

November 3, 1995, to abandon storage service to Boston Gas under National's SS-2 Rate Schedule and to abandon storage service to three other customers (Orange & Rockland Utilities, Inc., Penn Fuel Gas, Inc. and The Southern Connecticut Gas Company), effective April 1, 1996.¹

National states that following the filing of National's application, National and Boston Gas entered into negotiations over the continuation of Boston Gas' SS-2 service. National states that these negotiations have culminated in an agreement extending the primary term of Boston Gas' SS-2 service agreement through March 31, 1998. National states that, in this regard, National is authorized by Boston Gas to state that Boston Gas rescinds its notice of termination given to National in March, 1995. National states that it deletes Boston Gas from the services it proposed to terminate.

The Commission will treat National's Notice of Continuation of Service as a petition to vacate in-part the authorization granted pursuant to Section 7(b) in Docket No. CP96-49-000.

Any person desiring to be heard or to make any protest with reference to said petition should on or before February 7, 1996, file with the Federal Energy Regulatory Commission, 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 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 the protestants parties to the 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.

Lois D. Cashell,
Secretary

[FR Doc. 96-1485 Filed 1-26-96; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP96-136-000]

NorAm Gas Transmission Company; Notice of Request Under Blanket Authorization

January 23, 1996.

Take notice that on January 16, 1996, NorAm Gas Transmission Company (NGT), 1600 Smith Street, Houston,

Texas 77002, filed a request with the Commission in Docket No. CP96-136-000 pursuant to Sections 157.205 and 157.211 of the Commission's Regulations under the Natural Gas Act (NGA) to construct and operate certain facilities in Logan County, Arkansas, authorized in blanket certificate issued in Docket No. CP82-384-000 and CP82-284-001, all as more fully set forth in the request on file with the Commission and open to public inspection.

NGT proposes to construct and operate a 2-inch tap and 1-inch first-cut regulator on NGT's Line BT-14 in Section 29, Township 8 North, Range 25 West, Logan County, Arkansas. NGT states that the gas would be delivered to ARKLA, a distribution division of NorAm Energy Corp. (AKRLA). NGT further states that the volumes to be delivered to this meter station would be approximately 600 MMBtu annually and 2.5 MMBtu on a peak day. The estimated cost of construction of the tap and first-cut regulator would be \$2,700, which would be reimbursed by ARKLA.

Any person or the Commission's staff may, within 45 days after the Commission has issued this notice, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section 157.205 of the Regulations under the NGA (18 CFR 157.205) a protest to the request. If no protest is filed within the allowed time, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the NGA.

Lois D. Cashell,
Secretary

[FR Doc. 96-1486 Filed 1-26-96; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. RP94-149-000 and RP94-145-000]

Pacific Gas Transmission; Notice of Informal Settlement Conference

January 23, 1996.

Take notice that an informal settlement conference will be convened in this proceeding on Tuesday and Wednesday, January 30-31, 1996, at 10:00 a.m., at the offices of the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC, for the purpose of exploring the possible settlement of the above-referenced dockets.

Any party, as defined by 18 CFR 385.102(c), or any participant, as defined by 18 CFR 385.102(b), is invited to attend. Persons wishing to become a party must move to intervene and receive intervenor status pursuant to the Commission's regulations (18 CFR 385.214).

For additional information, please contact Betsy R. Carr at (202) 208-1240 or Russell B. Mamone at (202) 208-0740.

Lois D. Cashell,

Secretary

[FR Doc. 96-1529 Filed 1-26-96; 8:45am]

BILLING CODE 6717-01-M

Western Area Power Administration

Proposed Power Allocation Procedures and Call for Applications, Post-2000 Resource Pool—Pick-Sloan Missouri Basin Program, Eastern Division

AGENCY: Western Area Power Administration, DOE.

ACTION: Notice of Proposed Allocation Procedures and Call for Applications.

