

DEPARTMENT OF ENERGY

Federal Energy Regulatory
Commission

[Docket No. EG98-22-000, et al.]

**El Segundo Power LLC, et al.; Electric
Rate and Corporate Regulation Filings**

January 30, 1998.

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

1. El Segundo Power, LLC

[Docket No. EG98-22-000]

On December 19, 1997, El Segundo Power, LLC, with its principal office at 1221 Nicollet Mall, Suite 700, Minneapolis, MN 55403, filed with the Commission an application for determination of exempt wholesale generator status pursuant to Part 365 of the Commission's Regulations (the Application). On January 27, 1998, Applicant amended (the Amended Application) its initial application to submit additional information.

In the Application and the Amended Application, Applicant states that it is a limited liability company organized under the laws of the State of Delaware. Applicant will be engaged directly and exclusively in owning and operating an approximately 1020 MW gas-fired electric generating facility located at 301 Vista Del Mar Boulevard, El Segundo, CA 90245. Electric energy produced by the facility will be sold at wholesale to the Independent System Operator and into the California Power Exchange.

Comment date: February 19, 1998, in accordance with Standard Paragraph E at the end of this notice. The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application.

**2. WPS Resources Corporation and
Upper Peninsula Energy Corporation,
Wisconsin Public Service Corporation
and Upper Peninsula Power Company**

[Docket Nos. EC98-27-000 and ER98-1561-000]

Take notice that on January 23, 1998, WPS Resources Corporation (WPSR) and Upper Peninsula Energy Corporation (UPEN) on behalf of themselves and their jurisdictional subsidiaries (collectively Applicants), tendered for filing pursuant to Sections 203 and 205 of the Federal Power Act (the FPA), 16 U.S.C. §§ 824b and 824d (1994) and Parts 33 and 35, 18 CFR 33.1-33.10 and 3.0-35.33, and Section 2.26, 18 CFR 2.26, of the regulations of the Federal Energy Regulatory Commission (the Commission), an Application for Approval of Merger and Related Authorizations (Application).

The Applicants also tendered for filing a single system Open Access Transmission Tariff and a Coordination and Allocation Agreement, both of which are proposed to become effective upon consummation of the merger, and a set of Codes of Conduct governing inter-affiliate activities, which are proposed to take effect as of the date on which the Application was filed. Applicants state that the FPA-jurisdictional subsidiaries of WPSR are: Wisconsin Public Service Corporation (Public Service), an electric and gas utility; WPS Energy Services, Inc., a wholesale power marketer; WPS Power Development, Inc., a wholesale power marketer that also owns a wholly-owned subsidiary, PDI Stoneman, Inc., which has an ownership interest in Mid-American Power, LLC (a wholesale power marketer and owner of the 53 MW E.J. Stoneman coal-fired plant). The FPA-jurisdiction subsidiary of UPEN is Upper Peninsula Power Company (UPPCo).

The merger is structured so that UPEN will be merged with and into WPSR, making UPPCo a wholly-owned subsidiary of WPSR. Public Service and UPPCo will each retain their own identities as public utilities and their current service territories. Public Service and UPPCo will continue to operate independently.

Comment date: March 24, 1998, in accordance with Standard Paragraph E at the end of this notice.

**3. Ocean Vista Power Generation,
L.L.C.**

[Docket No. EG98-23-000]

On January 26, 1998, Ocean Vista Power Generation, L.L.C. (Ocean Vista), with its principal office at c/o Houston Industries Power Generation, Inc., 1111 Louisiana, 16th Floor, Houston, Texas 77002, filed with the Federal Energy Regulatory Commission (Commission) an amended application for determination of exempt wholesale generator status pursuant to Part 365 of the Commission's Regulations. Ocean Vista is a wholly-owned subsidiary of Houston Industries Power Generation, Inc., and an indirect subsidiary of Houston Industries Incorporated. Ocean Vista has acquired the Mandalay Generation Station in Oxnard, California at auction from Southern California Edison. Ocean Vista states that it will be engaged directly, or indirectly through one or more affiliates, as defined in Section 2(a)(11)(B) of PUCHA, and exclusively in the business of owning and or/operating, an interest in an eligible facility and selling electric energy at wholesale.

