

[Docket No. RP96-268-000]

**Tennessee Gas Pipeline Company; Notice of Motion to Place Tariff Sheets Into Effect on Systemwide Basis**

September 10, 1996.

Take notice that on September 4, 1996, Tennessee Gas Pipeline Company (Tennessee) filed a motion to place the following tariff sheets into effect on a systemwide basis effective September 1, 1996:

Second Revised Sheet No. 209E  
 First Revised Sheet No. 209F  
 First Revised Sheet No. 209G  
 First Revised Sheet No. 209H  
 Original Sheet No. 209I  
 Original Sheet No. 593A  
 Original Sheet No. 593B

Tennessee states that the foregoing tariff sheets implement a Downstream Swing Storage Option (DSSO) on a systemwide basis. The DSSO allows customers connected to downstream pipelines to use their firm storage entitlements with Tennessee to manage the difference between scheduled and actual flows on a daily basis at the downstream delivery points.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, in accordance with Section 211 of the Commission's Rules of Practice and Procedure, 18 CFR 385.211. All such protests must be filed as provided in Section 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to this proceeding. Copies of this filing are on file and available for public inspection in the Public Reference Room.

Lois D. Cashell,  
*Secretary.*

[FR Doc. 96-23599 Filed 9-13-96; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP96-381-000]

**Tennessee Gas Pipeline Company; Notice of Interruptible Services Revenue Report Filed**

September 10, 1996.

Take notice that on September 4, 1996, Tennessee Gas Pipeline Company (Tennessee) tendered for filing its second annual interruptible services revenue report for the September 1994 through August 1995 period.

Tennessee states that the report indicates that Tennessee has underrecovered \$3.358 million of Gas Supply Realignment costs and \$4.059

million of its cost of service allocated to interruptible services for the annual period. Of the \$4.059 million cost of service underrecovery, \$3.216 million is correlated to the revenue attribution methodology announced in *Tennessee Gas Pipeline Company*, 69 FERC §61,094 (1994). Accordingly, Tennessee will roll forward \$6.574 million for collection from its interruptible service customers in future periods.

Any person desiring to be heard or to protest this filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Sections 385.214 and 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed on or before September 17, 1996. 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 in the Public Reference Room.

Lois D. Cashell,  
*Secretary.*

[FR Doc. 96-23602 Filed 9-13-96; 8:45 am]

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[Docket No. TM97-1-121-000]

**WestGas Interstate, Inc., Notice of Proposed Changes in FERC Gas Tariff**

September 10, 1996.

Take notice that on September 5, 1996, WestGas Interstate, Inc. (WGI) tendered for filing to become part of its FERC Gas Tariff, First Revised Volume No. 1, Third Revised Sheet No. 5. The proposed effective date of the tariff sheet is October 1, 1996.

WGI states that, pursuant to section 154.402 of the Commission's regulations and Section 21 of the General Terms and Conditions of its tariff, WGI is making its Annual Charge Adjustment (ACA) filing to reflect a decrease of \$.0003 per Dth (from \$.0022 to \$.0019 per Dth) in its ACA surcharge.

WGI states that copies of its filing were served on all jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest this 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 18 CFR 385.214 and 385.211 of the

Commission's Rules and Regulations. All such motions or protests must be filed as provided in Section 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the 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 in the public reference room.

Lois D. Cashell,  
*Secretary.*

[FR Doc. 96-23615 Filed 9-13-96; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. OR96-18-000]

**Williams Pipe Line Company; Notice of Declaratory Order**

September 10, 1996.

Take notice that on August 23, 1996, Williams Pipe Line Company (WPL), pursuant to Rule 207(a)(2) of the Commission's Rules of Practice and Procedure, 18 CFR 387.207(a)(2), tendered for filing a request for declaratory order.

WPL states that the matter concerns odorized propane delivered by WPL to one of its shippers, Empire Gas Corporation (Empire), which was trucked by Empire and delivered into a propane storage tank attached to a mobile home. WPL states that when the propane subsequently leaked into the mobile home, an explosion occurred, injuring the two occupants. Following settlement and payment of the claims, WPL sued Empire for indemnification, pursuant to the provisions of its FERC tariff. A District Court found that the tariff's indemnification clause was contrary to public policy and WPL appealed to the United States Court of Appeals for the Tenth Circuit. WPL states that invoking the doctrine of primary jurisdiction, the Tenth Circuit held that the Commission should, in the first instance, be entitled to rule on the scope and enforceability of the indemnification clause of WPL's tariff.

WPL further states that the Tenth Circuit determined that FERC's expertise should be sought on whether the indemnification provision violated FERC policy per se and, secondly, whether in light of the parties' stipulation on the absence of negligence on WPL's part, the Commission would require indemnification on the instant facts, notwithstanding that the tariff language itself might be found to be overly broad or otherwise invalid in whole or part. WPL asks that the