application should on or before June 5, 1998, file with the Federal Energy Regulatory Commission, Washington, D.C. 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. 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.

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 permission and approval for the proposed abandonment are 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 Texas Gas and Columbia Gulf to appear or be represented at the hearing.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 98–13493 Filed 5–20–98; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. SA98–83–000]

The Trees Oil Company; Notice of Petition for Adjustment

May 15, 1998.

Take notice that on May 7, 1998, The Trees Oil Company (Trees) filed a petition, pursuant to section 502(c) of the Natural Gas Policy Act of 1978, for relief from making Kansas ad valorem tax refunds to Northern Natural Gas Company (Northern). The refunds are required by the Commission's September 10, 1997 order, in Docket No. RP97–369–000 *et al.*,[1] on remand from the D.C. Circuit Court of Appeals,[2] that directed First Sellers to make Kansas ad valorem tax refunds, with interest, for the period from 1983 to 1988. Alternatively, if it is not relieved from making the subject refunds, Trees requests that the Commission permit Trees to amortize its refund obligation over a 5-year period. Trees petition is on file with the Commission and open to public inspection.

Trees states that Northern sent Trees a Statement of Refunds Due for $192,815.47 in principal and $301,471.37 in interest, computed through December 31, 1997, for a total of refund liability of $494,286.84. Trees states that the Northern Statement covers seven wells, from which Trees made sales to Northern from 1983 to July 1, 1987. Trees asserts that the Statement includes an amount that Trees previously refunded to Northern [3] and Kansas ad valorem tax reimbursements on one well (the Warner well) that did not result in a price in excess of the applicable maximum lawful price (MLP).

Trees also states that during the applicable 1983–1987 period, 37.5 percent of the working interest in these wells was owned by a Pennsylvania Trust which was subsequently terminated, liquidated, and closed in 1991. Trees asserts that the Kansas ad valorem tax reimbursements distributed to this trust are unrecoverable, and that, once the necessary revisions are made to remove (a) the previously refunded principal and interest, (b) the Kansas ad valorem taxes that did not exceed the applicable MLP, and (c) the unrecoverable Pennsylvania Trust reimbursements, Trees refund liability consists of $99,611.52 in principal and $162,013.50 in interest, computed through December 31, 1997.

Trees also suggests that this $99,611.52 amount should be further reduced because it: 1) includes the principal and interest on pre-October 1983 production, the liability for which has been disputed before the U.S. Court of Appeals for the Fifth Circuit in *Anadarko Petroleum Corporation* v. *FERC* and *Union Pacific Resources Company* v. *FERC*, Case No. 98–60043; and (2) includes unrecoverable royalty amounts. Trees asserts that when the reimbursements attributable to pre-October 1983 production are excluded, along with the royalties attributable to the Pennsylvania Trust's working interest, the principal amount of its refund obligation to Northern is $80,538.82.

Trees also states that it is a small ''mother and daughter operation'' with no other administrative personnel. Trees explains that the subject wells were priced at the relatively low, NGPA section 104, flowing gas rate, which provided Trees with little, if any, income during the period from 1983–1987. Trees includes condensed December 31, 1983–1987 income statements to support its assertions, and states that the revenues shown on these statements include revenues from Trees' other oil and gas interests, and that the expenses include (a) its own share of the operating costs, (b) intangible drilling costs, (c) administrative costs, including salaries, rent, payroll taxes, and other office expenses, and (d) other expenses, including travel costs, seminars, licenses, and legal fees. Trees contends that, because these estimates show losses for four of the five years, despite small salaries and little, if any, drilling and exploration expense, they demonstrate how important the tax reimbursements were to Trees' economic viability and survivability during that period.

Trees also provides another condensed income statement for the year ending December 31, 1997, and notes that it plans to drill five wells in 1998 and convert a well to salt water disposal. Trees states that it is pursuing this drilling program in part out of consideration of the implied obligations of the leases for further development and to protect against drainage. Trees contends that this drilling program will tax its cash flow and financial resources, regardless of whether Trees is required to make Kansas ad valorem tax refunds. Trees adds that two of the committed wells have already been drilled, and that the total cost to drill and equip all five wells (if they are successful), and to convert the other, will be approximately $1,900,000, of which Trees' share of the costs will be $475,000. Trees contends that it has no monetary cushion to pay its drilling costs and also pay the Kansas ad valorem tax refunds.

