

approved the Stipulation and Agreement (Settlement) filed March 20, 1998, in Docket No. RP97-344. According to Article XIII of the Settlement, the Settlement became effective on November 14, 1998, due to no applications being filed for rehearing of the Commission's October 14, 1998, Order Denying Rehearing. Pursuant to the provisions of Article II of the approved Stipulation and Agreement, the refunds were made on January 13, 1999.

Texas Gas states that this refund report is being submitted in compliance with the provisions of Article XII of the Stipulation and Agreement, requiring a report within 30 days of the refunds, and in accordance with Subpart F of Part 154 of the Commission's regulations.

Any person desiring to protest said 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 on or before February 25, 1999. 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. This filing may be viewed on the web at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

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

*Acting Secretary.*

[FR Doc. 99-4500 Filed 2-23-99; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. IS90-21-000, et al. and IS90-39-000, et al.]

#### Williams Pipe Line Company and Enron Liquids Pipeline Company; Notice of Settlement Conference

February 18, 1999.

Take notice that, pursuant to Rule 601, 18 CFR 385.601, a settlement conference will be convened in these proceedings on Tuesday, March 9, 1999, before the Settlement Judge appointed to Docket No. IS91-34-000, et al. The conference will begin at 10:00 a.m. at the offices of the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426.

The conference continues discussions initiated by the Commission's order issued July 15, 1998, in Docket No. IS91-34-000, et al. In addition, participants will discuss all rates for the Williams Pipe Line Company, commencing with Williams' 1990 rates, all rate decisions rendered by the Commission in Opinion No. 391-B, 84 FERC ¶61,022 (1998), and the implications of those decisions, as well as all other issues considered in Opinion No. 391-B. The purpose of the conference is to resolve all matters pending in the above listed proceedings.

Any party, as defined by 18 CFR 385.102(c), or any participant, as defined in 18 CFR 385.102(b), is invited to attend the conference. 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, contact FERC Staff representatives Joel Cockrell at (202) 208-1184, or Russell B. Mamone at (202) 208-0744.

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

*Acting Secretary.*

[FR Doc. 99-4497 Filed 2-23-99; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER95-266-016, et al.]

#### PS Energy Group, Inc., et al.; Electric Rate and Corporate Regulation Filings

February 16, 1999.

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

##### 1. PS Energy Group, Inc.

[Docket No. ER95-266-016]

Take notice that on February 10, 1999 the above-mentioned power marketer filed a quarterly report with the Commission in the above-mentioned proceeding for information only. This filing is available for public inspection and copying in the Public Reference Room or on the internet at [www.ferc.fed.us/online/rims.htm](http://www.ferc.fed.us/online/rims.htm) for viewing and downloading (call 202-208-2222 for assistance).

##### 2. Public Service Company of Colorado and Southwestern Public Service Company

[Docket No. EC96-2-000]

Take notice that on February 8, 1999, Public Service Company of Colorado (PSCo) and Southwestern Public Service Company (SPS) filed an update

regarding the status of the proposed interconnection between their transmission systems.

*Comment date:* March 10, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### 3. BEC Energy and Commonwealth Energy System

[Docket No. EC99-33-000]

Take notice that on February 8, 1999, BEC Energy and Commonwealth Energy System (collectively, the Applicants) filed a Joint Application under Section 203 of the Federal Power Act (FPA) and Part 33 of the Commission's regulations to request authorization and approval for the proposed merger between BEC Energy and Commonwealth Energy System.

The Applicants state that copies of the filing have been served upon the Massachusetts Department of Telecommunications and Energy and potential intervenors.

*Comment date:* April 12, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### 4. OGE Energy Resources, Inc., EnerZ Corporation, and Wilson Power & Gas Smart, Inc.

[Docket Nos. ER97-4345-008, ER96-3064-011, ER95-751-016]

Take notice that on February 11, 1999, the above-mentioned power marketers filed quarterly reports with the Commission in the above-mentioned proceedings for information only. These filings are available for public inspection and copying in the Public Reference Room or on the internet at [www.ferc.fed.us/online/rims.htm](http://www.ferc.fed.us/online/rims.htm) for viewing and downloading (call 202-208-2222 for assistance).