SUMMARY: Western Area Power Administration (Western), a Federal power marketing agency of the Department of Energy, is publishing this notice of proposed procedures to implement Subpart C—Power Marketing Initiative of the Energy Planning and Management Program Final Rule, 10 CFR part 905, published at 60 FR 54151. The Energy Planning and Management Program (Program), which was developed in part to implement section 114 of the Energy Policy Act of 1992, became effective on November 20, 1995. Subpart C of the Program provides for the establishment of project-specific resource pools and the allocation of power from these pools to new preference customers. These proposed procedures, in conjunction with the Eastern Division, Pick-Sloan Missouri Basin Program Final Post-1985 Marketing Plan (Post-1985 Marketing Plan) (45 FR 71860) will establish the framework for allocating power from the resource pool to be established for the Pick-Sloan Missouri Basin Program—Eastern Division (PSMBP-ED).

DATES: The comment period on the proposed procedures will begin with the publication of this notice in the Federal Register and will end March 4, 1996. To be assured of consideration, all written comments must be received by the end of the comment period. Western will hold public information forums and public comment forums on the proposed procedures on February 14,

¹See 73 FERC ¶ 62,180 (1995).

15, and 16, 1996 at the following locations and times:

February 14, 1996, Hilton Sioux Hotel, 707 Fourth St., Sioux City, Iowa, Information forum—1 p.m. (not to exceed 2 hours), Comment forum—immediately following the information forum

February 15, 1996, Best Western Doublewood Inn, 3333 13th Avenue South, Fargo, North Dakota, Information forum—1 p.m. (not to exceed 2 hours), Comment forum—immediately following the information forum

February 16, 1996, Holiday Inn, 1902 LaCross Street, Rapid City, South Dakota, Information forum—9 a.m. (not to exceed 2 hours), Comment forum—immediately following the information forum

ADDRESSES: All written comments regarding these proposed procedures should be directed to the following address: Mr. Joel K. Bladow, Acting Regional Manager, Upper Great Plains Customer Service Region, Western Area Power Administration, P.O. Box 35800, Billings, MT 59107-5800.

All documentation developed or retained by Western for the purpose of developing these procedures will be available for inspection and copying at the Upper Great Plains Customer Service Region located at the above address.

FOR FURTHER INFORMATION CONTACT: Robert J. Harris, Assistant Area Manager for Engineering and Marketing, Upper Great Plains Customer Service Region, Western Area Power Administration, P.O. Box 35800, Billings, MT 59107-5800, (406) 247-7394.

After all public comments have been thoroughly considered, Western will prepare and publish the Final Post 2000 Resource Pool Allocation Procedures in the Federal Register.

SUPPLEMENTARY INFORMATION: On October 20, 1995, Western published the Final Rule for the Program. The rule became effective on November 20, 1995. The goal of the Program is to require planning and efficient electric energy use by Western's long-term firm power customers and to extend Western's firm power resource commitments. One aspect of the Program is the establishment of project-specific power resource pools when existing resource commitments expire and the allocation of power from these pools to new preference customers.

Existing resource commitments for the PSMBP-ED expire on December 31, 2000. In accordance with the Program, 96 percent (96%) of the firm power resources determined to be available at

that time will be extended to existing customers. The remaining 4 percent (4%) will be placed in a resource pool from which power allocations to new customers will be made in accordance with these procedures and the Post-1985 Marketing Plan.

The Proposed Post-2000 Resource Pool Allocation Procedures

These proposed procedures for the PSMBP-ED address (1) eligibility criteria; (2) how Western plans to allocate the pool resources to new customers as provided for in the Program; and (3) the terms and conditions under which Western will sell the power allocated.

I. Amount of Pool Resources

Western proposes to allocate 4 percent (4%) of the PSMBP-ED long-term firm hydroelectric resource available as of January 1, 2001 as firm power (firm power) as provided for by the Program. Firm power means capacity and associated energy allocated by Western and subject to the terms and conditions specified in the Western electric service contract.

II. General Eligibility Criteria

Western proposes to apply the following general eligibility criteria to applicants seeking an allocation of firm power under the proposed Post-2000 Resource Pool Allocation Procedures.

A. Qualified utility applicants and qualified Native American applicants must be preference entities in accordance with section 9(c) of the Reclamation Project Act of 1939, 43 U.S.C. 485h(c), as amended and supplemented.

