

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 § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefore, 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 If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of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 Natural Gas Act.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 95-12922 Filed 5-25-95; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. PL94-3-000]

City of Hamilton, Ohio; Order on Request for Designation of Market Center

Issued May 22, 1995.

On May 23, 1994, the City of Hamilton, Ohio (Hamilton) filed a Request to Designate Lebanon, Ohio a Market Center and to require Tariff Changes. The City of Hamilton,¹ a municipal gas system located in Butler County, Ohio, serves approximately 23,000 residential, commercial, and industrial customers. Hamilton is located approximately 16 miles from Lebanon, Ohio. Within a 20-mile radius of Lebanon, five interstate pipelines interconnect.²

Hamilton requests that the Commission issue a policy statement designating Lebanon, Ohio as a market center and requiring changes to the tariffs of the interstate pipelines which connect in the Lebanon Market Center. Hamilton asserts that certain tariff provisions currently impede the development of an efficient market center at Lebanon. Hamilton contends that use of a policy statement in this

¹ Hamilton states that it is directly connected to two interstate pipeline systems, Texas Gas Transmission Corporation (Texas Gas) and Texas Eastern Transmission Corporation (Texas Eastern), and has contracted for substantial storage capacity on ANR Pipeline Company (ANR); these three pipelines interconnect in the area of Lebanon, Ohio.

² Hamilton states that: (1) these pipelines are ANR, Columbia Gas Transmission Corporation, CNG Transmission Corporation, Texas Eastern, and Texas Gas; (2) Panhandle Eastern Pipe Line Company also delivers gas to Lebanon through facilities owned by Texas Eastern and ANR ("the Lebanon Lateral"); (3) all major producing areas, including Canada, are accessible through at least one of these pipelines; (4) several storage areas are accessible to the Lebanon area.

case is consistent with continued implementation of the Commission's mandate in Order No. 636³ for pipelines to remove impediments to the development of market centers.

Discussion

We agree with the City of Hamilton that market centers should be encouraged to develop and allowed to operate so that both the industry and consumers of natural gas will benefit. The Commission has made clear its intent that market centers should develop and that rate structures not inhibit market centers. Consistent with the basic operational characteristics of the market, Order no. 636 states the Commission's belief that market centers should develop naturally and that the Commission should not designate market centers.⁴ Market centers have developed since Order No. 636 without the Commission designating locations as market centers.

Hamilton specifies some of its concerns regarding the efficiency of the running of a market center at Lebanon and expresses concerns about the consideration of other issues in individual proceedings. There is more to be considered here than economy of administrative effort, however. The

³ Pipeline Service Obligations and Revisions to Regulations Governing Self-Implementing Transportation; and Regulation of Natural Gas Pipelines After Partial Wellhead Decontrol, 57 Fed. Reg. 13,267 (April 16, 1992), III FERC Stats. & Regs. Preambles ¶ 30,939 (April 8, 1992); *order on reh'g*, Order No. 636-A, 57 Fed. Reg. 36,128 (August 12, 1992), III Stats. & Regs. Preambles ¶ 30,950 (August 3, 1992); *order on reh'g*, Order No. 636-B, 57 Fed. Reg. 57,911 (December 8, 1992), 61 FERC ¶ 61,272 (November 27, 1992) *appeal redocketed sub nom.*, Atlanta Gas Light Company and Chattanooga Gas Company, *et al. v. FERC*, No. 94-1171 (D.C. Cir. (May 27, 1994).

⁴ The Commission stated that it was adopting Order No. 636

in order to facilitate the meeting of gas purchasers and gas sellers in a national gas market. Market centers may, in certain areas, create additional meeting places for gas purchasers and gas sellers. These inter-pipeline market centers would allow gas from production areas attached to different pipelines to meet where the pipelines intersect to create a market for gas purchasers from different market areas. The Commission believes that market centers should develop naturally and, therefore, will not mandate market centers. However, as stated above, the Commission is requiring in new Sections 284.8(b)(5) and 284.9(b)(5) that there must be nothing in a pipeline's tariff that inhibits the development of market centers. (Order No. 636, ¶ 30,939 at 30,427-28. *Emphasis added*; footnote omitted.)

The Commission provided specific examples of rate structures that may inhibit market centers. In various restructuring proceedings, the Commission provided examples of those rate structures which may impede the development of market centers. See Transcontinental Gas Pipe Line Corporation, 63 FERC ¶ 61,194 at 62,501 (1993), and Arkla Energy Resources Company, 62 FERC ¶ 61,076 at 61,461 (1993).