#### 5. Niagara Mohawk Power Corporation

[Docket No. ER98-4635-001]

Take notice that Niagara Mohawk Power Corporation, on February 10, 1999, tendered for filing amendments to its Open Access Transmission Tariff, comprising its compliance filing pursuant to the Commission's Order Rejecting Scheduling And Balancing Tariff, And Accepting In Part And Rejecting In Part (As Modified) Proposed Amendment To Open Access Tariff, issued January 11, 1999.

In the January 11, 1999 Order, the Commission directed Niagara Mohawk to modify the terms and conditions of the Scheduling and Balancing Tariff it had originally proposed in this docket, and to file these modified terms and conditions as an amendment to its Open Access Transmission Tariff.

Copies of the filing were served upon Niagara Mohawk's Open Access

Transmission Tariff customers, intervenors in this proceeding, and the New York Public Service Commission.

*Comment date:* March 2, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### 6. Consumers Energy Company

[Docket No. ER99-398-001]

Take notice that on February 10, 1999, Consumers Energy Company submitted for filing a compliance filing of its changes to its Load Ratio share calculation method for Network Integration Transmission Service revised to implement the directives contained in the Federal Energy Regulatory Commission's Order dated January 11, 1999 in this proceeding.

*Comment date:* March 2, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### 7. PacifiCorp

[Docket No. ER99-818-000]

Take notice that on February 10, 1999, PacifiCorp tendered for filing a response to the Commission's deficiency letter dated January 27, 1999.

Copies of this filing were supplied to the Public Utility Commission of Oregon and the Washington Utilities and Transportation Commission.

*Comment date:* March 2, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### 8. Duke Energy Morro Bay LLC

[Docket No. ER99-1380-000]

Take notice that on February 9, 1999 Duke Energy Morro Bay LLC (DEMB) tendered for filing an amended unexecuted service agreement establishing persons who purchase ancillary services through the California Independent System Operator Corporation auction, as customers under DEMB's Amended FERC Electric Rate Schedule No. 2.

DEMB states that a copy of the filing was served on the ISO.

DEMB requests an effective date of March 22, 1999.

*Comment date:* March 1, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### 9. Duke Energy Moss Landing LLC

[Docket No. ER99-1381-000]

Take notice that on February 9, 1999 Duke Energy Moss Landing LLC (DEML) tendered for filing an amended unexecuted service agreement establishing persons who purchase ancillary services through the California Independent System Operator Corporation auction, as customers under DEML's Amended FERC Electric Rate Schedule No. 3.

DEML states that a copy of the filing was served on the ISO.

DML requests an effective date of December 22, 1998.

*Comment date:* March 1, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### 10. Duke Energy Oakland LLC

[Docket No. ER99-1382-000]

Take notice that on February 9, 1999 Duke Energy Oakland LLC (DEO) tendered for filing an amended unexecuted service agreement establishing persons who purchase ancillary services through the California Independent System Operator Corporation auction, as customers under DEO's Amended FERC Electric Rate Schedule No. 3.

DEO requests an effective date of March 22, 1999.

DEO states that a copy of the filing was served on the ISO.

*Comment date:* March 1, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### 11. Williams Generation Company-Hazelton

[Docket No. ER99-1622-000]

Take notice that on February 9, 1999, the above-referenced public utility filed its quarterly transaction report for the quarter ending December 31, 1998.

*Comment date:* March 1, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### 12. Niagara Mohawk Power Corporation and Erie Boulevard Hydropower, L.P.

[Docket Nos. ER99-1764-000 and EC99-34-000]

Take notice that on February 8, 1999, Niagara Mohawk Power Corporation and Erie Boulevard Hydropower, L.P. (collectively, the Applicants) tendered for filing an application under Section 203 of the Federal Power Act for approval to transfer certain jurisdictional facilities associated with the sale by Niagara Mohawk of certain hydroelectric generating facilities. The Applicants also tendered for filing pursuant to Section 205 of the Federal Power Act certain agreements providing for services related to the transfer of facilities. In addition, the Applicants have tendered for filing an application pursuant to Section 8 of the Federal Power Act for authorization to transfer certain licenses and exemptions, partial transfer of licenses and substitution of applicants associated with the hydropower stations that are being transferred.

