

Environmental Assessment (FEA) for the project. The project, which is located near Monroe City, in Sevier County, Utah, diverts water from three tributaries of Monroe Creek: Shingle Creek, First Lefthand Fork of Monroe Creek, and Serviceberry Creek.

In the FEA, the Commission's staff has analyzed the potential environmental impacts of the project and has concluded that approval of the project, with appropriate environmental protective measures, would not constitute a major federal action that would significantly affect the quality of the human environment.

Copies of the FEA are available for review in the Public Reference Branch,

Room 2A, of the Commission's offices at 888 First Street, N.E., Washington, D.C. 20426.

**Linwood A. Watson, Jr.,**  
*Acting Secretary.*

[FR Doc. 97-21484 Filed 8-13-97; 8:45 am]

BILLING CODE 6717-01-M

**DEPARTMENT OF ENERGY**

**Office of Hearings and Appeals**

**Notice of Cases Filed During the Week of June 30 Through July 4, 1997**

During the Week of June 30 through July 4, 1997, the appeals, applications,

petitions or other requests listed in this Notice were 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 any of these cases may file written comments on the application 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, D.C. 20585-0107.

Dated: August 6, 1997.

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

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

[Week of June 30 through July 4, 1997]

Date	Name and location of applicant	Case No.	Type of submission
July 1, 1997 .....	David R. Berg, Washington, DC .....	VFA-0306	Appeal of an Information Request Denial. If Granted: The May 28, 1997 Freedom of Information Request Denial issued by the DOE would be rescinded, and David R. Berg would receive access to certain DOE information.
Do. ....	The Cincinnati Enquirer, Cincinnati, Ohio	VFA-0307	Appeal of an Information Request Denial. If Granted: The June 13, 1997 Freedom of Information Request Denial issued by the Ohio Field Office would be rescinded, and The Cincinnati Enquirer would receive access to certain DOE information.
Do. ....	The Times News, Twin Falls, Idaho .....	VFA-0305	Appeal of an Information Request Denial. If Granted: The June 12, 1997 Freedom of Information Request Denial issued by the Idaho Operations Office would be rescinded, and The Times News would receive access to certain DOE information.
July 2, 1997 .....	Greenpeace, Washington, DC .....	VFA-0308	Appeal of an Information Request Denial. If Granted: The June 10, 1996 Freedom of Information Request Denial issued by the Office of General Counsel would be rescinded, and Greenpeace would receive access to certain DOE information.

[FR Doc. 97-21540 Filed 8-13-97; 8:45 am]

BILLING CODE 6450-01-P

**DEPARTMENT OF ENERGY**

**Office of Hearings and Appeals**

**Notice of Issuance of Decisions and Orders During the Week of June 30 Through July 4, 1997**

During the week of June 30 through July 4, 1997, 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 this decision and order 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. The decision is also available in Energy Management: Federal Energy Guidelines, a commercially published loose leaf reporter system and on the Office of Hearings and Appeals World Wide Web site at <http://www.oha.doe.gov>.

Dated: August 6, 1997.

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

**Decision List No. 40**

*Week of June 30 Through July 4, 1997*

**Appeals**

*Information Focus on Energy, 7/3/97, VFA-0300*

The Department of Energy (DOE) issued a Decision and Order (D&O) granting in part a Freedom of Information Act (FOIA) Appeal that was

filed by Information Focus on Energy (IFOE). In its Appeal, IFOE requested that the DOE review a fee waiver determination issued by the FOIA Officer at the Ohio Field Office. In that determination, the Officer found that IFOE was a "commercial use" requester for purposes of assessing fees, and that the fee waiver request should be denied because IFOE's commercial interests outweighed the public interest in release of the requested material. In the Decision, the DOE found that IFOE should be classified as a "representative of the news media" for fee determination purposes. The DOE further concluded that because the commercial interest of a news media requester cannot be taken into account in fee waiver decisions, the Officer's determination cannot be upheld. The DOE therefore remanded the matter to the Ohio Field Office for a new waiver determination.