

an average monthly rate base. Instead of calculating the average monthly rate base using the beginning and end-of-month balances as is currently in the tariff, Northern Border seeks to use a daily weighted average balance for the in-service month of a the proposed facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 21, 1999, 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 385.211 and 385.214) 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. The Commission's rules require that protestors provide copies of their protests to the party or parties directly involved. Any person wishing to become a party in any proceeding herein must file a motion to intervene in accordance with the Commission's rules.

A person obtaining intervenor status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by every one of the intervenors. An intervenor can file for rehearing of any Commission order and can petition for court review of any such order. However, an intervenor must submit copies of comments or any other filing it makes with the Commission to every other intervenor in the proceeding, as well as 14 copies with the Commission.

A person does not have to intervene, however, in order to have comments considered. A person, instead, may submit two copies of comments to the Secretary of the Commission. Commenters will be placed on the Commission's environmental mailing list, will receive copies of environmental documents and will be able to participate in meetings associated with the Commission's environmental review process. Commenters will not be required to serve copies of filed documents on all other parties. However, commenters will not receive copies of all documents filed by other parties or issued by the Commission and will not have the right to seek rehearing or appeal the Commission's final order to a federal court.

The Commission will consider all comments and concerns equally,

whether filed by commenters or those requesting intervenor status.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonments and a grant of the certificate are 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 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 Northern Border to appear or to be represented at the hearing.

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

*Acting Secretary.*

[FR Doc. 99-8373 Filed 4-5-99; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Non-Project Use of Project Lands and Waters and Soliciting Comments, Motions To Intervene, and Protests

March 31, 1999.

Take notice that the following application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Non-Project Use of Project Lands and Waters.

b. *Project No:* 2232-386.

c. *Date Filed:* March 15, 1999.

d. *Applicant:* Duke Energy Corporation.

e. *Name of Project:* Catawba-Wateree Hydroelectric Project.

f. *Location:* On Lake Hickory near the Lovelady Township, in Caldwell County, North Carolina. The project does not utilize federal or tribal lands.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. § 791(a)-825(r).

h. *Applicant Contact:* Mr. E.M. Oakley, Duke Energy Corporation P.O. Box 1006 (EC12Y), Charlotte, NC 28201-1006 (704) 382-5778.

i. *FERC Contact:* Any questions on this notice should be addressed to Brian

Romanek at (202) 219-3076, or e-mail address: brian.romanek@ferc.fed.us.

j. *Deadline for filing comments and or motions:* May 7, 1999.

*All documents (original and eight copies) should be filed with:* David P. Boergers, Secretary, Federal Energy Regulatory Commission, Mail Code: DLC, HL-11.1, 888 First Street, N.E., Washington DC 20426.

Please include the project number (2232-386) on any comments or motions filed.

k. *Description of Proposal:* Duke Energy Corporation proposes to lease to Gunpowder, LLC (Riverbend) four parcels containing a total of 2.07 acres of project land for the construction of 67 boat slips, a loading dock, concrete boat ramp and the placement of rip rap to stabilize 500 feet of shoreline. The boat slips would provide access to the reservoir for residents of Riverbend Subdivision. No dredging is proposed.

l. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 first Street, NE, Room 2A, Washington, D.C. 20426, or by calling (202) 208-1371. This filing may be viewed on <http://www.ferc.fed.us/online/rims.htm> (call (202) 208-2222 for assistance). A copy is also available for inspection and reproduction at the address in item h above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. This notice also consists of the following standard paragraphs: B, C1 and D2.

B. *Comments, Protests, or Motions to Intervene*—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, 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 comments, protests or motions to intervene must be received on or before the specified comment date for the particular application.

C1. *Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the

filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

D2. Agency Comments—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

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

*Acting Secretary.*

[FR Doc. 99-8376 Filed 4-5-99; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL99-46-000]

#### Capacity Benefit Margin in Computing Available Transmission Capacity; Notice of Technical Conference and Potential Broadcast of Technical Conference and Request for Comments

March 31, 1999.

**AGENCY:** Federal Energy Regulatory Commission.

**ACTION:** Notice of Technical Conference and Potential Broadcast of Technical Conference and Request for Comments.

**SUMMARY:** The Federal Energy Regulatory Commission (Commission) notifies interested persons that the Commission Staff will convene a technical conference at the Commission regarding Capacity Benefit Margin on May 20 and 21, 1999, commencing at 10:00 A.M. each day. The Commission Staff invites any interested person wishing to speak at the technical conference to submit a request to make a statement. The Commission Staff also invites interested persons to submit written comments. At a later date, the Secretary will issue a further notice listing the speakers, panels and subjects for the technical conference.

