

amount of its total refund claim, from \$137,703.66 as set forth in Northern's Statement of Refunds Due filed in Docket No. RP98-39-000, to \$86,105.54, including interest through March 9, 1998. Hummon's March 13 amendment indicates that \$32,764.60 of the \$86,105.54 revised total refund due has been refunded to Northern, and that \$35,340.58 has been placed into escrow.

Any person desiring to answer Hummon's March 13 amendment should file such answer with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, on or before April 20, 1998, in accordance with the Commission's Rules of Practice and Procedure (18 CFR 385.213, 385.215, 385.1101, and 385.1106).

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. SA98-45-001 and SA98-45-002]

#### Molz Oil Company; Notice of Amendment To Petition for Adjustment and Request for Extension of Time

March 30, 1998.

Take notice that, on March 13, 1998 (Docket No. SA98-45-001) and March 20, 1998 (Docket No. SA98-45-002), Molz Oil Company (Molz) filed supplements amending its March 9, 1998 petition for adjustment and request for a 90-day extension of time to resolve a dispute with Williams Gas Pipelines Central, Inc., formerly: Williams Natural Gas Company (Williams), over the amount of Kansas ad valorem tax refunds owed by Molz's First Sellers, filed in Docket No. SA98-45-000. The supplements add three First Sellers—Dean Courson, Bob Watts, and Mollie Watts—to the list of First Sellers represented by Molz's March 9 petition and revise the amount reported to be in dispute with Williams. The March 9 petition and March 13 and March 20 supplements amending the March 9 petition are on file with the Commission and open to public inspection.

Molz filed the March 9 petition pursuant to Section 502(c) of the Natural Gas Policy Act of 1978 (NGPA), on behalf of Molz and First Sellers Donald Albers, Darry Brown, Rick Caruthers, Judy Courson, Donald E. Evans, Helen Evans, K. B. Evans, Martha

Evans, Beverly Molz, Jim Molz, Ben Rathgeber, Bob and Lometa Rathgeber, Lamoine Schrock, R. K. Sweetman and Westmore Drilling Co. i.e., the working interest owners for whom Molz operated.

Molz filed the March 9 petition in response to 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> which directed first sellers to make Kansas ad valorem tax refunds, with interest, for the period from 1983 to 1988. Molz requests the Commission: (1) to grant a procedural adjustment, allowing Molz and the listed First Sellers (as amended) to place into an escrow account the disputed amount of the refund set forth in the Statement of Refunds Due that Williams filed in Docket No. RP98-52-000; (2) to allow Molz (following resolution of the dispute) to retain in that account (a) the principal and interest on amounts attributable to production prior to October 4, 1983, and (b) the interest on all reimbursed principal determined to be refundable as being in excess of maximum lawful prices, excluding interest retained under (a) above; and (3) to find that Molz is not a working interest owner or First Seller of the production with respect to which the tax reimbursements were made, such that Molz has no refund liability under the Statement of Refunds Due filed by Williams in Docket No. RP98-52-000.

Molz's March 9 petition stated that Williams' Statement of Refunds Due was in the amount of \$93,447.06, including interest accrued through December 31, 1997, of which \$35,727.19 was in dispute. Molz's March 13 supplement amended the disputed amount, increasing it to \$81,337.12, including interest accrued through March 9, 1998. Molz's March 20 supplement amended the disputed amount again, increasing it to \$86,222.68, including interest accrued through March 9, 1998. Molz identifies Ronald and Kristi Molz and Marvin Miller as working interest owners in its March 13 and March 20 supplements (although they are not listed as First Sellers). Molz further states in both supplements that, because of financial hardship, Ronald and Kristi Molz and Marvin Miller have deposited only the principal amount attributable to their

respective working interest shares of the refund claimed by Williams, and that the claimed interest for Ronald and Kristi Molz that has not been deposited totals \$2,963.19, while the claimed interest for Marvin Miller that has not been deposited totals \$117.95.

Any person desiring to answer Molz's March 13 and March 20 amendments should file such answer with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, on or before April 20, 1998, in accordance with the Commission's Rules of Practice and Procedure (18 CFR 385.213, 385.215, 385.1101, and 385.1106).

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER98-2233-000]

#### New England Power Company; Notice of Filing

March 30, 1998.

Take notice that on March 18, 1998, New England Power Company (NEP), filed an amendment to its FERC Electric Tariff, Original Volume No. 1 (Tariff 1). The amendment modifies the Tariff 1 term provision to allow a customer to terminate service without having to provide the advance written notice otherwise required under Tariff 1 and the customer's service agreement, provided that the customer pays a contract termination charge. NEP proposes an effective date of March 31, 1998, for the amendment.

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, N.E., Washington, D.C. 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 and protests should be filed on or before April 7, 1998. Protests will be considered by the Commission to determine the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the

<sup>1</sup> See 80 FERC ¶ 61,264 (1997); order denying reh'g issued January 28, 1998, 82 FERC ¶ 61,058 (1998).

<sup>2</sup> *Public Service Company of Colorado v. FERC*, 91 F. 3d 1478 (D.C. Cir. 1996), cert. denied, 65 U.S.L.W. 3751 and 3754 (May 12, 1997) (Nos. 96-954 and 96-1230).