Northwest states that the June 29 filing indicated that refunds totaling $29,030,148 were made to Northwest's customers on June 26, 1998. Northwest states that the corrected total amount is $29,138,955 (which includes the $108,278) correction plus $529 in additional interest on the $108,278). Northwest states that it is distributing the $108,807 to its customers.

Any person desiring to protest this filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, in accordance with Section 385.211 of the Commission's Rules and Regulations. All such protests must be filed on or before July 29, 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 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. 98–20203 Filed 7–28–98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Before Commissioners: James J. Hoecker, Chairman; Vicky A. Bailey, William L. Massey, Linda Breathitt, and Curt Hébert, Jr.

[Docket No. TX96–7–001]

City of Palm Springs, California; Show Cause Order

Issued July 16, 1998.

The City of Palm Springs, California (Palm Springs), Enron Power Marketing, Inc. (Enron), and the Electricity Consumers Resource Council and the American Iron and Steel Institute (jointly ELCON) have requested rehearing of our order (July 31 order) [1] finding that Southern California Edison Company (SoCal Edison) was not obligated to provide certain transmission service to Palm Springs. In this order, we ask the parties to show cause why subsequent events in California have not rendered the requests for rehearing moot and subject to dismissal.

Discussion

On March 1, 1996, Palm Springs filed an application requesting that the Commission order SoCal Edison to provide Palm Springs with firm network transmission service under sections 211 and 212 of the Federal Power Act.[2] In short, Palm Springs stated that it wished to provide service to retail electricity consumers within the city limits of Palm Springs by installing only the meters and related equipment necessary to measure and deliver its electric power and energy. In our July 31 order, we denied Palm Springs' application because Palm Springs did not meet the requirements of section 212(h),[3] and because ordering SoCal Edison to provide the requested service would be contrary to the public interest in violation of section 211(a).[4] As noted above, Palm Springs, Enron, and ELCON have sought rehearing of our findings in the July 31 order. In an order issued on September 19, 1996, the Commission granted rehearing for the limited purpose of further consideration to give itself additional time for consideration of the matters raised.

We believe that these requests for rehearing may now be moot given the enactment of comprehensive electricity restructuring legislation in California,[5] its implementation by the California Commission, and the actual operation of the California Independent System Operator (ISO) and the California Power Exchange (PX) as of March 31, 1998. Specifically, in implementing AB 1890, the California Commission rejected a phase-in of retail competition in favor of an approach that generally allows all California electricity consumers (regardless of customer class or size of load) direct access to alternate suppliers at the same time.[6] Additionally, this Commission gave necessary approvals for the start-up of the ISO and PX,[7] which, as noted above, began operation on March 31, 1998. In light of these fundamental changes since the time the requests for rehearing were filed, the service requested by Palm Springs in its application under sections 211 and 212 appears to be unnecessary. Under the restructured California market, access to alternate suppliers is now permitted for each and every electricity consumer in the state, including all consumers residing in Palm Springs. Accordingly, there appears to be no reason for Palm Springs to continue to pursue its plan to install its own meters and seek a section 211 transmission order to gain access to alternate suppliers on behalf of electricity consumers in Palm Springs, as these electricity consumers already enjoy access to alternate suppliers through another process.[8] Thus, we are considering dismissing the requests for rehearing in Docket No. TX96–7–001 as moot.

Before taking this action, we will afford the parties who filed requests for rehearing in Docket No. TX96–7–001 an opportunity to show cause why the Commission should not dismiss their rehearing requests and why there is still a need for the Commission to address the merits of the pending rehearing requests. Accordingly, these parties may file written responses within 30 days of issuance of this order addressing this issue. An original and 14 copies of any such responses should be sent to the Office of the Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, and should reference Docket No. TX96–7–001.

The Commission Orders

Within 30 days of the date of issuance of this order, the parties to the requests for rehearing in Docket No. TX96–7–001 may file responses explaining why the Commission should or should not

[1] City of Palm Springs, California, 76 FERC ¶61,127 (1996).

[2] 16 U.S.C. 824j–k (1994).

[3] We found, among other things, that Palm Springs' plan to install only meters and related equipment would not meet the statutory requirement in section 212(h)(2)(B) that it ''utilize transmission or distribution facilities that it owns or controls to deliver all such electric energy to such electric consumer.'' 76 FERC at 61,701–3.

[4] This was because granting the application would allow Palm Springs to evade the then-current plans of the California Public Utilities Commission (California Commission) to phase-in retail competition over several years and to impose a competition transition charge, and because it might encourage forum shopping. *id.* at 61,703–4.

[5] This legislation (Assembly Bill No. 1890 or AB 1890) was approved by the California Assembly on August 30, 1996 and the California Senate on August 31, 1996, and was signed into law by the Governor of the State of California on September 23, 1996.

[6] *See* Order Instituting Rulemaking on the Commission's Proposed Policies Governing Restructuring California's Electric Services Industry and Reforming Regulation; Order Instituting Investigation on the Commission Proposed Policies Governing Restructuring California's Electric Services Industry and Reforming Regulation, Decision 97–05–040 (May 6, 1997), 177 PUR4th 1 at 12–29 (1997), *modified*, Decision 97–12–131 (December 30, 1997), _____ PUR4th _____ (1997), 1997 Cal. PUC LEXIS 1227 (orders providing for direct access for all consumers once the ISO and PX are operational, as there are no operational or other technological considerations requiring the phase-in of direct access).

[7] *See* Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company, 81 FERC ¶ 61,122 (1997), *order denying clarification*, 83 FERC ¶ 61,033 (1998).

