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 Viking Voyageur to appear or be represented at the hearing.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 97–29944 Filed 11–13–97; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP98–59–000]

Williams Natural Gas Company; Notice of Request under Blanket Authorization

November 7, 1997.

Take notice that on October 31, 1997, Williams Natural Gas Company (Williams), Post Office Box 3288, Tulsa, Oklahoma 74101, filed in Docket No. CP98–59–000 a request pursuant to Sections 157.205 and 157.216 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205 and 157.216) for permission and approval to abandon in place a portion of the 12-inch Independence pipeline lateral, along with related facilities and services, all of which are located in Cass County, Missouri. Williams makes such request under its blanket certificate issued in Docket No. CP82–479–000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request on file with the Commission and open to public inspection.

Specifically, Williams proposed to abandon in place, and cap approximately 6.09 miles of the Independence 12-inch lateral pipeline. Williams also proposes to abandon in place, by sale to Missouri Gas Energy (MGE) approximately 1.95 miles of the Independence 12-inch lateral pipeline, along with related services and facilities, and the Raymore town border station. It is stated that the 12-inch Independence pipeline was originally constructed, to enable Williams to supply the natural gas requirements of MGE, in the Independence, Missouri area.[1] The Raymore town border station was originally installed in 1963 and certificated in Docket No. CP63–345.[2]

Williams states that the Lee's Summit town border meter will become a single point of delivery for MGE. Williams further states that to maintain service to the Lee's Summit town border location, it will construct a tie-over line from its Sugar Creek line to the Lee's Summit town border station pursuant to Section 311 of the NGPA.

Williams indicates that the most recent volumes of gas delivered to the Raymore town border station was 7,565 MMcf on a peak day with 595,035 MMcf delivered annually. It is stated that service to the Raymore town border facility will continue to be provided by MGE.

Williams indicates that MGE will integrate into its system, the facilities that Williams has designated to sell to MGE in this proceeding. It is averred that one domestic customer, located on the 1.95-mile segment, will be impacted by the proposed abandonment.

Any person or the Commission's staff may, within 45 days after 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 therefor, 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.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 97–29943 Filed 11–13–97; 8:45 am]

BILLING CODE 6717–01–M

[1] The 12-inch pipeline segment proposed to be abandoned herein, was certificated in Docket No. G–756, 5 FPC 820, Cities Service Gas Company (1946).

[2] Cities Service Gas Company, 30 FPC 1,100 (1963).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP98–56–000]

Williston Basin Interstate Pipeline Company; Notice of Request Under Blanket Authorization

November 7, 1997.

Take notice that on October 30, 1997, Williston Basin Interstate Pipeline Company (Williston Basin), 200 North Third Street, Suite 300, Bismarck, North Dakota 58501, filed in Docket No. CP98–56–000 a request pursuant to Sections 157.205 and 157.211 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205 and 157.211) for authorization to construct and operate new metering and associated appurtenant facilities for use in providing delivery of transportation service gas to Bear Paw Operating Company, Inc. (Bear Paw), under Williston Basin's blanket certificate issued in Docket No. CP82–487–000 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.

Williston Basin states that the facilities to be constructed at the proposed metering facility will consist of a building, an orifice meter, SCADA communication equipment and miscellaneous piping, gauges and valves, all of which will be constructed on existing right-of-way at the Baker Compressor Plant in Section 12, T7N, R59E, Fallon County, Montana. Williston Basin states that Bear Paw has requested installation of this metering facility to allow Williston Basin to make deliveries of up to 4,800 Mcf per day to Bear Paw to be used as emergency fuel at the Big Horn plant. The estimated cost of the proposed metering facilities is $11,400. The actual cost of the facility is 100% reimbursable by Bear Paw.

Williston Basin states that the addition of the proposed facilities will have no significant effect on its peak day or annual requirements, that the total volumes delivered will not exceed total volumes authorized prior to this request, that the existing tariff does not prohibit the addition of new delivery points and that there is sufficient capacity to accomplish deliveries without detriment or disadvantage to other customers.

Any person or the Commission's staff may, within 45 days after 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 therefor, 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.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 97–29939 Filed 11–13–97; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Office of Hearings and Appeals

Determination of Excess Petroleum Violation Escrow Funds for Fiscal Year 1998

AGENCY: U.S. Department of Energy, Office of Hearings and Appeals.

ACTION: Notice of determination of excess monies pursuant to the Petroleum Overcharge Distribution and Restitution Act of 1986.