Comment date: February 19, 1998, in accordance with Standard Paragraph E at the end of this notice. The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application.

4. Alta Power Generation, L.L.C.

[Docket No. EG98-26-000]

Take notice that on December 23, 1997, Alta Power Generation, L.L.C. (Alta Power), with its principal office at c/o Houston Industries Power Generation, Inc., 1111 Louisiana, 16th Floor, Houston TX 77002, filed with the Federal Energy Regulatory Commission (Commission) an application for determination of exempt wholesale generator status pursuant to Part 365 of the Commission's Regulations. Alta Power states that it is a wholly owned subsidiary of Houston Industries Power Generation, Inc., and an indirect subsidiary of Houston Industries Incorporated. Alta Power has acquired the Cool Water Generating Station in Daggett, California at auction from Southern California Edison. Alta Power states that it will be engaged directly, or indirectly through one or more affiliates, as defined in Section 2(a)(11)(B) of PUHCA, and exclusively in the business of owning and or/operating, an interest in an eligible facility and selling electric energy at wholesale.

Comment date: February 19, 1998, in accordance with Standard Paragraph E at the end of this notice. The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application.

5. EAL/ERI Cogeneration

[Docket No. EG98-35-000]

On January 26, 1998, EAL/ERI Cogeneration Partners, L.P. ("EECLP"), with its address c/o ERI Services, Inc., 255 Main Street, Suite 500, Hartford, CT 06106, filed with the Federal Energy Regulatory Commission ("FERC" or the "Commission") an application for determination of exempt wholesale generator status pursuant to Part 365 of the Commission's Regulations.

EECLP is a Delaware limited partnership that will be engaged directly and exclusively in the business of developing, owning and operating an eligible facility to be located in Jamaica. The eligible facility will consist of an approximately 16 MW diesel-fired electric generation project and related interconnection facilities. The output of the eligible facility will be sold at wholesale and at retail to consumers located outside of the United States.

Comment date: February 19, 1998, in accordance with Standard Paragraph E

at the end of this notice. The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application.

6. Maine Public Utilities Commission v. Maine Yankee Atomic Power Company

[Docket No. EL98-15-000]

Take notice that on December 24, 1997, Maine Public Utilities Commission tendered for filing a complaint against the Maine Yankee Atomic Power Company asserting the unjustness, unreasonableness and unlawfulness of charges, rates and contracts that have been collected by the Maine Yankee Atomic Power Company.

Comment date: March 2, 1998, in accordance with Standard Paragraph E at the end of this notice.

7. Sacramento Municipal Utility District v. Pacific Gas & Electric Company

[Docket No. EL98-16-000]

Take notice that on January 14, 1998, Sacramento Municipal Utility District tendered for filing a complaint against Pacific Gas & Electric Company for refund of energy payments derived from gas costs disallowed by order of State Utility Commission and Motion for Summary Disposition.

Comment date: March 2, 1998, in accordance with Standard Paragraph E at the end of this notice.

8. Pennsylvania-New Jersey-Maryland Interconnection

[Docket No. ER97-1082-000]

Take notice that on December 31, 1997, Public Service Electric and Gas Company, PECO Energy Company, and Metropolitan Edison Company pursuant to the Commission's order in Pennsylvania-New Jersey-Maryland Interconnection, et al., 81 FERC ¶ 61,257 (1997), filed amendments to the Lower Delaware Valley Transmission System Agreement, the Extra High Voltage Transmission System Agreement, and the Susquehanna-Eastern (SE), 500 kV Transmission System Agreement, respectively, on behalf of the parties to all Agreements.

Comment date: February 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

9. Virginia Electric & Power Company

[Docket No. ER98-467-000]

Take notice that on January 21, 1998, Virginia Electric & Power Company tendered for filing an amendment in the above-referenced docket.