Commission's policy that market centers should evolve naturally does not compromise Hamilton's interests. Hamilton has raised and may raise tariff and rate issues in particular pipelines' individual rate cases.⁵ Discussion among the pipelines to better coordinate their operations is also encouraged.

For these reasons, the Commission sees no reason to change its policy now. The market is better able than the Commission to determine where market centers should be located. As we have already stated, unless a market center proposal or specific rate and tariff terms violate the Commission's rules and regulations, the Commission is unlikely to intrude on the natural process of development of a market center. Accordingly, the Commission will not designate Lebanon a market center and Hamilton's request that the Commission generally review pipeline operations and tariffs is denied.

The Commission orders

The request for designation of Lebanon, Ohio as a market center and for a general review of pipeline tariffs and operations is denied.

By the Commission.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 95-12989 Filed 5-25-95; 8:45 am]

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[Docket No. EG95-51-000, et al.]

CNG Power Services Corporation, et al., Electric Rate and Corporate Regulation Filings

May 19, 1995.

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

1. CNG Power Services Corporation

[Docket No. EG95-51-000]

On May 15, 1995, CNG Power Services Corporation ("CNGPS"), One Park Ridge Center, Box 15746, Pittsburgh, PA 15222, filed with the Federal Energy Regulatory Commission ("Commission") an application for a new determination of exempt wholesale generator status, due to changed circumstances resulting from certain

⁵ In Texas Eastern Transmission Corporation's (Texas Eastern) one year restructuring report, Hamilton State that Texas Eastern's backhaul service was merely a transfer of gas within a market center and that a rate reduction was appropriate. Citing the Commission's earlier order on restructuring, the Commission said that:

The Commission continues to believe, as it previously advised Hamilton, that the appropriate place to discuss the maximum rate for backhaul services is in Texas Eastern's next rate case proceeding. 69 FERC ¶ 61,362, 62,370 (1994).

proposed transactions, pursuant to Part 365 of the Commission's Regulations.

Comment date: May 30, 1995, 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. California Department of Water Resources v. Nevada Power Company

[Docket No. EL95-43-000]

Take notice that on May 4, 1995, the California Department of Water Resources (Department) tendered for filing a complaint for refund, plus interest, of the excess transmission charges the Department has paid, under protest, for the period January 1, 1990 under the formula rate submitted by Nevada Power Company as part of its amnesty filing in Docket No. ER94-305-000.

Comment date: June 19, 1995, in accordance with Standard Paragraph E at the end of this notice.

3. Commonwealth Edison Company

[Docket No. ER93-390-001]

Take notice that on May 5, 1995, Commonwealth Edison Company (ComEd) submitted an amendment to the Resource Power Service Schedule to the Interconnection Agreement, dated March 1, 1975, between ComEd and Wisconsin Power and Light Company (Wisconsin Power).

Copies of this filing were served upon Wisconsin Power, the Illinois Commerce Commission, and the Public Service Commission of Wisconsin.

Comment date: June 2, 1995, in accordance with Standard Paragraph E at the end of this notice.

4. Howell Power Systems

[Docket No. ER94-178-005]

Take notice that on April 25, 1995, Howell Power Systems tendered for filing certain information as required by the Commission's order dated January 14, 1994. Copies of the informational filing are on file with the Commission and are available for public inspection.

5. Concord Electric Company

[Docket No. ER94-692-002]

Take notice that on April 21, 1995, Concord Electric Company tendered for filing its refund report in this docket pursuant to the Commission's letter order issued on March 23, 1995.

Comment date: June 2, 1995, in accordance with Standard Paragraph E at the end of this notice.

6. AES Power, Inc.

[Docket No. ER94-890-005]

Take notice that on May 2, 1995, AES Power, Inc. tendered for filing certain information as required by the Commission's letter order dated April 18, 1994. Copies of the informational filing are on file with the Commission and are available for public inspection.

7. Eastern Power Distribution, Inc.

[Docket No. ER94-964-005]

Take notice that on April 25, 1995, Eastern Power Distribution, Inc. tendered for filing certain information as required by the Commission's letter order dated April 5, 1994. Copies of the informational filing are on file with the Commission and are available for public inspection.

8. Electric Clearinghouse, Inc.

[Docket No. ER94-968-006]

Take notice that on May 2, 1995, Electric Clearinghouse, Inc. filed certain information as required by the Commission's April 7, 1994, letter order. Copies of the informational filing are on file with the Commission and are available for public inspection.