**DATES:** Requests to speak at the technical conference must be filed with

the Office of the Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426 on or before Monday, April 19, 1999.

Written comments must be received by 5:00 P.M., Friday, April 23, 1999.

Persons interested in receiving the Capitol Connection's live internet, telephone or satellite coverage of the technical conference for a fee must notify Shirley Al-Jarani or Julia Morelli at the Capitol Connection (703-993-3100) or contact them at Capitol Connection's website ([www.capitolconnection.gmu.edu](http://www.capitolconnection.gmu.edu)) by May 7, 1999. Persons interested in National Narrowcast Network's Hearing-On-The-Line service coverage of the technical conference live by telephone should call 202-966-2211 for further details.

The technical conference will be held on May 20 and 21, 1999, commencing at 10:00 A.M. each day.

**ADDRESSES:** The technical conference will be held at the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

**FOR FURTHER INFORMATION CONTACT:**

Charles Faust (Technical Issues), Office of Electric Power Regulation, 888 First Street, NE, Washington, DC 20426, 202-208-0564.

Andre Goodson (Legal Issues), Office of the General Counsel, 888 First Street, NE, Washington, DC 20426, 202-208-2167.

**SUPPLEMENTARY INFORMATION:** In addition to publishing the full text of this document in the **Federal Register**, the Commission also provides all interested persons an opportunity to inspect or copy the contents of this document during normal business hours in the Public Reference Room at 888 First Street, N.E., Room 2A, Washington, DC 20426.

The Commission Issuance Posting System (CIPS) provides access to the texts of formal documents issued by the Commission. CIPS can be accessed via Internet through FERC's Home Page (<http://www.ferc.fed.us>) using the CIPS link or the Energy Information Online icon. The full text of this document will be available on CIPS in ASCII and WordPerfect 6.1 format. CIPS is also available through the Commission's electronic bulletin board service at no charge to the user and may be accessed using a personal computer with a modem by dialing 202-208-1397, if dialing locally, or 1-800-856-3920, if dialing long distance. To access CIPS, set your communications software to 19200, 14400, 12000, 9600, 7200, 4800,

2400, or 1200 bps, full duplex, no parity, 8 data bits and 1 stop bit. User assistance is available at 202-208-2474 or by E-mail to [CipsMaster@FERC.fed.us](mailto:CipsMaster@FERC.fed.us).

This document is also available through the Commission's Records and Information Management System (RIMS), an electronic storage and retrieval system of documents submitted to and issued by the Commission after November 16, 1981. Documents from November 1995 to the present can be viewed and printed. RIMS is available in the Public Reference Room or remotely via Internet through FERC's Homepage using the RIMS link or the Energy Information Online icon. User assistance is available at 202-208-2222, or by E-mail to [RimsMaster@FERC.fed.us](mailto:RimsMaster@FERC.fed.us).

Finally, the complete text on diskette in WordPerfect format may be purchased from the Commission's copy contractor, RVJ International, Inc. RVJ International, Inc., is located in the Public Reference Room at 888 First Street, NE, Washington, DC 20426.

The Commission has directed the Commission Staff to convene a technical conference to be held on Thursday, May 20, 1999, and Friday, May 21, 1999, at the offices of the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. The technical conference will commence at 10:00 a.m. each day and will be open to all interested persons. The technical conference will address Capacity Benefit Margin. The Commission Staff has attached to this notice a list of suggested subjects for discussion at the technical conference.

Persons wishing to speak at the technical conference must submit a request to make a statement in Docket No. EL99-46-000. This request should clearly specify that it concerns the Capacity Benefit Margin technical conference and must specify the name of the person desiring to speak and the party or parties the speaker represents. Persons with common interests or views are requested to file a joint request for participation, so that the Commission can accommodate the maximum number of participants. Requests must also include a brief synopsis of the issue or issues the speaker wishes to address as well as the speaker's position on the issue or issues. All requests must be filed with the Office of the Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426 on or before Monday, April 19, 1999.

The number of persons desiring to speak at the conference may exceed the time allotted. Therefore, based on the