

*Comment date:* December 26, 1996, in accordance with Standard Paragraph F at the end of this notice.

#### 7. Questar Pipeline Company

[Docket No. CP97-133-000]

Take notice that on November 29, 1996, Questar Pipeline Company (Questar), 79 South State Street, Salt Lake City, Utah 84111, filed in Docket No. CP97-133-000 a request pursuant to Sections 157.205, 157.212 and 157.216 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.212 and 157.216) for authorization to abandon existing metering and regulating (M&R) facilities and to install replacement M&R facilities for the purpose of increasing delivery capacity to Mountain Fuel Supply Company (MFS), Questar's local distribution company affiliate, at the existing Gookin Tap delivery point located in Sweetwater County, Wyoming, under Questar's blanket certificate issued in Docket No. CP82-491-000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Questar explains that the city of Rock Springs, Wyoming is experiencing substantial growth in the vicinity of the Gookin Tap delivery point. Questar states that as a result of the continuing growth in residential hook-ups, the existing M&R facilities are too small to service the capacity demands required by the MFS distribution system. Questar explains that to continue providing reliable customer service to MFS, Questar must install replacement M&R facilities of greater capacity at the Gookin Tap delivery point to satisfy the increasing MFS customer demand.

It is stated that the existing M&R facilities, proposed to be replaced, comprise a 4-inch meter, two 1-inch regulator banks and appurtenant facilities contained in a 4-foot by 6-foot skid-mounted meter building. The replacement M&R facilities would include a 6-inch turbine meter, two 2-inch regulator banks, a filter and related valves, telemetry and station piping housed in a 6-foot by 6-foot skid-mounted meter building. In addition, Questar proposes to replace approximately 35 feet of 1-inch diameter pipeline with 2-inch diameter pipeline extending from a block valve on Questar's Jurisdictional Lateral (J.L.)

No. 4 to the Gookin Tap delivery point site. Questar states that the 35 feet of replacement pipeline will be installed within Questar's existing, previously-disturbed J.L. No. 4 right-of-way. Questar states that the estimated cost to install the replacement M&R facilities is \$35,200 and that the replacement of the Gookin Tap M&R facilities will have no effect on the existing environment.

Questar further states that the current Gookin Tap delivery point meter can deliver up to 9,000 standard cubic feet (Scf) per hour, or approximately 229 Dekatherms (Dth) per day, while the proposed replacement delivery point facilities, described above, will be capable of delivering up to 100,000 Scf per hour or approximately 2,549 Dth per day. Questar states that it has sufficient pipeline capacity to increase firm deliveries at the Gookin Tap delivery point without detriment or disadvantage to Questar's other customers.

*Comment date:* January 21, 1997, in accordance with Standard Paragraph G at the end of this notice.

#### Standard Paragraphs

F. Any person desiring to be heard or make any protest with reference to said filing should on or before the comment date file with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this filing if no motion to intervene is filed within the time required herein, if the

Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for the applicant to appear or be represented at the hearing.

G. Any person or the Commission's staff may, within 45 days after the issuance of the instant notice by the Commission, 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 Section 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.

Lois D. Cashell,

*Secretary.*

[FR Doc. 96-31452 Filed 12-10-96; 8:45 am]

BILLING CODE 6717-01-P

#### Notice of Cases Filed With the Office of Hearings and Appeals; Week of November 11 Through November 15, 1996

During the Week of November 11 through November 15, 1996, the appeal listed in this Notice was filed with the Office of Hearings and Appeals of the Department of Energy.

Any person who will be aggrieved by the DOE action sought in this case may file written comments on the appeal within ten days of publication of this Notice or the date of receipt of actual notice, whichever occurs first. All such comments shall be filed with the Office of Hearings and Appeals, Department of Energy, Washington, DC 20585-0107.

Dated: December 4, 1996.

George B. Breznay,

*Director, Office of Hearings and Appeals.*

## LIST OF CASES RECEIVED BY THE OFFICE OF HEARINGS AND APPEALS

[Week of November 11 through November 15, 1996]

Date	Name and location of applicant	Case No.	Type of submission
11/13/96	James H. Stebbings, Naperville, Illinois .....	VFA-0242	Appeal of an Information Request Denial. If granted: The April 19, 1996 Freedom of Information Request Denial issued by the Argonne Area Office would be rescinded, and James H. Stebbings would receive access to certain Department of Energy information.

[FR Doc. 96-31419 Filed 12-10-96; 8:45 am]

BILLING CODE 6450-01-P

### Notice of Issuance of Decisions and Orders by the Office of Hearings and Appeals; Week of October 21 Through October 25, 1996

During the week of October 21 through October 25, 1996, 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 list of submissions that were dismissed by the Office of Hearings and Appeals.