9. Vesta Energy Alternatives Company

[Docket No. ER94-1168-004]

Take notice that on April 25, 1995, Vesta Energy Alternatives Company filed certain information as required by the Commission's orders dated July 8, July 20, November 28 and December 7, 1994 letter orders. Copies of the informational filing are on file with the Commission and are available for public inspection.

10. Ashton Energy Corporation

[Docket No. ER94-1246-003]

Take notice that on April 24, 1995, Ashton Energy Corporation tendered for filing certain information as required by the Commission's order dated August 10, 1994. Copies of the informational filing are on file with the Commission and are available for public inspection.

11. Midcon Power Services Corporation

[Docket No. ER94-1329-003]

Take notice that on April 28, 1995, Midcon Power Services Corporation tendered for filing certain information as required by the Commission's letter order dated August 11, 1994. Copies of the informational filing are on file with the Commission and are available for public inspection.

12. R. J. Dahnke & Association

[Docket No. ER94-1352-003]

Take notice that on May 1, 1995, R.J. Dahnke & Association tendered for

filing certain information as required by the Commission's letter order dated August 13, 1994. Copies of the informational filing are on file with the Commission and are available for public inspection.

13. Morgan Stanley Capital Group, Inc.

[Docket No. ER94-1384-005]

Take notice that on April 28, 1995, Morgan Stanley Capital Group, Inc. tendered for filing certain information as required by the Commission's letter order dated November 18, 1994. Copies of the informational filing are on file with the Commission and are available for public inspection.

14. JEB Corporation

[Docket No. ER94-1432-003]

Take notice that on April 28, 1995, JEB Corporation tendered for filing certain information as required by the Commission's letter order dated September 8, 1994. Copies of the informational filing are on file with the Commission and are available for public inspection.

15. Coastal Electric Services Company

[Docket No. ER94-1450-003]

Take notice that on May 2, 1995, Coastal Electric Services Company filed certain information as required by the Commission's September 29, 1994 order. Copies of the informational filing are on file with the Commission and are available for public inspection.

16. Excel Energy Services, Inc.

[Docket No. ER94-1488-003]

Take notice that on May 5, 1995, Excel Energy Services, Inc. tendered for filing certain information as required by the Commission's letter order dated September 29, 1994. Copies of the informational filing are on file with the Commission and are available for public inspection.

17. Calpine Power Marketing Inc.

[Docket No. ER94-1545-001]

Take notice that on May 4, 1995, Calpine Power Marketing Inc. filed certain information as required by the Commission's March 9, 1995, letter order. Copies of the informational filing are on file with the Commission and are available for public inspection.

18. Hadson Electric, Inc.

[Docket No. ER94-1613-002]

Take notice that on May 1, 1995, Hadson Electric, Inc. filed certain information as required by the Commission's November 17, 1994 order. Copies of the informational filing are on

file with the Commission and are available for public inspection.

19. Texas Ohio Power Marketing, Inc.

[Docket No. ER94-1676-002]

Take notice that on May 16, 1995, Texas Ohio Power Marketing, Inc. tendered for filing certain information as required by the Commission's letter order dated December 2, 1994. Copies of the informational filing are on file with the Commission and are available for public inspection.

20. Associated Power Services, Inc.

[Docket No. ER95-7-003]

Take notice that on April 24, 1995, Associated Power Services, Inc. tendered for filing certain information as required by the Commission's order dated December 16, 1994. Copies of the informational filing are on file with the Commission and are available for public inspection.

21. Wisconsin Electric Power Company

[Docket No. ER95-771-000]

Take notice that Wisconsin Electric Power Company (Wisconsin) tendered for filing on May 16, 1995, an amendment of its filing in the above-referenced docket. The amendment reduces the transmission component of charges for services under FERC Electric Tariff, Original Volume No. II (the Coordination Sales Tariff).

Wisconsin Electric requests an effective date sixty days after its initial filing in this proceeding.

Copies of the filing have been served on all customers under the Coordination Sales Tariff, as well as the state commissions in which such customers distribute and sell electric energy.

Comment date: June 2, 1995, in accordance with Standard Paragraph E at the end of this notice.

22. New York State Electric & Gas Corporation

[Docket No. ER95-1012-000]

Take notice that on May 4, 1995, New York State Electric & Gas Corporation (NYSEG), tendered for filing pursuant to § 35.12 of the Federal Energy Regulatory Commission's Rules of Practice and Procedure, 18 CFR 35.12, as an initial rate schedule, an agreement with Atlantic City Electric Company (ACE). The agreement provides a mechanism pursuant to which the parties can enter into separately scheduled transactions under which NYSEG will sell to ACE and ACE will purchase from NYSEG either capacity and associated energy or energy only as the parties may mutually agree.