[8] We note that Palm Springs is free, under California law, to seek to aggregate the loads of electricity consumers in Palm Springs in order to facilitate the sale and purchase of electricity services. *See, e.g.*, Cal. Pub. Util. Code §§ 331(a) & 366 (West Supp. 1998) (as added by section 10 of AB 1890) (provisions allowing, among other things, for cities to become aggregators of load); 177 PUR4th at 24–25.

dismiss these requests for rehearing, as discussed in the body of this order.

By the Commission.

David P. Boergers,

Acting Secretary.

[FR Doc. 98–20244 Filed 7–28–98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. GT98–86–000]

Williston Basin Interstate Pipeline Company; Notice of Proposed Changes in FERC Gas Tariff

July 23, 1998.

Take notice that on July 20, 1998, Williston Basin Interstate Pipeline Company (Williston Basin), tendered for filing as part of its FERC Gas Tariff, Second Revised Volume No. 1, the following revised tariff sheets to become effective July 20, 1998:

Second Revised Volume No. 1
Sixteenth Revised Sheet No. 777
Twenty-fifth Revised Sheet No. 831
Twenty-fourth Revised Sheet No. 832

Williston Basin states that the revised tariff sheets are being filed simply to update its Master Receipt/Delivery Point List.

Any person desiring to be heard or to protest this filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Sections 385.214 and 385.211 of the Commission's Rules and Regulations. All such motions or 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. 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 in the Public Reference Room.

David P. Boergers,

Acting Secretary.

[FR Doc. 98–20201 Filed 7–28–98; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER98–3749–000, et al.]

Kansas City Power & Light Company, et al.; Electric Rate and Corporate Regulation Filings

July 21, 1998.

Take notice that the following filings have been made with the Commission:

1. Kansas City Power & Light Company

[Docket No. ER98–3749–000]

Take notice that on July 16, 1998, Kansas City Power & Light Company (KCPL), tendered for filing a Short-Term Firm Point-To-Point Transmission Service Agreement dated June 24, 1998, between KCPL and Tractebel Energy Marketing, Inc.

KCPL proposes an effective date of July 6, 1998 and requests a waiver of the Commission's notice requirement to allow the requested effective date. This Agreement provides for the rates and charges for Short-term Firm Transmission Service.

In its filing, KCPL states that the rates included in the above-mentioned Service Agreement are KCPL's rates and charges in the compliance filing to FERC Order No. 888–A in Docket No. OA97–636–000.

Comment date: August 5, 1998, in accordance with Standard Paragraph E at the end of this notice.

2. Kansas City Power & Light Company

[Docket No. ER98–3750–000]

Take notice that on July 16, 1998, Kansas City Power & Light Company (KCPL), tendered for filing a Non-Firm Point-To-Point Transmission Service Agreement dated June 24, 1998, between KCPL and Tractebel Energy Marketing, Inc.

KCPL proposes an effective date of July 6, 1998, and requests waiver of the Commission's notice requirement. This Agreement provides for the rates and charges for Non-Firm Transmission Service. In its filing, KCPL states that the rates included in the above-mentioned Service Agreement are KCPL's rates and charges in the compliance filing to FERC Order No. 888–A in Docket No. OA97–636.

Comment date: August 5, 1998, in accordance with Standard Paragraph E at the end of this notice.

3. Duquesne Light Company

[Docket No. ER98–3751–000]

Take notice that on July 16, 1998, Duquesne Light Company (DLC), filed a Firm Point-To-Point Transmission Service Agreement dated June 23, 1998 with PECO, under DLC's Open Access Transmission Tariff (Tariff). The Service Agreement adds PECO as a customer under the Tariff.

DLC requests waiver of the Commission's sixty-day notice requirement and an effective date of June 23, 1998, for the Service Agreement.

Comment date: August 5, 1998, in accordance with Standard Paragraph E at the end of this notice.

4. Arizona Public Service Company

[Docket No. ER98–3752–000]

Take notice that on July 16, 1998, Arizona Public Service Company (APS), tendered for filing an Umbrella Service Agreement to provide Firm Point-to-Point Transmission Service under APS' Open Access Transmission Tariff with Citizens Power Sales.

A copy of this filing has been served on Citizens Power Sales and the Arizona Corporation Commission.

Comment date: August 5, 1998, in accordance with Standard Paragraph E at the end of this notice.

5. MidAmerican Energy Company

[Docket No. ER98–3754–000]

Take notice that on July 16, 1998, MidAmerican Energy Company (MidAmerican), 666 Grand Avenue, Des Moines, Iowa 50309 tendered for filing proposed changes in its Rate Schedule FERC No. 21. Such change is comprised of a First Amendment dated June 22, 1998 to Interchange Agreement dated July 26, 1984 and entered into by MidAmerican's predecessor, Iowa-Illinois Gas and Electric Company, with the Eldridge Electric and Water Utility Board of the City of Eldridge, Iowa (Eldridge).

MidAmerican states that the First Amendment reflects an increase in the transmission capacity available to Eldridge under Service Schedule G of the Interchange Agreement as a result of the increase in Eldridge's share of generation from Louisa Generating Station from 3.25 MW to 3.5 MW.

MidAmerican proposes an effective date of September 14, 1998, for the rate schedule change.

Copies of the filing were served upon representatives of Eldridge, the Iowa Utilities Board, the Illinois Commerce Commission and the South Dakota Public Utilities Commission.

Comment date: August 5, 1998, in accordance with Standard Paragraph E at the end of this notice.