

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

[Docket No. TM98-4-34-000]

**Florida Gas Transmission Company; Notice of Proposed Changes in FERC Gas Tariff**

March 3, 1998.

Take notice that on February 26, 1998, Florida Gas Transmission Company (FGT) tendered for filing to become part of its FERC Gas Tariff, Third Revised Volume No. 1, effective April 1, 1998, the following tariff sheets:

Twenty-Sixth Revised Sheet No. 8A  
Seventeenth Revised Sheet No. 8A.01  
Eighteenth Revised Sheet No. 8A.02  
Twenty-Third Revised Sheet No. 8B  
Sixteenth Revised Sheet No. 8B.01

FGT states that Section 27 of the General Terms and Conditions (GTC) of its Tariff provides for the recovery by FGT of gas used in the operation of its system and gas lost from the system or otherwise unaccounted for. The fuel reimbursement charges pursuant to Section 27 consist of the Fuel Reimbursement Charge Percentage (FRCP), designed to recover current fuel usage on an in-kind basis, and the Unit Fuel Surcharge (UFS), designed to recover or refund previous under or overcollections on a cash basis. Both the FRCP and the UFS are applicable to Market Area deliveries and are effective for seasonal periods, changing effective each April 1 (for the Summer Period) and each October 1 (for the Winter Period).

FGT states that it is filing to establish an FRCP of 3.46% to become effective April 1, 1998. Pursuant to the terms of Section 27.B of the GTC, FGT may file for adjustments to actual fuel usage and lost and unaccounted for gas or deliveries when computing the FRCP. FGT's lost and unaccounted for gas as a percentage of deliveries has averaged between 0.25% and 0.50% on an historical basis. FGT believes this component of the FRCP calculation should be adjusted to recognize the unusually high unaccounted for loss of 0.7729% experienced from April 1997 through September 1997, the period which is the basis for the calculation of the FRCP to become effective April 1, 1998.

Accordingly, FGT has adjusted its lost and unaccounted for gas percentage to reflect FGT's historical long-term average of roughly 0.375% to minimize the balance of the deferred fuel account to be resolved in a subsequent period. FGT states that it is also filing to

establish a Summer Period UFS of \$0.0139 per MMBtu to become effective April 1, 1998.

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 385.211 and 385.214 of the Commission's Rules and Regulations. All such motions or protests should 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.

**David P. Boergers,***Acting Secretary.*

[FR Doc. 98-5955 Filed 3-6-98; 8:45 am]

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

[Docket No. ER98-1981-000]

**LG&E Energy Marketing Inc.; Notice of Filing**

March 3, 1998.

Take notice that on February 20, 1998, LG&E Energy Marketing Inc. (LEM), submitted for filing, pursuant to Section 205 of the Federal Power Act, and Part 35 of the Commission's Regulations, an Application for Authorization to Amend Market-Based Rate Schedule.

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 Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before March 13, 1998. Protests will be considered by the Commission 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 must file a motion to intervene. Copies of this filing are on file with the

Commission and are available for public inspection.

**David P. Boergers,***Acting Secretary.*

[FR Doc. 98-5951 Filed 3-6-98; 8:45 am]

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

[Docket No. GP98-13-000]

**Mobil Oil Corporation; Notice of Offer of Settlement and Call for the Protection of Rights Pending Adjudication or Settlement**

March 3, 1998.

Take notice that on February 24, 1998, Mobil Oil Corporation (Mobil), alleging compliance with the Commission's January 28, 1998 Order Clarifying Procedures (82 FERC ¶ 61,059), filed an offer of settlement with the Commission, and called for the protection of its rights pending adjudication or settlement, with respect to Mobil's Kansas ad valorem tax refund obligation to Williams Gas Pipelines Central, Inc., formerly: Williams Natural Gas Company (Williams), identified in the State of Refunds Due filed by Williams in Docket No RP98-52-000. Mobil's pleading is on file with the Commission and, except for Mobil's confidential offer of settlement, is open to public inspection.

Mobil contends that the Commission has established a procedure to follow, under 18 CFR 385.602 of the Commission's regulations, when informal settlement or reconciliation efforts fail, and that it has complied with the requisites of that Section. Mobil suggests that a Settlement Judge be appointed, that Mobil's refund obligation to Williams be held in abeyance and that interest be tolled, on the basis that Mobil has a constitutional and statutory right to a hearing before it may be deprived of property i.e., the 1983-1988 Kansas ad valorem tax reimbursement dollars that Mobil previously collected from Williams. Mobil further alleges that it made a settlement offer to Williams, and that Williams rejected that offer.

Mobil also requests a full and fair hearing, and claims that there are contested issues of material fact (measurable in dollars) on which Williams and Mobil disagree. Mobil further argues that these issues must be adjudicated. Mobil's alleged issues of material fact include:

(1) The amount of dollars of revenue Mobil collected for the sale of its gas in each relevant time period;

(2) How much (if any) of the dollars Mobil collected were in excess of the maximum lawful price (MLP) in each relevant time period;

(3) How much (if any) of the excess dollars collected by Mobil were actually paid by customers of interstate pipelines through the pipeline's PGA process, i.e., how much were the pipeline's customers overcharged; and

(4) Assuming that part of the refund amount is interest, then when did the interstate pipeline customers begin paying a fraction of the amounts determined to be in excess of the MLP, which Mobil contends will govern the amount of interest owned.