Comment date: February 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

10. Alabama Power Company

[Docket No. ER98-1321-000]

Take notice that on January 6, 1998, Southern Company Services, Inc., as agent for Alabama Power Company (APCo), tendered for filing a Transmission Service Delivery Point Agreement dated April 8, 1997, which reflects the revised Cottonton Delivery Point voltage level of service to Tallapoosa River Electric Cooperative. This delivery point will be served under the terms and conditions of the Agreement for Transmission Service to Distribution Cooperative Member of Alabama Electric Cooperative, Inc., dated August 28, 1980 (designated FERC Rate Schedule No. 147). The parties request an effective date of March 15, 1998.

Comment date: February 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

11. PP&L, Inc.

[Docket No. ER98-1322-000]

Take notice that on January 6, 1998, PP&L, Inc. (formerly known as Pennsylvania Power & Light Company) (PP&L), filed a Service Agreement dated October 17, 1997, with Potomac Electric Power Company (Potomac), under PP&L's FERC Electric Tariff, Original Volume No. 5. The Service Agreement adds Potomac as an eligible customer under the Tariff.

PP&L requests an effective date of January 6, 1998, for the Service Agreement.

PP&L states that copies of this filing have been supplied to Potomac and to the Pennsylvania Public Utility Commission.

Comment date: February 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

12. PP&L, Inc.

[Docket No. ER98-1323-000]

Take notice that on January 6, 1998, PP&L, Inc. (formerly known as Pennsylvania Power & Light Company) (PP&L), filed a Service Agreement dated October 27, 1997, with Columbia Power Marketing Corporation (Columbia), under PP&L's FERC Electric Tariff, Original Volume No. 5. The Service Agreement adds Columbia as an eligible customer under the Tariff.

PP&L requests an effective date of January 6, 1998, for the Service Agreement.

PP&L states that copies of this filing have been supplied to Columbia and to the Pennsylvania Public Utility Commission.

Comment date: February 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

13. PP&L, Inc.

[Docket No. ER98-1324-000]

Take notice that on January 6, 1998, PP&L, Inc. (formerly known as Pennsylvania Power & Light Company) (PP&L), filed a Service Agreement dated December 30, 1997, with Wisconsin Electric Power Company (Wisconsin), under PP&L's FERC Electric Tariff, Original Volume No. 5. The Service Agreement adds Wisconsin as an eligible customer under the Tariff.

PP&L requests an effective date of January 6, 1998, for the Service Agreement.

PP&L states that copies of this filing have been supplied to Wisconsin and to the Pennsylvania Public Utility Commission.

Comment date: February 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

14. Allegheny Power Service Corporation, on Behalf of Monongahela Power Company, The Potomac Edison Company and West Penn Power Company

[Docket No. ER98-1325-000]

Take notice that on January 16, 1998, Allegheny Power Service Corporation, on behalf of Monongahela Power Company, The Potomac Edison Company and West Penn Power Company, submitted a Notice of Cancellation for Delhi Energy Services, Inc., a customer under Allegheny Power's Open Access Transmission Service Tariff.

Copies of the filing have been provided to the Public Utilities Commission of Ohio, the Pennsylvania Public Utility Commission, the Maryland Public Service Commission, and all parties of record.

Comment date: February 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

15. Arizona Public Service Company

[Docket No. ER98-1326-000]

Take notice that on January 7, 1998, Arizona Public Service Company (APS) tendered for filing Service Agreements under APS' FERC Electric Tariff, Original Volume No. 3, with American Electric Power.

A copy of this filing has been served on the Arizona Corporation Commission and American Electric Power.

Comment date: February 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

16. Northern States Power Company (Minnesota Company) and Northern States Power Company (Wisconsin Company)

[Docket No. ER98-1327-000]

Take notice that on January 7, 1998, Northern States Power Company (Minnesota), and Northern States Power Company (Wisconsin) (collectively known as NSP), tendered for filing an Electric Service Agreement between NSP and WPS Energy Services, Inc. (Customer). This Electric Service Agreement is an enabling agreement under which NSP may provide to Customer the electric services identified in NSP Operating Companies Electric Services Tariff Original Volume No. 4. NSP requests that this Electric Service Agreement be made effective on December 15, 1997.

