

the period from 1983 to 1988. The Commission's September 10 order also provided that first sellers could, with the Commission's prior approval, amortize their Kansas ad valorem tax refunds over a 5-year period, although interest would continue to accrue on any outstanding balance.

Raymond states that Williams in its November 10, 1997 statement has sought to collect a refund obligation of \$376,134.78, including interest through December 31, 1997 for the Carr Lease, the Carr "A" Lease, the Mills "A" Lease, the Mills "R" Lease, and the Cline "A" Lease. Raymond was the operator of the subject leases and no portion of the ad valorem tax attributable to the royalty interest in these leases was ever collected by Raymond and the same is not pertinent to this proceeding. The working interest owners in varying interests in the varying leases are John Alexander, R.L. Rooke, Francis Raymond, Western Ventures, Inc., Patrick Raymond, William M. Raymond, Shirley Stark and Raymond Oil Company, Inc. Raymond has remitted under protest, with all rights reserved, \$203,935.24 to Williams on behalf of Patrick Raymond, William M. Raymond, Shirley Stark and Raymond Oil Company, Inc.

Raymond States that John Alexander, R.L. Rooke and Francis Raymond are deceased and that the alleged refunds should be deemed uncollectible. Their respective estates are now closed and the Kansas non-claims statute (K.S.A. 59-2239) has since run out thus leaving no legal way for Raymond, as operator, from taking legal action for recovering any of the monies. Raymond was never the owner of the gas attributable to these deceased working interest owners and as a contract operator of the subject oil and gas leases, Raymond did not purchase this gas from them and does not have an ongoing contractual relationship permitting it to collect the subject refunds through the use of billing adjustments. Raymond reports the monies to be \$11,284.04 from John Alexander, \$37,613.48 from R.L. Rooke and \$48,075.07 from Francis Raymond.

Raymond states that the alleged refunds due from Western Ventures, Inc. (Western) should be determined as uncollectible. Western was liquidated on December 4, 1986 and the Kansas statutes relating to the liabilities of a dissolved corporation provide that successors in interest now have no obligation for making reimbursement for monies received by the corporation. Raymond requests that the Commission recognize that the applicable three year Kansas statute of limitation and the laws of the State of Kansas prohibit

Raymond, as operator, from taking legal action against Western and its stockholders in an attempt to obtain a refund of the tax and interest. Raymond reports that Western owes a refund of \$75,226.96.

Raymond requests that the Commission grant Raymond staff adjustment in the amount of \$172,199.55 for taxes and interest as of December 31, 1997, in connection with the Statement of Refunds Due submitted to it on November 10, 1997, by Williams.

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 must file a motion to intervene in accordance with the Commission's Rules

David P. Boergers,

Acting Secretary.

[FR Doc. 98-7775 Filed 3-24-98; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. SA98-20-000]

Dale Schwarzhoff; Notice of Petition for Adjustment

March 19, 1998.

Take notice that on March 9, 1998, Dale Schwarzhoff (First Seller) filed a petition for adjustment under section 502(c) of the Natural Gas Policy Act of 1978 (NGPA),¹ requesting that the refund procedures in the Commission's September 10, 1997 order in Docket Nos. RP97-369-000, GP97-3-000, GP97-4-000, and GP97-5-000,² be

altered with respect to Schwarzhoff's Kansas ad valorem tax refund liability.

The Commission's September 10 order on remand from the D.C. Circuit Court of Appeals³ 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.

First Seller requests, pursuant to the Commission's January 28 Order, that the Commission grant First Seller and Northern Natural Gas Pipeline Company (Pipeline), an extension of 90 days to allow First Seller and Pipeline to resolve any dispute as to the proper amount of the refund liability of First Seller for the Kansas ad valorem tax reimbursements set forth in the Statement of Refunds Due (SRD) addressed to Benson Mineral Group, Inc. (BMG), the Operator, or to submit such dispute to FERC for resolution if the parties cannot resolve the dispute within such time. In addition, First Seller also request that in order to stop the accrual of interest pending resolution of disputes and legal issues, that an adjustment be granted to the FERC's procedures to allow First Seller to place into an escrow account not only any disputed amount of the refund amount calculated by Pipeline, but also principal and interest on amounts attributable to production prior to October 4, 1983, and interest on all other amounts claimed to be due under the SRD.