Mobil's pleading includes its claim that it has complied with the Commission's orders requiring a statement of its basic principles for rejecting Williams' refund claim, and Mobil's privileged and confidential offer of settlement to Williams (Mobil's Attachment A). Mobil also provides its own assessment as to how to compute the correct refund amount.

The procedural rules governing settlements are set forth in Section 385.602 of the Commission's Rules of Practice and Procedure. Under Section 385.602(f), any person wishing to make comments with respect to an offer of settlement must do so not later than 20 days after the date the settlement offer was filed. Reply comments must be filed not later than 30 days after the date the settlement offer was filed. Accordingly, any person desiring to file comments with respect to Mobil's offer of settlement should file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, by March 16, 1998, in accordance with the requirements of the Commission's Rules of Practice and Procedure [18 CFR 385.602(f)].

**David P. Boergers,**

*Acting Secretary.*

[FR Doc. 98-5956 Filed 3-6-98; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. GP98-5-000]

#### Mobil Oil Corporation; Notice of Offer of Settlement and Call for the Protection of Rights Pending Adjudication or Settlement

March 3, 1998.

Take notice that on February 20, 1998, Mobil Oil Corporation (Mobil), alleging compliance with the Commission's January 28, 1998 Order Clarifying Procedures (82 FERC ¶61,059), filed an offer of settlement with the Commission, and called for the protection of its rights pending adjudication or settlement, with respect to Mobil's Kansas ad valorem tax refund obligation to Northern Natural Gas Company (Northern Natural), identified in the Statement of Refunds Due filed by Northern Natural in Docket No. RP98-39-000. Mobil's pleading is on file with the Commission and, except for Mobil's confidential offer of settlement, is open to public inspection.

Mobil contends that the Commission has established a procedure to follow, under 18 CFR 385.602 of the Commission's regulations, when informal settlement or reconciliation efforts fail, and that it has complied with the requisites of that Section. Mobil suggests that a Settlement Judge be appointed, that Mobil's refund obligation to Northern Natural be held in abeyance and that interest be tolled, on the basis that Mobil has a constitutional and statutory right to a hearing before it may be deprived of property, i.e., the 1983-1988 Kansas ad valorem tax reimbursement dollars that Mobil previously collected from Northern Natural. Mobil further alleges that it made a settlement offer to Northern Natural, and that Northern Natural rejected that offer.

Mobil also requests a full and fair hearing, and claims that there are contested issues of material fact (measurable in dollars) on which Northern Natural and Mobil disagree. Mobil further argues that these issues must be adjudicated. Mobil's alleged issues of material fact include:

(1) The amount of dollars of revenue Mobil collected for the sale of its gas in each relevant time period;

(2) How much (if any) of the dollars Mobil collected were in excess of the maximum lawful price (MLP) in each relevant time period;

(3) How much (if any) of the excess dollars collected by Mobil were actually paid by customers of interstate pipelines

through the pipeline's PGA process, i.e., how much were the pipeline's customers overcharged; and

(4) Assuming that part of the refund amount is interest, then when did the interstate pipeline customers begin paying a fraction of the amounts determined to be in excess of the MLP, which Mobil contends will govern the amount of interest owned.

Mobil's pleading includes its claim that it has complied with the Commission's orders requiring a statement of its basic principles for rejecting Northern Natural's refund claim, and Mobil's privileged and confidential offer of settlement to Northern Natural (Mobil's Attachment A). Mobil also provides its own assessment as to how to compute the correct refund amount.

The procedural rules governing settlements are set forth in Section 385.602 of the Commission's Rules of Practice and Procedure. Under Section 385.602(f), any person wishing to make comments with respect to an offer of settlement must do so not later than 20 days after the date the settlement offer was filed. Reply comments must be filed not later than 30 days after the date the settlement offer was filed. Accordingly, any person desiring to file comments with respect to Mobil's offer of settlement should file with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, by March 12, 1998, in accordance with the requirements of the Commission's Rules of Practice and Procedure [18 CFR 385.602(f)].

**David P. Boergers,**

*Acting Secretary.*

[FR Doc. 98-5968 Filed 3-6-98; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. GP98-15-000]

#### OXY USA, Inc.; Notice of Offer of Settlement and Call for the Protection of Rights Pending Adjudication or Settlement

March 3, 1998.

Take notice that on February 24, 1998, OXY USA, Inc. (OXY), alleging compliance with the Commission's January 28, 1998 Order Clarifying Procedures (82 FERC ¶61,059), filed an offer of settlement with the Commission, and called for the protection of its rights pending adjudication or settlement, with respect to OXY's Kansas ad valorem tax refund