Comment date: February 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

17. Midwest Independent Transmission System Operator, Inc.

[Docket No. ER98-1438-000]

Take notice that on January 15, 1998, the following Participants¹ tendered for filing pursuant to Section 205 of the Federal Power Act, 16 U.S.C. § 824d, and Section 35.12 of the Federal Energy Regulatory Commission's (Commission) Regulations, 18 CFR 35.12, an Open Access Transmission Tariff and other related documents to form the Midwest Independent Transmission System Operator, Inc. (Midwest ISO), an Independent System Operator.

The Participants state that the Midwest ISO will operate independently of any transmission owners or other market participants, will provide nondiscriminatory access to transmission facilities in a multi-state region at non-pancaked rates, and will enhance regional reliability.

Comment date: February 13, 1998, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraph

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211

and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. 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 proceeding. Any person wishing to become a party must file a motion to intervene. Copies of these filings are on file with the Commission and are available for public inspection.

David P. Boergers,

Acting Secretary.

[FR Doc. 98-3072 Filed 2-5-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2032-001]

Lower Valley Power and Light Inc.; Notice of Intent to Prepare an Environmental Assessment and Solicitation of Written Scoping Comments

February 2, 1998.

The Federal Energy Regulatory Commission (Commission) has received an application from the Lower Valley Power and Light, Inc. (Lower Valley) to relicense the Strawberry Hydroelectric Project No. 2032-001. The 1500-kilowatt project is located on Strawberry Creek near Bedford, within lands of the Bridger National Forest, in Lincoln County, Wyoming.

The Commission, as the lead agency, and the Forest Service intend to prepare an Environmental Assessment (EA) for the project in accordance with the National Environmental Policy Act.

In the EA, we will consider reasonable alternatives to the project as proposed by Lower Valley, and analyze both site-specific and cumulative environmental impacts of the project, as well as, economic and engineering impacts.

The draft EA will be issued and circulated to those on the mailing list for this project. All comments filed on the draft EA will be analyzed by the Staff and considered in a final EA. The staff's conclusions and recommendations presented in the final EA will then be presented to the Commission to assist in making a licensing decision.

Scoping

We are asking agencies, Indian tribes, non-governmental organizations, and

individuals to help us identify the scope of environmental issues that should be analyzed in the EA, and to provide us with information that may be useful in preparing the EA.

To help focus comments on the environmental issues, a scoping document outlining subject areas to be addressed in the EA will soon be mailed to those on the mailing list for the project. Those not on the mailing list may request a copy of the scoping document from the environmental coordinator, whose telephone number is listed below.

Those with comments or information pertaining to this project should file it with the Commission at the following address: David P. Boergers, Acting Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

The comments and information are due to the Commission within 60 days from the issuance date of the scoping document. All filings should clearly show the following on the first page: Strawberry Hydroelectric Project, FERC No. 2032-001.

Intervenors are reminded of the Commission's Rules of Practice and Procedure which require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

Any questions regarding this notice may be directed to Surender Yepuri, Project Coordinator, at (202) 219-2847.

David P. Boergers,

Acting Secretary.

[FR Doc. 98-2931 Filed 2-5-98; 8:45 am]

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DEPARTMENT OF ENERGY

Office of Hearings and Appeals

Issuance of Decisions and Orders; Week of November 17 Through November 21, 1997

During the week of November 17 through November 21, 1997, the decisions and orders summarized below were issued with respect to appeals, applications, petitions, or other requests filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a

¹ Cinergy Corp. (on behalf of Cincinnati Gas & Electric Company, PSI Energy, Inc., and Union Light, Heat & Power), Commonwealth Edison Company, Wisconsin Electric Power Company, Hoosier Energy Rural Electric Cooperative, Inc., Illinois Power Company, Wabash Valley Power Association, Inc., Ameren (on behalf of Central Illinois Public Service Company and Union Electric Company), Kentucky Utilities Company, and Louisville Gas & Electric Company.