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**Roy Truby,**

*Executive Director, National Assessment Governing Board.*

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket Nos. SA99-22-000, SA99-23-000, and SA99-24-000 (Not Consolidated)]

**Atlantic Richfield Corporation; Notice of Petitions for Dispute Resolution or, Alternatively, for Adjustment**

April 13, 1999.

Take notice that on March 9, 1999, Atlantic Richfield Corporation (Arco)

filed the above-referenced petitions, requesting the Commission to resolve disputes concerning its Kansas ad valorem tax refund obligation to the pipelines listed below.

Pipeline and docket No.	Refund claim
Colorado Interstate Gas Company, SA99-22-000 <sup>1</sup>	\$415,240.17
Northern Natural Gas Company, SA99-23-000 <sup>2</sup>	166,103.28
Williams Gas Pipelines Central, Inc., SA99-24-000 <sup>3</sup>	172,916.89

<sup>1</sup> Changed from Docket No. GP99-7-000.

<sup>2</sup> Changed from Docket No. GP99-8-000.

<sup>3</sup> Changed from Docket No. GP99-9-000.

Arco requests that the Commission resolve its dispute with Northern and Williams by holding that termination agreements and/or settlements with these two pipelines resolved all issues associated with Kansas ad valorem tax refund liability and extinguishes the pipeline's refund claim in its entirety. Arco contends that by agreeing in the settlement to forego claims it for nonperformance it otherwise could have continued to pursue, Arco agreed to accept total payments under the contracts that did not exceed the MLP ceilings multiplied by the total volumes represented by each pipeline's nonperformance. In such circumstances, no refund should be required. To order otherwise would prevent Arco from receiving the very benefits it bargained for in the settlements-settlements that the Commission itself strongly encouraged as a means to resolve the massive take-or-pay and underpayments liabilities of interstate pipelines and make the transition to a more market-responsive and competitive environment.

Arco maintains that Northern and consumers benefited from agreements and settlements because the settlements allowed the pipelines to avoid the much higher costs that full-performance of the contract would have entailed. By resolving "all claims" relating to, inter alia, "contractual price", the settlements resolved the Kansas ad valorem tax reimbursement issue. The Commission has found that these settlements served the public interest.

Arco also requests the Commission to establish procedure to verify the refund calculations in all three dockets to ensure fairness and equity.

Alternatively, Arco requests that the Commission waive Arco's refund liability pursuant to Section 502(c) of the NGPA. Arco asserts that the Commission has equitable discretion to grant adjustment relief from this refund requirement. Since the tax reimbursement payments made by the pipelines were for taxes that Arco in fact paid the State of Kansas, Arco maintains it did not retain any revenues in excess of the MPLs. Arco maintains that the equities in the case require the Commission to waive Arco's refund obligation. At a minimum, Arco continues, the Commission should waive the royalty portion of the refund. Arco notes that it sold its Kansas properties in 1993, and thus no longer has ongoing contractual relationships with its former Kansas royalty owners. The response from Arco's former royalty owners to Arco's mailing has been negligible. To engage in extensive searches or to pursue legal action against these interests would be a cost-prohibitive exercise in futility. Since Arco has transferred or otherwise ended the leases in question here, and thus has no ongoing relationship with the royalty owners, let alone relationships that would permit Arco to impose a unilateral reduction in future royalty payments as contemplated in Wylee. Arco asserts that the royalty portion of the refund claim is uncollectible, as a practical matter, due to the passage of time and the Kansas statute of limitations. Arco's petitions are on file with the Commission, and they are open to public inspection. This filing may be viewed on the web at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

Any person desiring to be heard or to make any protest with reference to any of these petitions 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 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.

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

*Acting Secretary.*

[FR Doc. 99-9680 Filed 4-16-99; 8:45 am]

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. RP99-227-000]

**High Island Offshore System; Notice of Technical Conference**

April 13, 1999.

In the Commission's order issued on March 31, 1999, 86 FERC ¶ 61,321 (1999), the Commission directed that a technical conference be held to address issues raised by the filing.

Take notice that the technical conference will be held on Wednesday, May 12, 1999, at 10:00 a.m., in a room to be designated at the offices of the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

All interested parties and staff are permitted to attend.

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

*Acting Secretary.*

[FR Doc. 99-9652 Filed 4-16-99; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP99-287-000]

#### Texas Gas Transmission Corporation; Notice of Application

April 13, 1999.

Take notice that on April 5, 1999, pursuant to Sections 7(b) and 7(c) of the Natural Gas Act (NGA), Texas Gas Transmission Corporation (Texas Gas), P.O. Box 20008, Owensboro, Kentucky 42304, filed in Docket No. CP99-287-000 on Abbreviated Application for a Certificate of Public Convenience and Necessity and Request for Abandonment Authorization (Application). Texas Gas seeks authority to construct, own, and operate a 13 mile pipeline loop of its existing Slaughters-Montezuma Line and to abandon by retirement its White River Storage Field. Texas Gas' proposals are more fully set forth in the application on file with the Commission and open to public inspection. This application may be viewed on the web at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

Texas Gas proposes to abandon by retirement its White River Storage Field due to problems with the field's reliability, due in large part to the recent failures of gas treatment equipment at the field. Texas Gas says that the significance and need for the storage facility has lessened over the past few winters due to the increase in operational efficiencies of its other storage fields. Texas Gas says that the delivery capabilities associated with the White River Storage Field can be more efficiently performed by the addition of 13 mile pipeline loop of its existing Slaughters-Montezuma Line as described below. The abandonment of the White River Storage Field would include the plugging of wells, the abandonment in place of underground pipeline and the removal of above-ground facilities at an estimated cost of

\$500,000, an amount which is significantly lower than the capital cost that would be necessary to upgrade the facility's gas treatment equipment to optimal conditions.

Texas Gas proposes to install, own, and operate about 13 miles of 12-inch pipeline loop of a portion of its existing Slaughters-Montezuma system. The loop will assist in replacing the peaking capability formerly supplied by the White River Storage Field and provide both system security and elimination of a current bottleneck on this segment of the pipeline. The estimated cost associated with the installation of the pipeline loop is \$4,730,000 and will be paid for from funds on hand.

Texas Gas says that the net effect of the two proposals will allow an incremental increase of 1.1 MMCF/D delivery to the northern end of the Slaughters-Montezuma system and will be of no adverse effect to Texas Gas's firm service commitments (seasonal or peak requirements) or system operations.

Any person desiring to be heard or making any protest with reference to said application should on or before May 3, 1999, file with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 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 or 385.211) 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 protestants parties to the proceedings. The Commission's rules require that protestors provide copies of their protests to the party or person to whom the protests are directed.

Any person wishing to become a part 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. 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 issued by the Commission, filed by the applicant, or filed by all other 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 serve copies of comments or any other filing it makes with the Commission to every other intervenor in the proceeding, as well as filing an original and 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 such 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 Federal Energy Regulatory Commission by Sections 7 and 15 of the NGA and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on these applications if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is 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 a 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 Texas Gas to appear or be represented at the hearing.

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

*Acting Secretary.*

[FR Doc. 99-9645 Filed 4-16-99; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP99-291-000]

#### Transcontinental Gas Pipe Line Corporation; Notice of Application

April 13, 1999.

Take notice that on April 7, 1999, Transcontinental Gas Pipe Line Corporation (Transco), P.O. Box 1396, Houston, Texas 77251, filed in Docket