SUMMARY: The Petroleum Overcharge Distribution and Restitution Act of 1986 requires the Secretary of Energy to determine annually the amount of oil overcharge funds held in escrow that is in excess of the amount needed to make restitution to injured parties. Notice is hereby given that $20,610,767 of the amounts currently in escrow is determined to be excess funds for fiscal year 1998. Pursuant to the statutory directive, these funds will be made available to state governments for use in specified energy conservation programs.

FOR FURTHER INFORMATION: Thomas O. Mann, Deputy Director, Roger Klurfeld, Assistant Director, Office of Hearings and Appeals, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585–0107, (202) 426–1492 [Mann]; (202) 426–1449 [Klurfeld].

SUPPLEMENTARY INFORMATION: The Petroleum Overcharge Distribution and Restitution Act of 1986 (hereinafter PODRA), contained in Title III of the Omnibus Budget Reconciliation Act of 1986, Pub. L. No. 99–509, establishes certain procedures for the disbursement of funds collected by the Department of Energy (hereinafter DOE) pursuant to the Emergency Petroleum Allocation Act of 1973 (hereinafter EPAA) or the Economic Stabilization Act of 1970 (hereinafter ESA). These funds, commonly referred to as oil overcharge funds, are monies obtained through enforcement actions instituted to remedy actual or alleged violations of those Acts.

PODRA requires the DOE, through the Office of Hearings and Appeals (hereinafter OHA), to conduct proceedings under 10 CFR Part 205, Subpart V, to accept claims for restitution from the public and to refund oil overcharge monies to persons injured by violations of the EPAA or the ESA. In addition, PODRA requires the Secretary of Energy to determine annually the amount of oil overcharge funds that will not be required for restitution to injured parties in these refund proceedings and to make this excess available to state governments for use in four energy conservation programs. This determination must be published in the **Federal Register** within 45 days after the beginning of each fiscal year. The Secretary has delegated this responsibility to the OHA Director.

Notice is hereby given that based on the best currently available information, $20,610,767 is in excess of the amount that is needed to make restitution to injured parties.

To arrive at that figure, the OHA has reviewed all accounts in which monies covered by PODRA are deposited. PODRA generally covers all funds now in DOE escrow which are derived from alleged violations of the EPAA or the ESA, with certain exclusions. Excluded are funds which (1) have been identified for indirect restitution in orders issued prior to enactment of PODRA; (2) have been identified for direct restitution in a judicial or administrative order; or (3) are attributable to alleged violations of regulations governing the pricing of crude oil and subject to the settlement agreement in *In re The Department of Energy Stripper Well Exemption Litigation,* M.D.L. No. 378 (D. Kan., July 7, 1986). As of September 30, 1997, the total in escrow subject to the PODRA procedures was $96,366,739.

The OHA has employed the following methodology to determine the amount of excess funds. We took special account of the provision of PODRA which directs that ''primary consideration [be given] to assuring that at all times sufficient funds (including a reasonable reserve) are set aside for making [direct] restitution.'' Thus, in proceedings in which refund claims are pending, we have on a claim-by-claim basis examined pending claims and established reserves sufficient to pay the amount of these claims. The reserves also include all refunds ordered by the OHA since the end of the last fiscal year on September 30, 1997, but not yet paid. For proceedings in which all claims have been considered or in which no claims have been filed, and the deadline for filing claims has passed, all funds remaining are excess. Small amounts of interest accrued, until transfer, on funds in accounts that were closed (with a zero balance) in the fiscal year 1997 PODRA determination (61 FR 58545 (1996)) are included as part of the ''excess'' for fiscal year 1998. No ''other commitments'' are reflected in the reserves.

As indicated above, the total escrow account equity subject to PODRA is $96,366,739. The total amount needed as reserves for direct restitution in those cases is $75,755,972. When this figure is subtracted from the former, the remainder—$20,610,767—is the amount in fiscal year 1998 that is ''in excess'' of the amount that will be needed to make restitution to injured persons. The Appendix to this Notice sets forth for each refund case within the OHA's jurisdiction the total amount eligible for distribution under PODRA and the ''excess'' amount.

Accordingly, $20,610,767 will be transferred to a separate account within the United States Treasury and made available to the States for use in the designated energy conservation programs in the manner prescribed by PODRA.

Dated: November 7, 1997.

George B. Breznay,

Director, Office of Hearings and Appeals.

AMOUNT AVAILABLE FOR INDIRECT RESTITUTION IN FY 1998

Name of company	Consent order number	Equity as of Sept. 30, 1997	Amount available in FY 98
ATLANTIC RICHFIELD CO (ARCO)	RARH00001Z	$11,566,398.41	$7,000,000.00
ENRON CORPORATION	730V00221Z	21,225,255.49	3,200,000.00
TEXACO INC	RTXE006A1Z	3,166,580.85	3,166,580.85