The Applicants have served copies of these filings on the New York Public Service Commission.

*Comment date:* March 10, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### 13. Niagara Mohawk Power Corporation

[Docket No. ER99-1765-000]

Take notice that on February 9, 1999, Niagara Mohawk Power Corporation (Niagara Mohawk) tendered for filing a Borderline Agreement between Niagara Mohawk and Delaware County Electric Cooperative, Inc. (Delaware).

Copies of the filing have been served on Delaware, the Vermont Department of Public Service, and the Public Service Commission of the State of New York.

*Comment date:* March 1, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### 14. Niagara Mohawk Power Corporation

[Docket No. ER99-1766-000]

Take notice that on February 9, 1999, Niagara Mohawk tendered for filing with the Federal Energy Regulatory Commission an executed Transmission Service Agreement between Niagara Mohawk and PG&E Energy Trading—Power, L.P (PGET). This Transmission Service Agreement specifies that PGET has signed on to and has agreed to the terms and conditions of Niagara Mohawk's Open Access Transmission Tariff as filed in Docket No. OA96-194-000.

Niagara Mohawk requests an effective date of June 1, 1999.

Niagara Mohawk has served copies of the filing upon New York Public Service Commission and PGET.

*Comment date:* March 1, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### 15. New Century/Cheyenne Light, et al.

[Docket No. ER99-1767-000]

Take notice that on February 9, 1999, New Century Services, Inc. on behalf of Cheyenne Light, Fuel and Power Company, Public Service Company of Colorado, and Southwestern Public Service Company (collectively Companies) tendered for filing a Service Agreement under their Joint Open Access Transmission Service Tariff for Firm Point-to-Point Transmission Service between the Companies and Energy Transfer Group, L.L.C.

The Companies request that the Agreement be made effective on February 1, 1999.

*Comment date:* March 1, 1999, in accordance with Standard Paragraph E at the end of this notice.

**16. New Century/Cheyenne Light, et al.**

[Docket No. ER99-1768-000]

Take notice that on February 9, 1999, New Century Services, Inc. on behalf of Cheyenne Light, Fuel and Power Company, Public Service Company of Colorado, and Southwestern Public Service Company (collectively Companies) tendered for filing a Service Agreement under their Joint Open Access Transmission Service Tariff for Non-Firm Point-to-Point Transmission Service between the Companies and Energy Transfer Group, L.L.C.

The Companies request that the Agreement be made effective on February 1, 1999.

*Comment date:* March 1, 1999, in accordance with Standard Paragraph E at the end of this notice.

**17. Central Illinois Light Company**

[Docket No. ER99-1771-000]

Take notice that on February 9, 1999, Central Illinois Light Company (CILCO), 300 Liberty Street, Peoria, Illinois 61602, tendered for filing with the Commission a substitute Index of Point-To-Point Transmission Service Customers under its Open Access Transmission Tariff and service agreements with two new customers, TransAlta Energy Marketing (U.S.) Inc. and OGE Energy Resources, Inc.

CILCO requested an effective date of February 3, 1999.

Copies of the filing were served on the affected customers and the Illinois Commerce Commission.

*Comment date:* March 1, 1999, in accordance with Standard Paragraph E at the end of this notice.

**18. Central Illinois Light Company**

[Docket No. ER99-1772-000]

Take notice that on February 9, 1999, Central Illinois Light Company (CILCO), 300 Liberty Street, Peoria, Illinois 61202, tendered for filing with the Commission an Index of Customers under its Market Rate Power Sales Tariff and three service agreements with three new customers, OGE Energy Resources, Inc., Southern Company Energy Marketing L.P., and Soyland Power Cooperative, Inc.

CILCO requested an effective date of January 21, 1999.

Copies of the filing were served on the affected customer and the Illinois Commerce Commission.

*Comment date:* March 1, 1999, in accordance with Standard Paragraph E at the end of this notice.

**19. Constellation Power Source, Inc.**

[Docket No. ER99-1774-000]

Take notice that on February 9, 1999, Constellation Power Source, Inc. (CPS) tendered for filing a revised market-based rate schedule that: enables CPS to make wholesale sales, as separate products, of operable capability, ten-minute spinning reserve, automatic generation control, ten-minute non-spinning reserve, thirty minute operating reserve and any other ancillary service that the Commission subsequently authorizes to be sold at market-based rates in New England; enables CPS to engage in transmission capacity reassignment transactions; and removes language associated with a merger that was not consummated.