First Seller argues that it seeks to establish these procedures to ensure that it pays only that which is legitimately owed, and that it will be able to recover the overpayment, if it is subsequently determined that First Seller's refund liability was less than that originally claimed by BMG.

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

¹ 15 U.S.C. 3142(c) (1982).

² See 80 FERC ¶ 61,264 (1997); order denying reh'g issued January 28, 1998, 82 FERC ¶ 61,058 (1998).

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).

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 Rule.

David P. Boergers,

Acting Secretary.

[FR Doc. 98-7772 Filed 3-24-98; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP96-345-003]

Tennessee Gas Pipeline Company; Notice of Compliance Filing

March 19, 1998.

Take notice that on March 16, 1998, Tennessee Gas Pipeline Company (Tennessee), tendered for filing as part of its FERC Gas Tariff, Fifth Revised Volume No. 1, Fifth Revised Sheet No. 319A, with an effective date of April 15, 1998.

Tennessee states that Fifth Revised Sheet No. 319A is being filed in compliance with the Commission's March 3, 1998 Order on Rehearing and Clarification in the above-referenced docket (March 3 Order). Tennessee Gas Pipeline Company, 82 FERC ¶ 61,221 (1998).

Tennessee states that the revised tariff sheet provides that unscheduled flow penalties do not apply for the remainder of the gas day to an interruptible shipper's gas flow that has been nominated and scheduled at a point but is subsequently involuntarily bumped down to zero at that point.

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. 98-7754 Filed 3-24-98; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP98-277-000]

Transok, L.L.C. Notice of Petition for Declaratory Order

March 19, 1998.

Take notice that, on March 10, 1998, Transok, L.L.C. (Transok), 110 W. 7th, Tulsa, OK 74101-3008, filed a petition pursuant to Rule 207 of the Commission's Rules of Practice and Procedure (18 CFR 385.207). Transok requests a declaratory order stating that its acquisition of 37 miles of pipeline, located in Custer and Roger Mills Counties, Oklahoma and currently owned by, Northern Natural Gas Company (Northern) will not subject Transok to the jurisdiction of the Commission. All of this is more fully set forth in the application, which is on file with the Commission and open to public inspection.

This petition is a companion to Northern's application to abandon facilities in Docket No. CP98-218-000. Transok is a limited liability corporation engaged in gathering and intrastate transportation of gas.

Transok and Northern have entered into a sales agreement under which Northern will transfer facilities to Transok for \$3,000,000. Transok states that after the transfer, it will use the facilities as part of its gathering system.

The facilities to be sold by Northern consist of:

1. The Redmoon Lateral made up of 14 miles of 8-inch line extending from the outlet of the inactive Crescendo Resources, L.L.P. Plant in Section 5, Township 15N, Range 21W, Roger Mills County, Oklahoma to the Redmoon Dehy Yard located in Section 27, Township 14N, Range 20W, in Custer County, Oklahoma.

2. The Custer County Pipeline made up of 23 miles of 16-inch line extending from the Northern/Transok interconnect in Section 22, Township 13N, Range 17W, to a point in Section 14, Township 12N, Range 14W, all in Custer County, Oklahoma.

Any person desiring to be heard or make any protest with reference to said application should on or before April 9, 1998, 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 or 385.211) and the regulations under the Natural Gas Act (18 CFR 157.10). 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.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required, or if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Transok to appear or be represented at the hearing.

David P. Boergers,

Acting Secretary.

[FR Doc. 98-7745 Filed 3-24-98; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 1930-014 California]

Southern California Edison Company; Notice of Availability of Final Environmental Assessment

March 19, 1998.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission) regulations, 18 CFR Part 380 (Order No. 486, 52 F.R. 47897), the Office of