B. Qualified utility applicants and qualified Native American applicants must be located within the currently established PSMBP-ED marketing area.

C. Qualified utility applicants must not be currently receiving benefits, directly or indirectly, from a current PSMBP-ED firm power allocation. Qualified Native American applicants are not subject to this requirement.

D. Qualified utility applicants must be able to use the firm power directly or be able to sell it directly to retail customers.

E. Qualified utility applicants must have utility status by December 31, 1996. Utility status means that the entity has responsibility to meet load growth, has a distribution system, and is ready, willing, and able to purchase Federal power from Western on a wholesale basis.

F. Qualified Native American applicants must be a Native American tribe as defined in the Indian Self

Determination Act of 1975, 25 U.S.C. 450b, as amended.

III. General Allocation Criteria

Western proposes to apply the following general allocation criteria to applicants seeking an allocation of firm power under the proposed Post 2000 Resource Pool Allocation Procedures.

A. Allocations of firm power will be made in amounts as determined solely by Western in exercise of its discretion under Reclamation Law.

B. An allottee will have the right to purchase such firm power only upon the execution of an electric service contract between Western and the allottee, and satisfaction of all conditions in that contract.

C. Firm power allocated under these procedures will be available only to new preference customers in the existing PSMBP-ED marketing area. This marketing area includes Montana (east of the Continental Divide), North Dakota, South Dakota, and specific areas in western Iowa, western Minnesota and eastern Nebraska. The marketing area of the PSMBP-ED is Montana east of the Continental Divide, all of North and South Dakota, Nebraska east of the 101° meridian, Iowa west of the 94½° meridian, and Minnesota west of a line on the 94½° meridian from the southern boundary of the state to the 46° parallel and thence northwesterly to the northern boundary of the state at the 96½° meridian.

D. Allocations made to Native American tribes will be based on estimated load developed by the Native American Tribes. Inconsistent estimates will be adjusted by Western during the allocation process. Western is willing to consult with the Tribes to develop load estimating methods assuring consistent Native American load estimates across the region.

E. Allocations made to utility customers will be based on the loads experienced in the 1994 summer season and the 1994-95 winter season. Western will use Mid-Continent Area Power Pool data trends to adjust this data in order to apply Post-1985 Marketing Plan criteria.

F. Energy provided with firm power will be based upon the customer's monthly system load factor.

G. Any electric service contract offered to a new customer shall be executed by the customer within six (6) months of a contract offer by Western, unless otherwise agreed to in writing by Western.

H. The initial resource pool will be dissolved subsequent to the closing date for executing firm power contracts. Firm

power not under contract will be used as determined by Western.

I. The minimum allocation shall be 100 kilowatts (kW).

J. The maximum allocation for utility customers shall be 5,000 kilowatts (kW).

K. Contract rates of delivery shall be subject to adjustment in the future as provided for in the Program.

L. If unanticipated obstacles to the delivery of hydropower benefits to Native American tribes arise, Western retains the right to provide the economic benefits of its resources directly to the tribes.

IV. General Contract Principles

Western proposes to apply the following general contract principles to all applicants receiving an allocation of firm power under the proposed Post 2000 Resource Pool Allocation Procedures.

A. Western shall reserve the right to reduce a customer's summer season contract rate of delivery by up to 5 percent (5.0%) for new project pumping requirements, by giving a minimum of five (5) years' written notice in advance of such action.

B. Western, at its discretion and sole determination, shall reserve the right to adjust the contract rate of delivery on five (5) years' notice in response to changes in hydrology and river operations. Any such adjustments shall only take place after public process.

C. Western shall assist the allottee in obtaining third-party transmission arrangements for delivery of firm power allocated under these proposed procedures to new customers; nonetheless, each allottee is ultimately responsible for obtaining its own delivery arrangements.

D. Contracts entered into under the proposed Post 2000 Resource Pool Allocation Procedures shall provide for Western to furnish firm electric service effective from January 1, 2001, through December 31, 2020.