CPS requests that all of the revisions become effective February 10, 1999.

*Comment date:* March 1, 1999, in accordance with Standard Paragraph E at the end of this notice.

**20. Alliant Energy Industrial Services, Inc.**

[Docket No. ER99-1775-000]

Take notice that on February 10, 1999, Heartland Energy Services, Inc. submitted for filing a notice of name change prepared in accordance with the provisions of 18 CFR 35.16 and 131.51 notifying the Commission that effective February 1, 1999, Heartland Energy Services, Inc. has legally changed its name to Alliant Energy Industrial Services, Inc. (AEGIS). AEGIS adopts, ratifies and makes its own, in every respect all applicable rate schedules, and supplements thereto, listed below, heretofore filed with the Federal Energy Regulatory Commission by Heartland Energy Services, Inc. effective February 1, 1999:

Heartland Energy Services, Inc.  
Rate Schedule FERC No. 1

Alliant Energy Industrial Services, Inc.'s filing is available for public inspection at its offices in Madison, Wisconsin.

*Comment date:* March 2, 1999, in accordance with Standard Paragraph E at the end of this notice.

**21. California Independent System Operator Corporation**

[Docket No. ER99-1776-000]

Take notice that on February 10, 1999, the California Independent System Operator Corporation (ISO), tendered for filing a Meter Service Agreement for ISO Metered Entities (Meter Service Agreement) between the ISO and Cabrillo Power II LLC (Cabrillo Power II) for acceptance by the Commission.

The ISO states that this filing has been served on Cabrillo Power II and the California Public Utilities Commission.

The ISO is requesting waiver of the 60-day notice requirement to allow the Meter Service Agreement to be made effective as of February 28, 1999, or the purchase closing date, whichever is later.

*Comment date:* March 2, 1999, in accordance with Standard Paragraph E at the end of this notice.

**22. California Independent System Operator Corporation**

[Docket No. ER99-1777-000]

Take notice that on February 10, 1999, the California Independent System Operator Corporation (ISO), tendered for filing a Participating Generator Agreement between Cabrillo Power I LLC (Cabrillo Power I) and the ISO for acceptance by the Commission.

The ISO states that this filing has been served on Cabrillo Power I and the California Public Utilities Commission.

The ISO is requesting waiver of the 60-day notice requirement to allow the Participating Generator Agreement to be made effective as of February 28, 1999, or the purchase closing date, whichever is later.

*Comment date:* March 2, 1999, in accordance with Standard Paragraph E at the end of this notice.

**23. California Independent System Operator Corporation**

[Docket No. ER99-1778-000]

Take notice that on February 10, 1999, the California Independent System Operator Corporation (ISO), tendered for FILING a Participating Generator Agreement between Cabrillo Power II LLC (Cabrillo Power II) and the ISO for acceptance by the Commission.

The ISO states that this FILING has been served on Cabrillo Power II and the California Public Utilities Commission.

The ISO is requesting waiver of the 60-day notice requirement to allow the Participating Generator Agreement to be made effective as of February 28, 1999, or the purchase closing date, whichever is later.

*Comment date:* March 2, 1999, in accordance with Standard Paragraph E at the end of this notice.

**24. California Independent System Operator Corporation**

[Docket No. ER99-1779-000]

Take notice that on February 10, 1999, the California Independent System Operator Corporation (ISO), tendered for filing a Meter Service Agreement for ISO Metered Entities (Meter Service Agreement) between the ISO and

Cabrillo Power I LLC (Cabrillo Power I) for acceptance by the Commission.

The ISO states that this filing has been served on Cabrillo Power I and the California Public Utilities Commission.

The ISO is requesting waiver of the 60-day notice requirement to allow the Meter Service Agreement to be made effective as of February 28, 1999, or the purchase closing date, whichever is later.

*Comment date:* March 2, 1999, in accordance with Standard Paragraph E at the end of this notice.

