

h. *Applicant Contact:* Mr. Don Godard, Public Utility District No. 2 of Grant County, P.O. Box 878, Ephrata, WA 98823, (509) 754-3451.

i. *FERC Contact:* Timonthy Welch, (202) 219-2666.

j. *Comment Date:* February 26, 1996.

k. *Description of Amendment:* Grant County Public Utility District No. 2 (Licensee) requests authorization to modify and test an attraction flow prototype designed to facilitate downstream fish passage at the Wanapum Development. Currently, the prototype consists of a rectangular steel channel placed in the forebay and attached to the dam in front of Units 7, 8, 9 and a portion of Unit 10. The licensee wishes to extend the channel another 300 feet in front of Units 4, 5, and 6. The licensee also proposes to construct an overflow gate at spillway 12 for the development of a method of passing fish through the spillway that more effectively uses water. The overflow gate would be a bulkhead type steel structure approximately 57 feet wide by 79 feet tall. Finally, the licensee wishes to construct a deflector at spillway 2 for the development of such a device to reduce the level of dissolved gasses in the spilled water. The deflector would consist of a triangular structural steel section with concrete ballast, 32 feet below the spillway crest. The deflector's horizontal surface would be approximately 12 feet and would run the full width of the spillway slot, approximately 50 feet.

1. This notice also consists of the following standard paragraphs: B, C1, and D2.

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.

C1. *Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", OR "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. A copy of any 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 be sent to the Applicant's representatives.

Lois D. Cashell,

Secretary.

[FR Doc. 96-2307 Filed 2-2-96; 8:45 am]

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Office of Energy Efficiency and Renewable Energy

[Case No. F-082]

Energy Conservation Program for Consumer Products: Decision and Order Granting a Waiver From the Furnace Test Procedure to Consolidated Industries

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Decision and Order.

SUMMARY: Notice is given of the Decision and Order (Case No. F-082) granting a Waiver to Consolidated Industries (Consolidated) from the existing Department of Energy (DOE or Department) test procedure for furnaces. The Department is granting Consolidated's Petition for Waiver regarding blower time delay in calculation of Annual Fuel Utilization Efficiency (AFUE) for its USA and UCA series furnaces.

FOR FURTHER INFORMATION CONTACT:

Cyrus H. Nasser, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Mail Station EE-431, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585-0121, (202) 586-9138

Eugene Margolis, Esq., U.S. Department of Energy, Office of General Counsel, Mail Station GC-72, Forrestal Building, 1000 Independence Avenue,

SW, Washington, DC 20585-0103, (202) 586-9507

SUPPLEMENTARY INFORMATION: In accordance with 10 CFR 430.27(j), notice is hereby given of the issuance of the Decision and Order as set out below. In the Decision and Order, Consolidated has been granted a Waiver for its USA and UCA series furnaces permitting the company to use an alternate test method in determining AFUE.

Issued in Washington, DC, on January 30, 1996.

Christine A. Ervin,

Assistant Secretary, Energy Efficiency and Renewable Energy.

DECISION AND ORDER

In The Matter of: Consolidated Industries. (Case No. F-082)

BACKGROUND

The Energy Conservation Program for Consumer Products (other than automobiles) was established pursuant to the Energy Policy and Conservation Act, Public Law 94-163, 89 Stat. 917, as amended (EPCA), which requires DOE to prescribe standardized test procedures to measure the energy consumption of certain consumer products, including furnaces. The intent of the test procedures is to provide a comparable measure of energy consumption that will assist consumers in making purchasing decisions. These test procedures appear at 10 CFR Part 430, Subpart B.

The Department amended the prescribed test procedures by adding 10 CFR 430.27 to create a waiver process. 45 FR 64108, September 26, 1980. Thereafter, DOE further amended its appliance test procedure waiver process to allow the Assistant Secretary for Energy Efficiency and Renewable Energy (Assistant Secretary) to grant an Interim Waiver from test procedure requirements to manufacturers that have petitioned DOE for a waiver of such prescribed test procedures. 51 FR 42823, November 26, 1986.

The waiver process allows the Assistant Secretary to waive temporarily test procedures for a particular basic model when a petitioner shows that the basic model contains one or more design characteristics which prevent testing according to the prescribed test procedures or when the prescribed test procedures may evaluate the basic model in a manner so unrepresentative of its true energy consumption as to provide materially inaccurate comparative data. Waivers generally remain in effect until final test procedure amendments become effective, resolving the problem that is the subject of the waiver.

Consolidated filed a "Petition for Waiver," dated April 26, 1995, in accordance with section 430.27 of 10 CFR Part 430. The Department published in the Federal Register on November 22, 1995, Consolidated's Petition and solicited comments, data and information respecting the Petition. 60 FR 57854, November 22, 1995. Consolidated also filed an "Application for Interim Waiver" under section 430.27(b)(2), which DOE granted on November 13, 1995. 60 FR 57854, November 22, 1995.

No comments were received concerning either the "Petition for Waiver" or the "Application for Interim Waiver." The Department consulted with The Federal Trade Commission (FTC) concerning the Consolidated Petition. The FTC did not have any objections to the issuance of the waiver to Consolidated.