NYSEG requests that the agreement become effective on May 5, 1995, so that

the parties may, if mutually agreeable, enter into separately scheduled transactions under the agreement. NYSEG has requested waiver of the notice requirements for good cause shown.

NYSEG served copies of the filing upon the New York State Public Service Commission and ACE.

Comment date: June 2, 1995, in accordance with Standard Paragraph E at the end of this notice.

23. Florida Power Corporation

[Docket No. ER95-1013-000]

Take notice that on May 4, 1995, Florida Power Corporation requested the Commission to disclaim jurisdiction over an Operation and Maintenance Agreement with Orange Cogeneration Limited Partnership executed on April 12, 1995. In the alternative, Florida Power Corporation requested that the agreement be accepted for filing and allowed to become effective on July 5, 1995.

Comment date: June 2, 1995, in accordance with Standard Paragraph E at the end of this notice.

24. Public Service Electric and Gas Company

[Docket No. ER95-1014-000]

Take notice that on May 5, 1995, Public Service Electric and Gas Company (PS), tendered for filing Supplemental Agreement Between Atlantic City Electric Company (ACE) and PS amending the original March 1, 1969 agreement, as supplemented (PS FERC Rate Schedule No. 43).

PS states that the reason for the filing is to cover the facilities, cost sharing, and payments associated with supplying service to ACE's Tabernacle Substation.

PS requests that the filing be permitted to become effective as of the date the Tabernacle supply facilities were placed in service December 20, 1994 and therefore requests waiver of the Commission's notice requirements.

PS states that a copy of this filing has been sent to ACE and to the New Jersey Board of Public Utilities.

Comment date: June 2, 1995, in accordance with Standard Paragraph E at the end of this notice.

25. Southwestern Public Service Company

[Docket No. ER95-1015-000]

Take notice that on May 5, 1995, Southwestern Public Service Company (Southwestern), tendered for filing the proposed amendments to its rate schedule for service to Lyntegar Electric Cooperative, Inc. (Lyntegar).

The proposed amendments reflect:

1. Two new delivery points and a temporary duplicated delivery point with an associated monthly service charge of \$178 per month per delivery point;

2. Changes in the maximum commitment at various delivery points;

3. A CIAC agreement for a one time charge of \$21,988 to recover Southwestern's expense in providing a service to one of the new delivery points;

4. A CIAC agreement for a one time charge of \$13,137 to recover Southwestern's expense in providing a duplicative delivery point; and

5. Two CIAC agreements for a one time charge totaling \$1,970.72 to recover costs Southwestern incurred in modifying its existing facilities to allow proper clearance for Lyntegar's new distribution facilities.

Comment date: June 2, 1995, in accordance with Standard Paragraph E at the end of this notice.

26. Southwestern Public Service Company

[Docket No. ER95-1016-000]

Take notice that on May 5, 1995, Southwestern Public Service Company (Southwestern), tendered for filing proposed amendments to contracts for service to Cap Rock Electric Cooperative, Inc. (Cap Rock).

The proposed amendments (1) increases the commitment from 115,000 Kw to 120,000 Kw, (2) reduces the Dedicated Segment Charge and Dedicated Facilities Charge, and (3) assigns the contracts to New Corp Resources, Inc. (New Corp).

Comment date: June 2, 1995, in accordance with Standard Paragraph E at the end of this notice.

27. Alabama Power Company

[Docket No. ER95-1019-000]

Take notice that on May 8, 1995, Alabama Power Company tendered for filing a revised Delivery Point Specification Sheet dated as of April 20, 1995, reflecting the change in contracted voltage levels for a delivery point for electricity delivery to the City of Piedmont, Alabama. The delivery point will continue to be served under the terms and conditions of the Agreement for Partial Requirements Service and Complementary Services between Alabama Power Company and the Alabama Municipal Electric Authority dated February 24, 1986, being designated as FERC Rate Schedule No. 165. The parties request an effective date of April 20, 1995.

Comment date: June 2, 1995, in accordance with Standard Paragraph E at the end of this notice.

28. Louisville Gas and Electric Company

[Docket No. ER95-1020-000]

Take notice that on May 8, 1995, Louisville Gas and Electric Company, tendered for filing a copy of a service agreement between Louisville Gas and Electric Company and ENRON Power Marketing, Inc., under Rate GSS.

Comment date: June 2, 1995, in accordance with Standard Paragraph E at the end of this notice.