E. The contracts entered into as a result of the proposed procedures shall incorporate Western's standard provisions for power sales contracts, integrated resource planning, and the general power contract provisions.

V. Applications for Firm Power

Western requests all applications be submitted in writing to the Regional Manager, Upper Great Plains Customer Service Region, for an allocation of firm power under these procedures.

Applications must be made only via certified, return receipt requested U.S. mail. No other means of submitting applications will be accepted. The applications must be received in

Western's Upper Great Plains Customer Service Region at P.O. Box 35800, Billings, Montana 59107-5800, no later than the close of business on March 4, 1996.

A. Letter of Interest and Applicant Profile Data (APD)

Each applicant must submit to the Regional Manager, Upper Great Plains Customer Service Region, a Letter of Interest in receiving firm power and the appropriate APD as outlined below.

B. Applicant Profile Data

The content and format of the APD are outlined below. The information should be submitted in the sequence listed. The applicant must provide all requested information or the most reasonable available estimate. The applicant should note any requested information that is not applicable. The APD must be typed and two copies submitted by certified or return receipt requested mail to Western's Upper Great Plains Customer Service Region by the date specified above. The burden of ensuring consistency of the content of both copies rests with the applicant. Western is not responsible for errors in data or missing pages. All items of information in the APD should be answered as if prepared by the organization seeking the allocation.

1. The APD shall consist of the following:

a. Applicant:

i. Applicant's name and address.
ii. Person(s) representing applicant: Please provide the name, address, title, and telephone number of such person(s).

iii. Type of organization: For example, municipality, rural electric cooperative, Native American tribe, state agency, Federal agency. Please provide a brief description of the organization that will interact with Western on contract and billing matters and whether the organization owns and operates its own electric utility system.

iv. Applicable law under which organization was established.

b. Loads:

i. Utility Customers:
(1) Number and type of customers served; i.e., residential, commercial, industry, military base, agricultural.
(2) The actual monthly maximum demand in (kilowatts) and energy use (in kilowatt-hours) experienced in the 1994 summer season (May 1994 through October 1994) and the 1994-95 winter season (November 1994 through April 1995).

ii. Native American Tribes:

(1) Estimated maximum demand in kilowatts with a description of the

method and basis for this estimated demand.

c. Resources:

i. A list of current power supplies, including the applicant's own generation and purchases from others. For each supply, provide capacity and location.

ii. Status of power supply contracts, including a contract termination date. Indicate whether power supply is on a firm basis or some other type of arrangement.

d. Transmission:

i. Points of delivery: Provide the preferred point(s) of delivery on Western's system or a third-party's system and the required service voltage.

ii. Transmission arrangements: Describe the transmission arrangements necessary to deliver firm power to the requested points of delivery.

e. Other Information:

The applicant may provide any other information pertinent to receiving an allocation.

f. Signature:

The signature and title of an appropriate official who is able to attest to the validity of the APD and who is authorized to submit the request for allocation.

C. Western's Consideration of Applications

1. When the APD is received by Western, Western will verify that the general eligibility criteria set forth in section II has been met, and that all items requested in the APD have been provided.

a. Western will request in writing additional information from any applicant whose APD is determined to be deficient. The applicant shall have 15 days from the date on Western's letter of request to provide the information.

b. If Western determines that the applicant does not meet the general eligibility criteria, Western will send a letter explaining why the applicant did not qualify.

c. If the applicant has met the eligibility criteria, Western will determine the amount of firm power to be allocated pursuant to the general allocation criteria set forth in section III. Western will send a draft contract to the applicant for review which identifies the terms and conditions of the offer and the amount of firm power allocated to the applicant.

2. All firm power shall be allocated according to the procedures in the general allocation criteria set forth in section III.

3. Western reserves the right to determine the amount of firm power to allocate to an applicant, as justified by the applicant in its APD.

