

should not exceed two pages and should adhere to the format laid out in the preproposal format. This format can be obtained by calling the U.S. Department of Energy's Golden Field Office contacts or the OIT website (listed in the **FOR FURTHER INFORMATION CONTACT** section). All preproposal submissions will be reviewed by NICE<sup>3</sup> project monitors at the Golden Field Office. The monitors will provide comments to the submitter on the proposed project's applicability to the NICE<sup>3</sup> program. In addition, the reviewers will provide feedback which the applicant can use to formulate and refine their proposal.

The submission of a presolicitation description is not mandatory for submitting an application under the June 1998 solicitation. The DOE reviews and comments under the presolicitation process will not be used by DOE in evaluating or awarding applications under the solicitation. The only purpose of the presolicitation process is to assist potential applicants, who may need assistance, in refining their application.

**DATES:** A brief description of the proposed project can be submitted to the Golden Field Office on or before May 15, 1998. All summaries must be submitted through a state agency.

Issued in Golden, Colorado, on March 17, 1998.

Dated: March 13, 1998.

**John W. Meeker,**

*Chief, Procurement, GO.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. SA98-26-000]

#### Glenn M. Dunne, Sr. Trust; Notice of Petition for Adjustment

March 29, 1998.

Take notice that on March 9, 1998, Glenn M. Dunne, Sr. Trust (Dunne) filed a petition for adjustment, pursuant to section 502(c) of the Natural Gas Policy Act of 1978 [15 U.S.C. 3142(c) (1982)], requesting that the Commission issue an order determining that the Kansas ad valorem tax refunds required by the Commission's September 10, 1997 order (in Docket No. RP97-369-000 *et al*<sup>1</sup> on remand from the D.C. Circuit Court of Appeals,<sup>2</sup> are barred by operation of

law. The subject refunds have been sought by Panhandle Eastern Pipe Line Company (Panhandle), in response to the Commission's September 10 order. Dunne's petition is on file with the Commission and open to public inspection.

Dunne requests that the Commission resolve the dispute between it and Panhandle concerning principal amount of refunds. Dunne also request a one year extension of the deadline for making refunds as to royalties. In addition, Dunne requests that the Commission grant a procedural adjustment to allow it to place into an escrow account: (a) the principal amount of refunds and interest thereon attributable to unrecovered royalties, (b) the principal amount and interest thereon attributable to production prior to October 3, 1983, (c) the interest due on royalty refunds which were recovered and paid to Panhandle and (d) the interest due on principal refunds other than royalties, pre-October 3rd production, and the disputed amount described above.

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.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. SA98-13-000]

#### Hoffmann Oil Company; Notice of Petition for Adjustment and Dispute Resolution Request

March 20, 1998.

Take notice that on March 6, 1998, Hoffmann Oil Company (Hoffmann) filed a petition for adjustment under section 502(c) of the Natural Gas Policy Act of 1978 (NGPA),<sup>1</sup> and a dispute resolution request with respect to Hoffman's Kansas ad valorem tax refund liability under the Commission's September 10, 1997 order (September 10 order) in Docket Nos. RP97-369-000, GP97-3-000, GP97-4-000, and GP97-5-000.<sup>2</sup> Hoffmann's petition is on file with the Commission and open to public inspection.

The Commission's September 10 order on remand from the DC 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. The Commission clarified the refund procedures in an order issued January 28, 1998, in Docket No. RP98-39-001, *et al.*,<sup>4</sup> stating therein that producers [first sellers] could request additional time to establish the uncollectability of royalty refunds, and that first sellers 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 their individual circumstances.

Hoffmann specifically requests that the Commission: (1) Resolve the pending dispute between Hoffmann and Panhandle Eastern Pipeline Company (Panhandle) concerning the proper amount of refunds, including interest, for reimbursement of Kansas ad valorem taxes paid over the period 1983 to 1988 (with such amounts being placed in an escrow account); (2) grant an adjustment to its procedures to allow Hoffman 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 Hoffmann to place

<sup>1</sup> 15 U.S.C. 3142(c) (1982).

<sup>2</sup> See 80 FERC ¶ 61,264 (1997); order denying reh'g 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).

<sup>4</sup> See Order Clarifying Procedures 82 FERC ¶ 61,059 (1998).

<sup>1</sup> See 80 FERC ¶ 61,264 (1997); order denying reh'g issued January 2, 1998, 82 FERC ¶ 61,058 (1998).

<sup>2</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).