

petition for adjustment under section 502(c) of the Natural Gas Policy Act of 1978 (NGPA),¹ requesting that the refund procedures in the Commission's September 10, 1997 order in Docket Nos. RP97-369-000, GP97-3-000, GP97-4-000, and GP7-5-000,² be altered with respect to LeBosquet's Kansas ad valorem tax refund liability.

The Commission's September 10 order on remand from the D.C. Circuit Court of Appeals³ directed first sellers under the NGPA to make Kansas ad valorem tax refunds, with interest, for the period from 1983 to 1988. The Commission issued a January 28, 1998 order in Docket No. RP98-39-001, *et al.* (January 28 Order),⁴ clarifying the refund procedures, stating that producers could request additional time to establish the uncollectability of royalty refunds, and that first seller may file requests for NGPA section 502(c) adjustment relief from the refund requirement and the timing and procedures for implementing the refunds, based on the individual circumstances applicable to each first seller.

LeBosquet request that the Commission pursuant to the Commission's January 28 Order, (1) grant an extension of 90 days to make refunds to allow first sellers and Northern to resolve any dispute as to the proper amount of the refund liability of first sellers for the Kansas ad valorem tax reimbursements set forth in the State of Refunds Due (SRD) addressed to the John R. LeBosquet Trust, or to submit such dispute to the Commission for resolution if the parties cannot resolve it within such time; (2) to grant an adjustment to its procedures to allow to defer payment to Northern Natural Gas Company of principal and interest refunds attributable to unrecovered royalties for one year until March 9, 1999, and (3) to grant an adjustment to its procedures to allow first sellers to place into an escrow account during the requested 1-year deferral period, not only the disputed amount of the refund but also (i) an amount equal to the principal and interest on royalty refunds which have been collected from royalty owners and (ii) principal and interest on amounts attributable to production prior to October 4, 1983, and (iii) interest on

all other principal amounts claimed to be due under the SRD.

On or before March 9, 1999, LeBosquet proposes to file documentation with the Commission, of these royalties which were not collectible and disburse out of escrow funds those royalty refunds which were recovered.

Any person desiring to be heard or to make any protest with reference to said petition 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 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.

David P. Boergers,

Acting Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. SA98-16-000]

Midgard Energy Company; Notice of Petition for Adjustment

March 18, 1998.

Take notice that on March 6, 1998, Midgard Energy Company (Midgard), formerly known as Oleum, Inc., Diamond Shamrock Exploration Company and Maxus Exploration Company), filed a petition for adjustment relief from refund procedures under section 502(c) of the Natural Gas Policy Act of 1978 (NGPA),¹ seeking authorization from the Commission to place interest on its refunds for reimbursement of Kansas ad valorem taxes, as otherwise required by the Commission's September 10, 1997 order in Docket Nos. GP97-3-000, GP97-4-000, GP97-5-000, and RP97-

369-000,² to Northern Natural Gas Company (Northern), into an escrow account. Midgard's petition is on file with the Commission and open to public inspection.

The Commission's September 10 order on remand from the D.C. Circuit Court of Appeals³ directed first sellers under the NGPA to make Kansas ad valorem tax refunds, with interest, for the period from 1983 to 1988. The Commission's September 10 order also provided that first sellers could, with the Commission's prior approval, amortize their Kansas ad valorem tax refunds over a 5-year period, although interest would continue to accrue on any outstanding balance.

Specifically, Midgard requests authorization to place interests on its refunds, with respect to production from four wells (Pfeifer Nos. 2, 4 and 5, and Randall No. 3), to Northern into an escrow account. In its Petition, Midgard avers that Northern, in its filed Statement of Refunds Due (Statement), included amounts attributable to other working interest owners in the same properties and royalty amounts. Midgard states that it notified Northern that there were discrepancies in the Statement of Refunds Due and requested that Northern file a corrected Statement. Midgard further states that Northern declined to correct its Statement, although not specifically disputing any of Midgard's arguments.

Thus, argues Midgard, it seeks to establish this procedure to ensure: (a) that it pays only that which is legitimately owed; and (b) that if it is subsequently determined that it has no refund liability for interest, it can recover the overpayment.

Any person desiring to be heard or to make any protest with reference to said petition 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. 20425, 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 the proceeding. Any person wishing

¹ 15 U.S.C. 3142(c) (1982).

² See 80 FERC ¶ 61,264 (1997); order denying reh'g issued January 28, 1998, 82 FERC ¶ 61,058 (1998).