Assertions and Determinations

Consolidated's Petition seeks a waiver from the DOE test provisions that require a 1.5-minute time delay between the ignition of the burner and the starting of the circulating air blower. Consolidated requests the allowance to test using a 30-second blower time delay when testing its USA and UCA series furnaces. Consolidated states that since the 30-second delay is indicative of how these models actually operate, and since such a delay results in an average furnace AFUE improvement of 1.0 percent, the Petition should be granted.

Under specific circumstances, the DOE test procedure contains exceptions which allow testing with blower delay times of less than the prescribed 1.5-minute delay. Consolidated indicates that it is unable to take advantage of any of these exceptions for its USA and UCA series furnaces.

Since the blower controls incorporated on the Consolidated furnaces are designed to impose a 30-second blower delay in every instance of start up, and since the current test procedure provisions do not specifically address this type of control, DOE agrees that a waiver should be granted to allow the 30-second blower time delay when testing the Consolidated USA and UCA series furnaces. Accordingly, with regard to testing the USA and UCA series furnaces, today's Decision and Order exempts Consolidated from the existing test procedure provisions regarding blower controls and allows testing with the 30-second delay.

It is, therefore, ordered That:

(1) The "Petition for Waiver" filed by Consolidated Industries. (Case No. F-082) is hereby granted as set forth in

paragraph (2) below, subject to the provisions of paragraphs (3), (4), and (5).

(2) Notwithstanding any contrary provisions of Appendix N of 10 CFR Part 430, Subpart B, Consolidated Industries, shall be permitted to test its USA and UCA series furnaces on the basis of the test procedure specified in 10 CFR Part 430, with modifications set forth below:

(i) Section 3.0 of Appendix N is deleted and replaced with the following paragraph:

3.0 Test Procedure. Testing and measurements shall be as specified in section 9 in ANSI/ASHRAE Standard 103-82 with the exception of sections 9.2.2, 9.3.1, and 9.3.2, and the inclusion of the following additional procedures:

(ii) Add a new paragraph 3.10 to Appendix N as follows:

3.10 Gas- and Oil-Fueled Central Furnaces. The following paragraph is in lieu of the requirement specified in section 9.3.1 of ANSI/ASHRAE Standard 103-82. After equilibrium conditions are achieved following the cool-down test and the required measurements performed, turn on the furnace and measure the flue gas temperature, using the thermocouple grid described above, at 0.5 and 2.5 minutes after the main burner(s) comes on. After the burner start-up, delay the blower start-up by 1.5 minutes (t-), unless: (1) The furnace employs a single motor to drive the power burner and the indoor air circulating blower, in which case the burner and blower shall be started together; or (2) the furnace is designed to operate using an unvarying delay time that is other than 1.5 minutes, in which case the fan control shall be permitted to start the blower; or (3) the delay time results in the activation of a temperature safety device which shuts off the burner, in which case the fan control shall be permitted to start the blower. In the latter case, if the fan control is adjustable, set it to start the blower at the highest temperature. If the fan control is permitted to start the blower, measure time delay, (t-), using a stopwatch. Record the measured temperatures. During the heat-up test for oil-fueled furnaces, maintain the draft in the flue pipe within ± 0.01 inch of water column of the manufacturer's recommended on-period draft.

(iii) With the exception of the modifications set forth above, Consolidated Industries shall comply in all respects with the test procedures specified in Appendix N of 10 CFR Part 430, Subpart B.

(3) The Waiver shall remain in effect from the date of issuance of this Order until DOE prescribes final test

procedures appropriate to the USA and UCA series furnaces manufactured by Consolidated Industries.

(4) This Waiver is based upon the presumed validity of statements, allegations, and documentary materials submitted by the petitioner. This Waiver may be revoked or modified at any time upon a determination that the factual basis underlying the Petition is incorrect.

(5) Effective 1/30/96, this Waiver supersedes the Interim Waiver granted Consolidated Industries on November 13, 1995. 60 FR 57854, November 22, 1995 (Case No. F-082).

Issued In Washington, DC, on January 30, 1996.

Christine A. Ervin,
Assistant Secretary, Energy Efficiency and Renewable Energy.

[FR Doc. 96-2349 Filed 2-2-96; 8:45 am]

BILLING CODE 6450-01-P

Office of Energy Research

High Energy Physics Advisory Panel; Notice of Open Meeting

AGENCY: Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770), notice is given of a meeting of the High Energy Physics Advisory Panel.

DATES: Tuesday, February 27, 1996; 9 a.m. to 6 p.m.; and Wednesday, February 28, 1996; 9 a.m.-4 p.m.

ADDRESSES: Radisson Barcelo Hotel, 2121 P Street, NW., Washington, DC 20037.

FOR FURTHER INFORMATION CONTACT: Dr. P. K. Williams, Executive Secretary, High Energy Physics Advisory Panel, U.S. Department of Energy, ER-221, GTN, Germantown, Maryland 20874, Telephone: (301) 903-4829.

SUPPLEMENTARY INFORMATION:

Purpose of the Meeting: To provide advice and guidance on a continuing basis with respect to the high energy physics research program.

Tentative Agenda:

*Tuesday, February 27, 1996 and
Wednesday, February 28, 1996:*

Discussion of Department of Energy High Energy Physics Programs and FY 1997 Presidential Budget Request
Discussion of National Science Foundation Elementary Particle Physics Programs and FY 1997 Presidential Budget Request
Presentation of Report on Composite Subpanel for the Assessment of the Status of Accelerator Physics and Technology