## 25. Wisconsin Electric Power Company

[Docket No. ER99-1780-000]

Take notice that Wisconsin Electric Power Company (Wisconsin Electric) on February 10, 1999, tendered for filing short-term firm Transmission Service Agreements and non-firm Transmission Service Agreements between itself and Manitowoc Public Utilities (Manitowoc), Tractebel energy marketing, Inc. (Tractebel); and Cinergy Energy Services (Cinergy). The Transmission Service Agreements allow Manitowoc, Tractebel, and Cinergy to receive transmission services under Wisconsin Energy corporation Operating Companies' FERC Electric Tariff, Volume No. 1.

Wisconsin electric requests an effective date coincident with its filing and waiver of the Commission's notice requirements in order to allow for economic transactions as they appear. Copies of the filing have been served on Manitowoc, Tractebel, and Cinergy, the Public Service Commission of Wisconsin and the Michigan Public Service Commission.

*Comment date:* March 2, 1999, in accordance with Standard Paragraph E at the end of this notice.

## 26. Carolina Power & Light Company

[Docket No. ER99-1781-000]

On February 10, 1999, Carolina Power & Light Company (CP&L), tendered for filing the Agreement Regarding the Allocation of Clean Air Amendment Costs Between North Carolina Eastern Municipal Power Agency and Carolina Power & Light Company Applicable to Remaining Supplemental Load Beginning January 1, 1999. The Agreement clarifies certain allocation principles set forth in the 1981 Power Coordination Agreement, filed as FERC Rate Schedule No. 121.

CP&L states that copies of the filing have been served on the Power Agency as well as on the North Carolina Utilities Commission and the South Carolina Public Service Commission.

*Comment date:* March 2, 1999, in accordance with Standard Paragraph E at the end of this notice.

## 27. Southwestern Public Service Co.

[Docket No. ER99-1782-000]

Take notice that on February 10, 1999, New Century Services, Inc., on behalf of Southwestern Public Service Company (Southwestern), submitted an executed umbrella service agreement under Southwestern's market-based sales tariff with Entergy Power Marketing Corporation (Entergy Power). This umbrella service agreement provides for Southwestern's sale and Entergy Power's purchase of power at market-based rates pursuant to Southwestern's market-based sales tariff.

*Comment date:* March 2, 1999, in accordance with Standard Paragraph E at the end of this notice.

## 28. Kansas City Power & Light Company

[Docket No. ER99-1783-000]

Take notice that on February 10, 1999, Kansas City Power & Light Company (KCPL), tendered for filing a Service Agreement dated February 1, 1999, between KCPL and Midwest Energy, Inc. KCPL proposes an effective date of February 1, 1999, and requests waiver of the Commission's notice requirement. This Agreement provides for Non-Firm Power Sales Service.

In its filing, KCPL states that the rates included in the above-mentioned Service Agreement are pursuant to KCPL's compliance filing in Docket No. ER94-1045.

*Comment date:* March 2, 1999, in accordance with Standard Paragraph E at the end of this notice.

## 29. Indeck Pepperell Power Associates

[Docket No. ER99-1784-000]

Take notice that on February 10, 1999, Indeck Pepperell Power Associates, Inc. (Indeck Pepperell), tendered for filing with the Federal Energy Regulatory Commission a Power Purchase and Sale Agreement (Service Agreement) between Indeck Pepperell and Engage Energy US, L.P. (ENGA), dated January 22, 1999, for service under Indeck Pepperell's Rate Schedule FERC No. 1 Indeck Pepperell requests that the Service Agreement be made effective as of March 1, 1999.

*Comment date:* March 2, 1999, in accordance with Standard Paragraph E at the end of this notice.

## 30. Duke Energy South Bay LLC

[Docket No. ER99-1785-000]

Take notice that on February 10, 1999, Duke Energy South Bay LLC (South

Bay), tendered for filing an application for waivers and blanket approvals under various regulations of the Commission and for an order accepting its FERC Electric Rate Schedule No. 1 to be effective on the date of it leases the South Bay Facility, a generation facility in California, from the San Diego Unified Port District.

South Bay intends to engage in electric power and energy transactions as a marketer and a broker. In transactions where South Bay sells electric energy, it proposes to make such sales on rates, terms and conditions to be mutually agreed to with the purchasing party.

