and that all escrow funds with its interest then be returned to First Sellers.

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, 999 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. 98-7789 Filed 3-24-98; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. SA98-49-000]

#### Graham-Michaelis Corporation; Notice of Petition for Adjustment

March 19, 1998.

Take notice that on March 9, 1998, Applicants, Graham-Michaelis Corporation (GMC) and the working interest owners<sup>1</sup> filed a petition for adjustment under section 502(c) of the

<sup>1</sup> Working interest owners are W.A. Michaelis, Jr. Revocable Trust, John L. James Revocable Trust, George D. Rosel Estate, Aikman Oil & Gas Co., CEA Corp., Robert E. Aikman, William H. Aikman, Dail C. West, Graham Enterprises, William L. Graham Revocable Trust, Graham Co., H.R. Michaelis Revocable Trust, David M. Dayvault Revocable Trust, Jack L. Yinger Revocable Trust, K & B Producers, Inc., William Graham, Inc., Chas. A. Neal & Co., March Oil Co., Minatome Corp., Leona P. Maxfield, Lake Forest Academy, and Kaiser-Francis Oil Co.

Natural Gas Policy Act of 1978 (NGPA),<sup>2</sup> and an extension of time to reach agreement or a dispute resolution request, with respect to its Kansas ad valorem tax refund liability under the Commission's September 10, 1997 order in Docket Nos. RP97-369-000, GP97-3-000, GP97-4-000, and GP97-5-003.<sup>3</sup>

The Commission's September 10 order on remand from the D.C. Circuit Court of Appeals<sup>4</sup> 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),<sup>5</sup> 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.

GMC, on behalf of first sellers for whom it operated (Applicants), requests authorization, pursuant to the Commission's January 28 order, that the Commission: (1) Extend the time by 90 days from March 9, 1998, in which to reach an agreement with Northern Natural Gas Company on the correct amount of the potential refund liability of Applicants and submit any unresolved dispute to the Commission; (2) grant an adjustment to its procedures to allow Applicants to defer payment of principal and interest attributable to royalties for one year until March 9, 1999; and (3) grant an adjustment to the Commission's procedures to allow Applicants to place into an escrow account the amount of the refund which appears presently to be in dispute but which may still be resolved by agreement and (i) amounts attributable to royalty refunds which have not been collected from the royalty owners (principal and interest), (ii) principal and interest on amounts attributable to production prior to October 4, 1983, (iii) interest on royalty amounts which have been recovered from the royalty owners (the principal of which was refunded), and (iv) interest on all reimbursed principal amounts determined to be

<sup>2</sup> 15 U.S.C. 3142(c) (1982).

<sup>3</sup> See 80 FERC ¶ 61,264 (1997); order denying reh'g issued January 28, 1998, 82 FERC ¶ 61,058 (1998).

<sup>4</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).

<sup>5</sup> 82 FERC ¶ 61,059 (1998).