

notice of such hearing will be duly represented at the hearing.

**Lois D. Cashell,**

*Secretary.*

[FR Doc. 97-17321 Filed 7-1-97; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP97-287-003]

#### El Paso Natural Gas Company; Notice of Compliance Filing

June 26, 1997.

Take notice that on June 23, 1997, El Paso Natural Gas Company (El Paso) tendered for filing and acceptance by the Federal Energy Regulatory Commission (Commission) the following tariff sheet to its FERC Gas Tariff, Second Revised volume No. 1-A, to become effective May 1, 1997:

Substitute Fifth Revised Sheet No. 30.

El Paso states that the above tariff sheet is being filed to revise the Statement of Negotiated Rates pursuant to the Commission's letter order issued May 23, 1997 in Docket No. RP97-287-001.

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 in accordance with 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. 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. 97-17332 Filed 7-1-97; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP97-397-000]

#### El Paso Natural Gas Company; Notice of Proposed Changes in FERC Gas Tariff

June 26, 1997.

Take notice that on June 23, 1997, El Paso Natural Gas Company (El Paso) tendered for filing and acceptance, pursuant to Subpart C of Part 154 of the Federal Energy Regulatory Commission's (Commission) Regulations Under the Natural Gas Act, the following tariff sheets to its FERC Gas Tariff, Second Revised Volume No. 1-A to become effective August 1, 1997.

Third Revised Sheet No. 210

First Revised Sheet No. 210.01

Second Revised Original Sheet No. 211

Original Sheet No. 211A

El Paso states that the tariff sheets are being tendered to revise the scheduling provisions to permit shippers to submit an intra-day request to the day of gas flow.

El Paso states that copies of the filing were served upon all shippers on El Paso's system and interested state regulatory commissions.

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, 888 First Street, N.E., Washington, D.C. 20426, in accordance with sections 385.214 and 385.211 of the Commission's Rule and Regulations. All such motions or protests must be filed in accordance with 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. 97-17333 Filed 7-1-97; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. GP97-4-000]

#### Kansas Small Producer Group; Notice of Petition for Adjustment

June 26, 1997.

Take notice that on June 24, 1997, the Kansas Small Producer Group<sup>1</sup> (Producers) filed a petition for adjustment under Section 502c of the Natural Gas Policy Act of 1978 (NGPA) and Rules 1101-1107 of the Commission's Rules of Practice and Procedure, requesting an adjustment to Producers' potential liability to pay refunds and interest that Producers may be directed to make with respect to gas production between October 4, 1983 and June 28, 1988, owing to Producers' collection of Kansas ad valorem tax reimbursements from gas purchasers that have since been deemed to be in excess of the NGPA's applicable maximum lawful gas prices, all as more fully set forth in the subject petition, which is on file with the Commission and available for public inspection.

This matter evolved out of the Commission's 1974 decision in Opinion No. 699-D, to permit gas producers to recover Kansas ad valorem tax reimbursements from their gas purchasers, the Commission's subsequent decision to allow gas producers to collect Kansas ad valorem tax reimbursements under Section 110 of the NGPA, and Northern Natural Gas Company's 1983 challenge to such collections,<sup>2</sup> culminating in the decision by the United States Court of Appeals for the District of Columbia Circuit, in *Public Service Company of Colorado v. FERC*, 91 F.3d 1478 (D.C. Cir. 1996), that refunds should be paid with respect to Kansas ad valorem tax reimbursements on production between October 4, 1983 and June 28, 1988, and the Supreme Court's denial of cross-petitions for certiorari, filed in connection with the D.C. Circuit's

<sup>1</sup> The Kansas Small Producer Group includes the following companies and individuals: William Graham, Inc.; William L. Graham, Jr.; Graham Petroleum, Inc.; William L. Graham Revocable Trust; Betty H. Graham Revocable Trust; Graham Co.; Graham Enterprises; March Oil Co.; Graham-Michaelis Corp.; W.A. Michaelis, Jr. Revocable Trust; H.R. Michaelis Revocable Trust; Kansas Petroleum, Inc.; James Tasheff; Mary Tasheff; James Rhude; Rude & Fryberger, Inc.; E.N. Diderich Trust; John W. LeBosquet; H.M. Gillespie; Lester Wilkonson; Arthur O. Wilkonson; The Tress Oil Co.; Dorchester Hugoton, Ltd.; and Ensign Oil & Gas Inc.

<sup>2</sup> See 48 FR 45287 (October 4, 1983).