³ *Public Service Company of Colorado v. FERC*, 91 F.3d 1478 (D.C. 1996), cert. denied, Nos. 96-954 and 96-1230 (65 U.S.L.W. 3751 and 3754, May 12, 1997).

⁴ 82 FERC ¶ 61,059 (1998).

¹ 15 U.S.C. 3142(C)(1982).

² See 80 FERC ¶ 61,264 (1997); under denying reh'g issued January 28, 1998, 82 FERC ¶ 61,058 (1998).

³ *Public Service Company of Colorado v. FERC*, 91 F.3d 1478 (D.C. 1996), cert. denied, Nos. 96-954 and 96-1230 (65 U.S.L.W. 3751 and 3754, May 12, 1997) (Public Service).

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.

David P. Boergers,
Acting Secretary.

[FR Doc. 98-7536 Filed 3-23-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. RP98-8-005 and RP96-199-014]

Mississippi River Transmission Corporation; Notice of Proposed Changes in FERC Gas Tariff

March 18, 1998.

Take notice that on March 13, 1998, Mississippi River Transmission Corporation (MRT) tendered for filing as part of its FERC Gas Tariff, Third Revised Volume No. 1, the following revised tariff sheets to be effective January 1, 1998:

Third Substitute Twenty-Seventh Revised Sheet No. 5
Third Substitute Twenty-Eighth Revised Sheet No. 5
Third Substitute Twenty-Seventh Revised Sheet No. 6
Third Substitute Twenty-Eighth Revised Sheet No. 6
Third Substitute Twenty-Fourth Revised Sheet No. 7
Second Substitute Twenty-Fifth Revised Sheet No. 7

An addition, MRT tendered for filing the following revised tariff sheets to be effective February 12, 1998:

Second Substitute Twenty-Ninth Revised Sheet No. 5
Second Substitute Twenty-Ninth Revised Sheet No. 6
Second Substitute Twenty-Sixth Revised Sheet No. 7

MRT states that the purpose of this filing is to amend its March 2, 1998 filing to correct surcharge column headings and to identify the GRI surcharge for the authorized overrun rate on the SCT and IT rate schedules.

Any person desiring to protest this filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Section 385.211 of the Commission's Rules and Regulations. All such 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. 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. 98-7533 Filed 3-23-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP97-392-002]

National Fuel Gas Supply Corporation; Notice of Proposed changes in FERC Gas Tariff

March 18, 1998.

Take notice that on March 13, 1997 National Fuel Gas Supply Corporation (National) tendered for filing as part of its FERC Gas Tariff, Fourth Revised Volume No. 1, Second Revised Sheet No. 10, to proposed to become effective March 31, 1998.

On August 11, 1997, National filed in compliance with a July 10, 1997 Order, a tariff sheet proposing a revised title transfer fee applicable to in-place storage title transfers. National states that this filing is made in compliance with the Commission's order of February 27, 1998 rejecting National's suspended August 11, 1997 compliance filing. The proposed tariff sheet reflects the Commission recommended in-place storage title transfer rate of \$3.86 per party per transaction (\$7.72 total).

Any person desiring to protest this filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Section 385.211 of the Commission's Rules and Regulations. All such 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. 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. 98-7532 Filed 3-23-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP98-121-001]

Panhandle Eastern Pipe Line Company; Notice of Compliance Filing

March 18, 1998.

Take notice that on March 13, 1998, Panhandle Eastern Pipe Line Company (Panhandle) tendered for filing as part of its FERC Gas Tariff, First Revised Volume No. 1, the following tariff sheets proposed to be effective March 1, 1998:

Sub Second Revised Sheet No. 102
Original Sheet No. 102A
Sub First Revised Sheet No. 103
Sub First Revised Sheet No. 104

Panhandle states that the purpose of this filing is to comply with the Commission's order issued February 26, 1998 in Docket No. RP98-121-000, 82 FERC ¶ 61,188 (1998).

Panhandle states that copies of this filing are being served on all affected customers, applicable state regulatory agencies and all parties to this proceeding.

Any person desiring to protest this filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Section 385.211 of the Commission's Rules and Regulations. All such 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. 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.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. SA98-33-000]

Pioneer Natural Resources USA, Inc.; Notice of Petition for Adjustment

March 18, 1998.

Take notice that on March 9, 1998, Pioneer Natural Resources USA, Inc. (Pioneer) filed a petition for adjustment under section 502(c) of the Natural Gas