

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. ER98-421-000]

**Cinergy Services, Inc.; Notice of Issuance of Order**

January 16, 1998.

Cinergy Services, Inc. (Cinergy Services) is the service company for Cinergy Corporation (Cinergy). Cinergy Services, on behalf of Cinergy's special purpose trading venture, CinCap IV, LLC (CinCap), filed an application for authorization to engage in the wholesale sale of electric power at market-based rates, and for certain waivers and authorizations. In particular, CinCap requested that the Commission grant blanket approval under 18 CFR Part 34 of all future issuances of securities and assumptions of liabilities by CinCap. On January 15, 1998, the Commission issued an Order Accepting For Filing Proposed Market-Based Rates (Order), in the above-docketed proceeding.

The Commission's January 15, 1998 Order granted the request for blanket approval under Part 34, subject to the conditions found in Ordering Paragraphs (C), (D), and (F):

(C) Within 30 days of the date of issuance of this order, any person desiring to be heard or to protest the Commission's blanket approval of issuances of securities or assumptions of liabilities by CinCap 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 Rules 211 and 214 of the Commission's Rules of Practice and Procedure, 18 CFR 385.211 and 385.214.

(D) Absent a request to be heard within the period set forth in Ordering Paragraph (C) above, CinCap is hereby authorized to issue securities and assume obligations and liabilities as guarantor, indorser, surety or otherwise in respect of any security of another person; provided that such issue or assumption is for some lawful object within the corporate purposes of CinCap, compatible with the public interest, and reasonably necessary or appropriate for such purposes.

(F) The Commission reserves the right to modify this order to require a further showing that neither public nor private interests will be adversely affected by continued Commission approval of CinCap's issuances of securities or assumptions of liabilities \* \* \* .

Notice is hereby given that the deadline for filing motions to intervene

or protests, as set forth above, is February 17, 1998.

Copies of the full text of the Order are available from the Commission's Public Reference Branch, 888 First Street, N.E., Washington, D.C. 20426.

**David P. Boergers,**

*Acting Secretary.*

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**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. CP98-178-000]

**K N Interstate Gas Transmission Company; Notice of Application**

January 16, 1998.

Take notice that on January 9, 1998, K N Interstate Gas Transmission Company (K N Interstate), P.O. Box 281304, Lakewood, Colorado 80228-8304, filed an application pursuant to Section 7(c) of the Natural Gas Act and part 157 of the Commission's Regulations for a certificate of public convenience and necessity to operate certain natural gas pipeline facilities under Section 7(c) of the Natural Gas Act that were constructed under Section 311 of the Natural Gas Policy Act, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, K N Interstate seeks authority to operate 34.4 miles of pipeline in Johnson and Miami Counties, Kansas and Jackson and Cass Counties, Missouri under section 7(c) of the Natural Gas Act. These facilities had been constructed and operated solely for the purpose of providing transportation services under Section 311 of the Natural Gas Policy Act. K N Interstate states that the authority it requests will allow it to provide open access transportation pursuant to its Part 284, Subpart G blanket certificate which will maximize the use of the subject facilities.

Any person desiring to participate in the hearing process or to make any protest with reference to said application should on or before February 6, 1998, file with the Federal Energy Regulatory Commission, 888 1st Street, NE., Washington, DC 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) 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. The Commission's rules require that protestors provide copies of their protests to the party or parties directly involved. 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.

A person obtaining intervenor status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by every one of the intervenors. An intervenor can file for rehearing of any Commission order and can petition for court review of any such order.

However, an intervenor must submit copies of comments or any other filing it makes with the Commission to every other intervenor in the proceeding, as well as 14 copies with the Commission.

A person does not have to intervene, however, in order to have comments considered. A person, instead, may submit two copies of comments to the Secretary of the Commission. Commenters will be placed on the Commission's environmental mailing list, will receive copies of environmental documents and will be able to participate in meetings associated with the Commission's environmental review process. Commenters will not be required to serve copies of filed documents on all other parties. However, commenters will not receive copies of all documents filed by other parties or issued by the Commission and will not have the right to seek rehearing or appeal the Commission's final order to a federal court.

The Commission will consider all comments and concerns equally, whether filed by commenters or those requesting intervenor status.

Take further notice that, pursuant to the authority contained in and subject to the 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 application 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