

filed as provided in 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 proceedings. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

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

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. TM98-7-23-002]

#### Eastern Shore Natural Gas Company; Notice of Proposed Changes in FERC Gas Tariff

April 21, 1998.

Take notice that on April 16, 1998, Eastern Shore Natural Gas Company (ESNG) tendered for filing as part of its FERC Gas Tariff, First Revised Volume No. 1, certain revised tariff sheets in the above captioned docket bear a proposed effective date of April 1, 1998.

As directed by the March 31, 1998, Commission Order in Docket No. TM98-7-23-000, *et al.* ESNG is refileing its Storage Tracker rates, previously filed on March 10, 1998 (as subsequently corrected on April 14, 1998). The first purpose of this filing is to track rate changes attributable to the annual electric power cost adjustment submitted by Columbia Gas Transmission Corporation (Columbia) in Docket No. RP98-152-000. The changes are reflected in the rates applicable to storage service rendered by ESNG under its Rate Schedule CFSS.

ESNG states that the second purpose of this filing is to track recent storage rate changes by Transcontinental Gas Pipe Line Corporation (Transco) to be effective April 1, 1998 under Fransco's Rate Schedules GSS and LSS. The changes are reflected in the rates applicable to storage service rendered by ESNG under its Rate Schedules GSS and LSS.

ESNG states that copies of the filing have been served upon its jurisdictional customers and interested State Commissions.

Any person desiring to protest this 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 as provided in 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 proceedings. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

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

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. GP98-31-000]

#### Great Eastern Energy and Development Corporation; Notice of Petition for Dispute Resolution

April 21, 1998.

Take notice that, on March 23, 1998, Great Eastern Energy and Development Corporation (Great Eastern) filed a petition requesting the Commission to resolve a dispute between Great Eastern and Panhandle Eastern Pipe Line Company (Panhandle) as to whether Great Eastern has any Kansas ad valorem tax refund liability to Panhandle on behalf of Patton Oil Company (Patton). The Commission, by order issued September 10, 1997, in Docket No. RP97-369-000 *et al.*,<sup>1</sup> on remand from the D.C. Circuit Court of Appeals,<sup>2</sup> required first sellers to refund the Kansas ad valorem tax reimbursements to the pipelines, with interest, for the period from 1983 to 1988. In its January 28, 1998 Order Clarifying Procedures, the Commission stated that producers (i.e., first sellers) could file dispute resolution requests with the Commission, asking the Commission to resolve the dispute with the pipeline over the amount of Kansas ad valorem tax refunds owed, see 82 FERC ¶ 61,059 (1998). Great Eastern's petition is on file with the Commission and open to public inspection.

Great Eastern contends that it has no Kansas ad valorem tax refund liability to Panhandle for the following reasons: (1) Great Eastern acquired Patton in 1985 and kept it as a wholly-owned subsidiary of Great Eastern, because Patton owed \$4,000,000 to Northern

<sup>1</sup> See 80 FERC ¶ 61,264 (1997); order denying reh'g issued January 28, 1998, 82 FERC ¶ 61,058 (1998).

<sup>2</sup> *Public Service Company of Colorado v. FERC*, 91 F.3d 1478 (D.C. 1996), cert. denied, Nos. 96-954 and 96-1230 (65 U.S.L.W. 3751 and 3754, May 12, 1997).

Trust of Chicago (Northern Trust); (2) in 1986; Great Eastern negotiated a purchase of the note from Northern Trust, whereupon Great Eastern became the holder of that note; (3) Patton was never merged into Great Eastern; and (4) in 1991, Great Eastern foreclosed on all of the properties that Patton had given to Northern Trust as security for the note, but took title to those properties in lieu of foreclosing, leaving Patton with no assets. Great Eastern adds that Patton no longer operates in the State of Kansas. In view of the above, Great Eastern contends that it should not be held liable for any Kansas ad valorem tax refunds owed by Patton.

Any person desiring to comment on or make any protest with respect to any of the above-referenced petitions should, on or before May 12, 1998, file with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, a motion to intervene or protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211). 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. Any person wishing to become a party to the proceeding, or to participate as a party in any hearing therein, must file a motion to intervene in accordance with the Commission's Rules.

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

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. R97-301-002]

#### Overthrust Pipeline Company; Notice of Tariff Filing

April 21, 1998.

Take notice that on April 16, 1998, Overthrust Pipeline Company (Overthrust), tendered for filing as part of its FERC Gas Tariff, the following tariff sheets to become effective October 1, 1997:

*Original Volume No. 1*  
Sixth Revised Sheet No. 2  
Substitute Seventeenth Revised Sheet No. 6  
Third Revised Sheet No. 7  
First Revised Sheet No. 7A  
Third Revised Sheet No. 18

*First Revised Volume No. 1-A*

First Revised Second Revised Sheet No. 1