

## DEPARTMENT OF ENERGY

Federal Energy Regulatory  
Commission

[Project No. 710-000]

**Wisconsin Power & Light Company;  
Notice Establishing Comment Period  
for Complaint**

December 28, 1998.

On December 1, 1998, the Menominee Indian Tribe of Wisconsin filed a document entitled "Complaint against Wisconsin Power & Light for Non-Compliance and Motion Requesting FERC's Enforcement of License Articles 203 and 411." The Complainant requests, pursuant to 18 CFR 385.206 of the Commission's regulations, that the Commission find Wisconsin Power & Light Company to be in violation of its license for the Shawano Project No. 710, because of its alleged failure to negotiate annual charges as required by license Article 203, and its alleged failure to consult with the Menominee Indian Tribe or monitor archeological sites in accordance with its Programmatic Agreement as required by license Article 411. The Complainant requests that the Commission require immediate compliance with Articles 203 and 411 of the license.

Any person may file an answer, comments, protests, or a motion to intervene with respect to the complaint in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 385.210, 385.211, 385.213, and 385.214. In determining the appropriate action to take with respect to the complaint, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any answers, comments, protests, or motions to intervene must be received no later than 30 days after publication of this notice in the **Federal Register**.<sup>1</sup>

**Linwood A. Watson, Jr.,***Acting Secretary.*

[FR Doc. 98-34746 Filed 12-31-98; 8:45 am]

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## DEPARTMENT OF ENERGY

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[Docket No. ER96-3019-007, et al.]

**CXY Energy Marketing (U.S.A.) Inc., et  
al.; Electric Rate and Corporate  
Regulation Filings**

December 28, 1998.

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

**1. CXY Energy Marketing (U.S.A.) Inc.**

[Docket No. ER96-3019-007]

Take notice that on December 21, 1998, CXY Energy Marketing (U.S.A.) Inc. (CXY), tendered for filing a Transaction Report for Quarter ended September 30, 1998.

*Comment date:* January 11, 1999, in accordance with Standard Paragraph E at the end of this notice.

**2. Strategic Energy, Ltd.**

[Docket No. ER96-3107-008]

Take notice that on December 21, 1998, Strategic Energy, Ltd., tendered for filing a Quarterly Transaction Report describing SEL's wholesale electricity sales for the third quarter of 1998.

*Comment date:* January 11, 1999, in accordance with Standard Paragraph E at the end of this notice.

**3. Western Resources, Inc.**

[Docket No. ER98-4401-000]

Take notice that on December 22, 1998, Western Resources, Inc. (Western Resources), tendered for filing amendments to Electric Power Supply Agreements (Agreements) between Western Resources, Inc. d/b/a KPL and Doniphan Electric Cooperative Association, Inc., Kaw Valley Electric Cooperative, Inc., and Nemaha-Marshall Electric Cooperative Association, Inc., (collectively termed the Cooperatives). Western Resources states that the amendments have been resubmitted with the exclusion of general stranded cost provisions that were in the original filing.

Western Resources requests the revised amendments be substituted for those originally tendered for filing and be allowed to become effective on August 1, 1998 as originally requested.

Copies of the filing were served upon the Cooperatives and the Kansas Corporation Commission.

*Comment date:* January 12, 1999, in accordance with Standard Paragraph E at the end of this notice.

**4. Cinergy Services, Inc.**

[Docket No. ER99-962-000]

Take notice that on December 22, 1998, Cinergy Services, Inc. (Cinergy), tendered for filing on behalf of its operating companies, The Cincinnati Gas & Electric Company (CG&E) and PSI Energy, Inc. (PSI), changes to its FERC Electric Tariff, First Revised Volume No. 4, by separating the Tariff into two (2) separate tariffs, one for Market-Based sales and one for Cost-Based sales.

Rates are to become effective concurrently with this filing.

Copies of the filing were served on wholesale customers under Cinergy's FERC Electric Tariff, First Revised Volume No. 4 and the public service commissions of Indiana, Ohio and Kentucky.

*Comment date:* January 12, 1999, in accordance with Standard Paragraph E at the end of this notice.

**5. Nevada Sun-Peak Limited  
Partnership**

[Docket No. ER99-963-000]

Take notice that on December 21, 1998, Nevada Sun-Peak Limited Partnership (Sun-Peak), owner of a 210 MW generating facility located near Las Vegas, Nevada, petitioned the Commission for acceptance of its Amended and Restated Power Purchase Contract with Nevada Power Company. Sun-Peak is an affiliate of Edison International and Oxbow Power Corporation.

Sun-Peak requested acceptance of the contract as a market-based rate schedule, waiver of the 60-day notice requirement, and certain other waivers and preapprovals under the Commission's Regulations.

*Comment date:* January 11, 1999, in accordance with Standard Paragraph E at the end of this notice.

**6. Southern Energy Canal, L.L.C.**

[Docket No. ER99-694-000]

Take notice that on December 22, 1998, Southern Energy Canal, L.L.C. (Southern Canal), tendered for filing Notice of Withdrawal and amendment concerning its November 24, 1998, filing in this docket which requested Commission acceptance of agreements for cost-based wholesale power sales by Southern Canal to Cambridge Electric Light Company, Commonwealth Electric Company, New England Power Company, Montaup Electric Company, and Boston Edison Company.

*Comment date:* January 12, 1999, in accordance with Standard Paragraph E at the end of this notice.

<sup>1</sup> See 18 CFR 385.213(d). See also 18 CFR 385.202.