Copies of the full text of these decisions and orders are available in the Public Reference Room of the Office of Hearings and Appeals, Room 1E-234, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585-0107, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays. They are also available in *Energy Management: Federal Energy Guidelines*, a commercially published loose leaf reporter system. Some decisions and orders are available on the Office of Hearings and Appeals World Wide Web site at <http://www.oha.doe.gov>.

Dated: December 4, 1996.

George B. Breznay,  
Director, Office of Hearings and Appeals.

#### Decision List No. 4

Week of October 21 through October 25, 1996

#### Appeals

##### *Perkins Coie*, 10/25/96 VFA-0221

The law firm of Perkins Coie filed an Appeal from a determination issued to it on August 20, 1996 by the Bonneville Power Administration (BPA) of the Department of Energy (DOE). In that determination, BPA denied in part Perkins Coie's request for information filed under the Freedom of Information Act (FOIA). In its Appeal, Perkins Coie challenged BPA's application of Exemption 5 to three requested documents in dispute and requested

that the DOE direct BPA to release the documents. In considering the Appeal, the Office of Hearings and Appeals found that BPA properly applied the threshold requirements of Exemption 5 to the requested documents at issue, and that there was no public interest in its release. However, the Office of Hearings and Appeals remanded this Appeal to BPA to issue a new determination, either releasing reasonably segregable factual material or explaining the reasons for withholding any factual material contained in the documents. Therefore, the Department of Energy granted Perkins Coie's Appeal.

##### *Radian International*, 10/21/96 VFA-0220

The Department of Energy (DOE) issued a Decision and Order (D&O) denying a Freedom of Information Act (FOIA) Appeal that was filed by Radian International. In its Appeal, Radian requested that we review a determination issued by the Oak Ridge Operations office that certain documents were not "agency records" and were therefore not subject to release under the FOIA. Radian also expanded the scope of its original request to include additional documents. In the Decision, the OHA found that the documents in question were not agency records, and that a FOIA appeal is not the appropriate venue for the consideration of an initial request for documents. The OHA therefore remanded Radian's request for additional documents to the Oak Ridge Office for processing under the FOIA, and denied Radian's appeal of Oak Ridge's original determination.

#### Personnel Security Hearing

##### *Pittsburgh Naval Reactors Office*, 10/24/96, VSO-0103

A Hearing Officer from the Office of Hearings and Appeals issued an Opinion regarding the eligibility of an individual for access authorization under the provisions of 10 C.F.R. Part 710. After carefully considering the record of the processing in view of the standards set forth in Part 710, the Hearing Officer found that: (i) the individual has a history of abuse of

illegal drugs; (ii) the individual provided false information to the DOE; (iii) the acts of the individual tend to show that the individual is not honest, reliable, or trustworthy; and (iv) the DOE's security concerns regarding these behaviors were not overcome by evidence mitigating the derogatory information underlying the DOE's charges. Accordingly, the Hearing Officer found that the individual's access authorization should not be granted.

#### Requests for Exception

##### *J. Enterprises, Inc.*, 10/24/96, VEE-0027

J. Enterprises, Inc. filed an Application for Exception from the requirement that it file Form EIA-782B, the "Reseller/Retailer's Monthly Petroleum Product Sales Report." The DOE found that the firm was not affected by the reporting requirement in a manner different from other similar firms, and consequently was not experiencing a special hardship, inequity, or unfair distribution of burdens. Accordingly, the firm's Application for Exception was denied.

##### *Oil Products, Inc.*, 10/21/96, VEE-0023

Oil Products, Inc. filed an Application for Exception from the Energy Information Administration requirement that it file Form EIA-782B, the "Resellers'/Retailers' Monthly Petroleum Product Sales Report." In considering Oil Product's request, the DOE found that the firm was not experiencing a serious hardship or gross inequity. Accordingly, exception relief was denied.

#### Interlocutory Order

##### *Meta, Inc.*, 10/23/96, VWZ-0007

A Hearing Officer from the Office of Hearings and Appeals denied a Motion to Dismiss filed by Maria Elena Torano Associates, Inc. (META). In its Motion, META sought the dismissal of a complaint filed by C. Lawrence Cornett (Cornett) under the DOE's Contractor Employee Protection Program, 10 C.F.R. Part 708. META alleged that Cornett's complaint failed to state an actionable claim. Specifically, META asserted that Cornett failed to make a protected