VI. Review Under the Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 U.S.C. 601 et seq., requires Federal agencies to perform a regulatory flexibility analysis if a proposed regulation is likely to have a significant economic impact on a substantial number of small entities. Western has determined that (1) this rulemaking relates to services offered by Western, and, therefore, is not a rule within the purview of the Act, and (2) the impacts of an allocation from Western would not cause an adverse economic impact on a substantial number of such entities. The requirements of this Act can be waived if the head of the agency certifies that the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities. By his execution of this Federal Register notice, Western's Administrator certifies that no significant economic impact on a substantial number of small entities will occur.

VII. Review Under the Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1980, 44 U.S.C. 3501-3520, Western has received approval from the Office of Management and Budget (OMB) for the collection of customer information in this rule, under control number 1910-1200.

VIII. Review Under the National Environmental Policy Act

Western has completed an environmental impact statement on the Program, pursuant to the National Environmental Policy Act of 1969 (NEPA). The Record of Decision was published in the Federal Register on October 12, 1995 (60 FR 53181). Western's NEPA review will assure all environmental effects related to these procedures have been analyzed.

IX. Determination Under Executive Order 12866

DOE has determined that this is not a significant regulatory action because it does not meet the criteria of Executive Order 12866, 58 FR 51735. Western has an exemption from centralized regulatory review under Executive Order 12866; accordingly, no clearance of this notice by OMB is required.

Issued in Golden, Colorado, January 19, 1996.

J.M. Shafer,
Administrator.

[FR Doc. 96-1394 Filed 1-26-96; 8:45 am]

BILLING CODE 6450-01-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL 5408-1]

Agency Information Collection Activities Under OMB Review; Measures of Success for Compliance Assistance Reporting Form

AGENCY: Environmental Protection Agency (EPA).

ACTION: None.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), this notice announces that the Information Collection Request (ICR) Measures of Success for Compliance Assistance Reporting Form abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected cost and burden; where appropriate, it includes the actual data collection instrument.

DATES: Comments must be submitted on or before February 28, 1996.

FOR FURTHER INFORMATION OR A COPY CALL: Sandy Farmer at EPA, 202-260-2740, and refer to EPA ICR No. 1758.02.

SUPPLEMENTARY INFORMATION:

Title: Measures of Success for Compliance Assistance Reporting Form. (OMB Control No. XXXX-XXXX; EPA ICR No. 1758.02) This is a new collection.

Abstract: This will be a voluntary collection of program information on the accomplishments of state and regional compliance assistance programs. The information will be collected so that EPA can better understand the effectiveness of compliance assistance programs vis a vis enforcement programs and so that success stories can be shared between state programs. This is a voluntary information collection request. This information will be used by EPA's Office of Enforcement and Compliance Assurance (OECA) in order to evaluate the effectiveness of regional and state compliance assistance programs as a supplementary tool to traditional enforcement methods. EPA regions and state programs will also use the information to learn about other compliance assistance programs. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15. The Federal Register Notice required under 5 CFR 1320.8(d), soliciting comments on

this collection of information was published on November 7, 1995, FR 56,148.

Burden Statement: The annual public reporting and record keeping burden for this collection of information for states is estimated to average 2 hours per response and for third-party respondents it will average 1 hour per response. This estimate includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to respond to a collection of information; search existing data sources; complete and review the collection of information; and transmit or otherwise disclose the information. No person is required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are displayed in 40 CFR Part 9.

Respondents/Affected Entities: state and small businesses

Estimated No. of Respondents: 3,286

Estimated Total Annual Burden of Respondents: 5,830

Frequency of Collection: Annually

Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestions for reducing the burden, to the following addresses. Please refer to EPA ICR No. 1758.02 and OMB Control No. XXXX-XXXX in any correspondence.

Ms. Sandy Farmer, U.S. Environmental Protection Agency, Information Policy Branch (2136) 401 M Street, SW., Washington, DC 20460

and
Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for EPA, 725 17th St, NW., Washington, DC 20503.

Dated: January 11, 1996.

Joseph Retzer,

Regulatory Information Division.

[FR Doc. 96-1556 Filed 1-26-96; 8:45 am]

BILLING CODE 6560-50-M

[FRL-5409-2]

Acid Rain Program: Notice of Final Permits

AGENCY: Environmental Protection Agency (EPA).