Therefore, Trees contends that it should be relieved from having to refund any of these tax reimbursements. In the alternative, Trees requests permission to amortize its refund obligation over a 5-year period.

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[1] See 80 FERC ¶ 61,264 (1997); Order Denying Rehearing issued January 28, 1998, 82 FERC ¶ 61,058 (1998).

[2] *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).

[3] Trees explains that Northern's Statement includes a payment of $26,083.44 that Northern made to Trees on April 7, 1989, for 1988 taxes, an amount that Trees subsequently refunded, with interest, on July 1, 1994.

Any person desiring to be heard or to make any protest with reference to said petition should on or before 15 days after the date of publication in the **Federal Register** of this notice, file with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 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, 385.211, 385.1105, and 385.1106). 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 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.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 98–13487 Filed 5–20–98; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP97–156–007]

Viking Gas Transmission Company; Notice of Request for Extension of Time

May 15, 1998.

Take notice that on April 30, 1998, Viking Gas Transmission Company (Viking) filed for an extension of implementation dates for computer-related capacity release GISB standards.

Viking requests the Commission to grant Viking an extension of time to June 1, 1999, to implement the computer-related capacity release GISB standards. Viking says it needs additional time to test and to implement its capacity release computer components. Viking claims its ability to test and to implement its capacity release computer components has been delayed due to complications that arose in conjunction with its conversion to an Internet-based EBB in place of a dial-up EBB.

Any person desiring to protest said 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 should be filed on or before May 22, 1998. 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.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 98–13488 Filed 5–20–98; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. PR98–12–000]

Enogex Inc.; Notice of Petition for Rate Approval

May 15, 1998.

Take notice that on May 1, 1998 Enogex Inc. (Enogex) filed pursuant to Section 284.123(b)(2) of the Commission's Regulations, 18 CFR 284.123(b)(2), a petition for rate approval to establish new rates for interruptible transportation services which Enogex provides under Section 311(a)(2) of the Natural Gas Policy Act of 1978. The proposed maximum rate for interruptible transportation service is $0.5470 per MMBtu, to be effective May 1, 1998.

Enogex also proposes an optional monetary settlement (cash out) for quantities of gas which are below nominated delivery amounts (underdeliveries) or greater than nominated delivery amounts (overdeliveries), to reduce the number of priority categories for curtailment purposes, and to make certain minor changes, clarifications and corrections to the Enogex Statement of Enogex Inc. in Compliance with 18 CFR Part 284. Enogex has submitted a revised Statement in Compliance with its petition for rate approval, to be effective June 1, 1998.

Pursuant to Section 284.123(b)(2)(ii) of the Commission's Regulations, if the Commission does not act within 150 days of the filing date, the rates Enogex proposes will be deemed to be fair and equitable and not in excess of an amount which interstate pipelines would be permitted to charge for similar transportation service. The Commission may, prior to the expiration of the 150 day period, extend the time for action or institute a proceeding to afford parties an opportunity for written comments and for the oral presentation of views, data and arguments.

Any person desiring to participate in this rate proceeding must 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 385.214 and 385.211 of the Commission's Rules of Practice and Procedure. All such motions or protests must be filed with the Secretary of the Commission on or before June 1, 1998. 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 application are on file with the Commission and are available for public inspection.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 98–13486 Filed 5–20–98; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project Nos. 10865–001 and 11495–000]

Warm Creek Hydro, Inc. and Nooksack River Hydro, Inc.; Notice of Site Visit

May 15, 1998.

The Federal Energy Regulatory Commission (Commission) has received an application for license for the proposed Warm Creek Project No. 10865 and Clearwater Creek Project No. 11495. The projects are located in Whatcom County, Washington.

The Commission issued a notice to prepare an Environmental Impact Statement (EIS) on the hydroelectric projects in accordance with the National Environmental Policy Act.

The Commission's staff will visit the project site on Wednesday, June 10, 1998. The site visit will begin at 9:00 a.m. at the Acme Cafe on Highway 9 in Acme, Washington. Interested individuals, organizations, and agencies are invited to attend the site visit to gain a better understanding of the proposed projects. People interested in attending the site visit should provide their own transportation.

If you have any questions please contact Tim Looney at (202) 219–2852.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 98–13485 Filed 5–20–98; 8:45 am]

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