*Comment date:* March 2, 1999, in accordance with Standard Paragraph E at the end of this notice.

## 31. Boston Edison Company and Niagara Mohawk Power Corporation

[Docket Nos. OA97-431-007 and OA97-158-007]

Take notice that on February 9, 1999, the companies listed in the above-captioned dockets filed revised organizational charts and job descriptions posted on OASIS in response to the Commission's December 18, 1998 order on standards of conduct.<sup>1</sup>

The December 18, 1998, order accepted the standards of conduct submitted by Niagara Mohawk Power Corporation (Niagara Mohawk) but required it to revise the organizational charts and job descriptions posted on OASIS. Niagara Mohawk did not make any filing with the Commission (nor was it required to). However, by this notice, the public is invited to intervene, protest or comment regarding Niagara Mohawk's revised organizational charts and job descriptions.

*Comment date:* March 3, 1999, in accordance with Standard Paragraph E at the end of this notice.

## Standard Paragraphs

E. Any person desiring to be heard or to protest such 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 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.

<sup>1</sup> Allegheny Power Service Corporation, 85 FERC ¶ 61,390 (1998).

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. This filing may also be viewed on the Internet at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

**David P. Boergers,**

Secretary.

[FR Doc. 99-4495 Filed 2-23-99; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application Accepted for Filing and Request for Motions to Intervene and Protests

February 18, 1999.

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

a. *Type of Application:* Preliminary Permit.

b. *Project No.:* P-11664-000.

c. *Date filed:* January 14, 1999.

d. *Applicant:* Universal Electric Power Corp.

e. *Name of Project:* Monongahela Lock and Dam No. 2 Project.

f. *Location:* At the U.S. Army Corps of Engineers' Monongahela Lock and Dam No. 2 Project on the Monongahela River, near the Town of Braddock, Allegheny County, Pennsylvania.

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

h. *Applicant Contact:* Mr. Ronald S. Feltenberger, Universal Electric Power Corp., 1145 Highbrook Street, Akron, Ohio 44301, (330) 535-7115.

i. *FERC Contact:* Ed Lee (202) 219-2808 or E-mail address at [Lee.Ed@FERC.fed.us](mailto:Lee.Ed@FERC.fed.us).

j. *Comment Date:* 60 days from the issuance date of this notice.

k. *Description of Project:* The proposed project would utilize the U.S. Army Corps of Engineers' Monongahela Dam No. 2 and Reservoir, and would consist of the following facilities: (1) a new powerhouse to be constructed on the downstream side of the dam having an installed capacity of 6,140 kilowatts; (2) a new 14.7-kV transmission line; and (3) appurtenant facilities. The proposed average annual generation is estimated to be 24 gigawatthours. The cost of the studies under the permit will not exceed \$2,000,000.

l. This notice also consists of the following standard paragraphs: A5, A7, A9, A10, B, C, and D2.

m. *Available Locations of Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference and Files Maintenance Branch, located at 888 North Capitol Street, NE, Room 2-A, Washington, DC 20426, or by calling (202) 219-1371. A copy is also available for inspection and reproduction at Universal Electric Power Corp., Mr. Ronald S. Feltenberger 1145 Highbrook Street, Akron, Ohio 44301, (330) 535-7115. A copy of the application may also be viewed or printed by accessing the Commission's website on the Internet at [www.ferc.fed.us/online/rims.htm](http://www.ferc.fed.us/online/rims.htm). For assistance, users may call (202) 208-2222.

A5. *Preliminary Permit*—Anyone desiring to file a competing application for preliminary permit for a proposed project must submit the competing application itself, or a notice of intent to file such an application, to the Commission on or before the specified comment date for the particular application (see 18 CFR 4.36). Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30(b) and 4.36.

A7. *Preliminary Permit*—Any qualified development applicant desiring to file a competing development application must submit to the Commission, on or before a specified comment date for the particular application, either a competing development application or a notice of intent to file such an application. Submission of a timely notice of intent to file a development application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

A9. *Notice of intent*—A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

A10. *Proposed Scope of Studies under Permit*—A preliminary permit, if issued, does not authorize construction. The

term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

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.

C. *Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", "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, NE, Washington, DC 20426. An additional copy must be sent to Director, Division of Project Review, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent, competing application or 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