

extension of 106 days to and including June 23, 1998, of the deadline to make payment of any refunds due to ANR and (2) waiver of any interest obligation applicable to the period November 10, 1997 through February 24, 1998. BP Exploration's petition is on file with the Commission and open to public inspection.

On September 10, 1997, in Docket No. RP97-369-000 *et al.*, the Commission issued an order,¹ on remand from the D.C. Circuit Court of Appeals,² that directed first sellers to make Kansas as valorem tax refunds, with interest, for the period from 1983 to 1988. The Commission directed the pipelines to serve first sellers with a Statement of Refunds Due within 60 days of the date of the refund order, and directed first sellers to make the necessary refunds within 180 days of the date of the refund order (i.e., by March 9, 1998).

BP Exploration states that the Kansas *ad valorem* tax reimbursements for which it is responsible were received by Lear Petroleum Exploration, Inc. (Lear), and were attributable to production sold by Lear to ANR between 1983 and 1985. BP Exploration states there is no dispute between ANR and BP Exploration about the amount and timing of reimbursements received and the petition relates solely to issues of law and policy. BP Exploration therefore does not ask the Commission to determine the amount of the refund obligation.

BP Exploration states that although it does not have any interest in Lear, BP Exploration, by contract, retains general responsibility for past refund obligations of Lear. BP Exploration is therefore responding to ANR's Statement of Refunds Due (Statement) and will make the required payments.

BP Exploration states its response to ANR's Statement has been unavoidably delayed because BP did not receive notice from ANR of any claimed refund liability until after February 24, 1998. Therefore, BP has filed for an adjustment in Docket No. SA98-77-000 in which it has requested that its time for payment of refunds be extended by 106 days so that BP will have the full time period contemplated by the Commission to review ANR's documentation and to resolve any disputes. BP has also requested to be relieved of any interest due for the additional 106-days period. BP states

that is incorporates by reference its petition for adjustment in Docket No. SA98-77-000.

BP states that the FERC has established procedures to determine whether ANR will be required to flow refunds through to its customers. BP requests that if the Commission determines that ANR is not required to flow refunds through to its customers, BP is not required to pay interest to ANR.

BP states that although the refund obligation is to be tied under the court's order to production on and after October 4, 1983, ANR has assessed refunds attributable to ANR's purchases of Lear's production from January 1, 1983. BP recognizes that the Commission in its September 10, Public Service Company order provided a clarification of the court's opinion, stating that refunds would be due based on tax bills rendered after October 4, 1983, rather than on production purchased after October 4. BP believes the Commission's clarification of the court's intention was in error. Accordingly, BP requests that the court's October 4 refund commencement date, based on production, be applied to it and that it receive the benefit of whatever clarification, correction, or reconsideration of the Commission's position may occur as a result of action by the Commission or the courts in this or other proceedings. BP requests the refund amounts (both principal and interest) be recalculated and reduced to reflect production purchased after October 4, 1983.

Reflecting its assertions, BP states that on or before June 1, 1998, it will refund certain undisputed amounts of principal and interest. BP states that certain disputed principal and interest amounts will be placed in an escrow account.

Any person desiring to comment on or make any protest with respect to the above-referenced petition should, on or before June 22, 1998, file with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC., 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.

David P. Boergers,

Acting Secretary.

[FR Doc. 98-14967 Filed 6-4-98; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. EC96-19-027 and ER96-1663-028]

The California Independent System Operator Corporation; Notice of Filing

May 29, 1998.

Take notice that on May 19, 1998, the California Independent System Corporation (ISO), filed for Commission acceptance in the above referenced docket, pursuant to Section 205 of the Federal Power Act, an application to amend the ISO Tariff, including the ISO Protocols (Amendment No. 8), and a motion for waiver of the 60-day notice requirement. The ISO requests that proposed Amendment No. 8, be made effective as of May 19, 1998, and that the Commission take expedited action with respect to Amendment No. 8.

The ISO states that Amendment No. 8, would provide an interim Regulation Energy payment adjustment to address reliability problems arising from insufficient Regulation reserves bids in the ISO's Ancillary Services market. Amendment No. 8, also proposed various related clarifying changes.

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 and protests should be filed on or before June 8, 1998. Protests will be considered by the Commission to determine the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. 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. 98-14969 Filed 6-4-98; 8:45 am]

BILLING CODE 6717-01-M

¹ See 80 FERC ¶ 61,264 (1997); order denying reh'g 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 (Public Service).