29. Energy Services, Inc.

[Docket No. ER95-1021-000]

Take notice that on May 8, 1995, Energy Services, Inc. (ESI), tendered for filing Electric Service Rate Schedule No. 1, together with a petition for waivers and blanket approvals of various Commission Regulations necessary for such Rate Schedule to become effective 60 days after the date of the filing.

ESI states that it intends to engage in electric power and energy transactions as a marketer and a broker, and that it proposes to make sales under rates, terms and conditions to be mutually agreed to with the purchasing party. ESI further states that it does not own any generation or transmission facilities.

Comment date: June 2, 1995, in accordance with Standard Paragraph E at the end of this notice.

30. Texas-New Mexico Power Company

[Docket No. ES95-32-000]

Take notice that on May 12, 1995, Texas-New Mexico Power Company filed an application under § 204 of the Federal Power Act seeking authorization to issue short-term promissory notes and other evidence of indebtedness aggregating not more than \$25 million principal amount outstanding at any one time, during the period ending June 1, 1997, with final maturities not later than June 1, 1998.

Comment date: June 12, 1995, in accordance with Standard Paragraph E at the end of this notice.

31. Energy Resource Marketing, Inc.

[Docket No. ER94-1580-002]

Take notice that on May 15, 1995, Energy Resource Marketing, Inc. tendered for filing certain information as required by the Commission's order dated September 30, 1994. Copies of the informational filing are on file with the Commission and are available for public inspection.

Standard Paragraphs

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, 825 North Capitol Street, NE., Washington, DC 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 this filing are on file with the Commission and are available for public inspection.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 95-12921 Filed 5-25-95; 8:45 am]

BILLING CODE 6717-01-P

[Project No. 11077-001]

Alaska Power and Telephone Company; Notice of Intent to Conduct Environmental Scoping Meetings and Site Visit

May 23, 1995.

The Federal Energy Regulatory Commission (FERC) has received an application for a license of the proposed Goat Lake Hydroelectric Project, Project No. 11077-001. The project is proposed by Alaska Power and Telephone Company (Alaska Power). The project would be located along Pitchfork Falls, a tributary to the Skagway River, about 7 miles northeast of Skagway, in southeast Alaska. The project lies almost exclusively on U.S. Forest (FS) property.

The FERC and FS (staff) intend to prepare an Environmental Assessment (EA) on the proposed Goat Lake Hydroelectric Project in accordance with the National Environmental Policy Act. In the EA, staff will consider both site-specific and cumulative environmental impacts of the project and reasonable alternatives, and will include an economic, financial, and engineering analysis.

The draft EA will be issued and circulated for review by all interested parties. All comments filed on the draft EA will be analyzed and considered by the staff in a final EA. The staff's conclusions and recommendations will then be presented for the consideration by the Commission in reaching its final licensing decision.

Scoping Meetings

Staff will hold two scoping meetings. A scoping meeting oriented towards the public will be held on June 20, 1995 at 7 p.m., at the Skagway School, Multipurpose Room, 15th Avenue and Main Street, Skagway, Alaska. A scoping meeting oriented towards the agencies will be held on June 22, 1995 at 9:30 a.m., at the U.S. Forest Service, Juneau Ranger District, Conference Room, 8465 Old Dairy Road, Juneau, Alaska.

Interested individuals, organizations, and agencies are invited to attend either or both meetings and assist the staff in identifying the scope of environmental issues that should be analyzed in the EA.

To help focus discussions at the meetings, a scoping document outlining subject areas to be addressed in the EA will be mailed to agencies and interested individuals on the FERC mailing list. Copies of the scoping document will also be available at the scoping meetings.

Objectives

At the scoping meetings the staff will:

- (1) Identify preliminary environmental issues related to the proposed project;
- (2) identify preliminary resource issues that are not important and do not require detailed analysis;
- (3) identify reasonable alternatives to be addressed in the EA;
- (4) solicit from the meeting participants all available information, especially quantified data, on the resource issues; and
- (5) encourage statements from experts and the public on issues that should be analyzed in the EA, including points of view in opposition to, or in support of, the staff's preliminary views.

Procedures

The scoping meetings will be recorded by a court reporter and all statements (oral and written) will become part of the formal record of the FERC proceedings on the Goat Lake Hydroelectric Project. Individuals presenting statements at the meetings will be asked to clearly identify themselves for the record.

Individuals, organizations, and agencies with environmental expertise and concerns are encouraged to attend the meetings and assist the staff in defining and clarifying the issues to be addressed in the EA.

Persons choosing not to speak at the meetings, but who have views on the issues or information relevant to the issues, may submit written statements for inclusion in the public record at the meetings. In addition, written scoping