

inspection in the Public Reference Room.

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

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EC98-63-000]

#### MidAmerican Energy Company and MidAmerican Energy Holdings Company; Notice of Application for Approval of Merger

September 17, 1998.

Take notice that on September 14, 1998, MidAmerican Energy Company and MidAmerican Energy Holdings Company (MidAmerican Holdings) tendered for filing an application pursuant to Section 203 of the Federal Power Act and Part 33 of the Regulations of the Federal Energy Regulatory Commission for an order authorizing and approving the merger of MidAmerican Holdings and CalEnergy Company, Inc. (the Merger). Applicants have requested Commission approval of the Merger by the end of 1998.

Pursuant to the terms of the Agreement and Plan of Merger dated as of August 11, 1998, MidAmerican Holdings will merge with and into a special purpose, wholly-owned subsidiary of CalEnergy, MAVH, Inc., which is an Iowa corporation, with MidAmerican Holdings to be the surviving corporation. Each issued and outstanding share of MidAmerican Holdings will be cancelled upon consummation of the Merger and converted to the right of the holder thereof to receive \$27.15. Each share of MAVH, Inc. will be converted into one share of the surviving corporation, MidAmerican Holdings. As a result of the Merger, MidAmerican Holdings will become a wholly-owned subsidiary of CalEnergy, which, immediately prior to the Merger, will reincorporate in the State of Iowa and be renamed MidAmerican Energy Holdings Company.

Any person desiring to be heard or to protest such filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions and protests should be filed on or before November 16, 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,**  
*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP98-386-001]

#### Northern Natural Gas Company; Notice of Compliance Filing

September 17, 1998.

Take notice that on September 14, 1998, Northern Natural Gas Company (Northern), filed in compliance with the Commission's letter, requesting working papers to support the Gas Supply Realignment Reverse Auction Tracker Unrecovered balance and corresponding carrying charges.

Northern states that copies of the filing were served upon Northern's customers and interested State Commission.

Any person desiring to protest this filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with Section 385.211 of the Commission's Rules and Regulations. All such protests must be filed on or before September 24, 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 proceedings. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

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

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. PR95-9-000 and PR95-9-001]

#### Three Rivers Pipeline Company; Order Approving Settlement and Instituting Proceeding

Issued September 17, 1998.

On August 17, 1995, Three Rivers Pipeline Company (Three Rivers) filed an uncontested settlement of its rates for transportation service rendered under § 311(a)(2) of the Natural Gas Policy Act of 1978 (NGPA). Subsequently, staff sent Three Rivers data requests concerning its transportation services and jurisdictional status. Based on our review of the settlement and the record in this proceeding, the Commission finds that the settlement is a reasonable resolution of the issues concerning Three Rivers' rates in effect between April 1, 1995, and the issuance of any future order approving superseding rates based on the outcome of the proceeding instituted by this order. The Commission also finds, however, that Three Rivers should be required to explain why the Commission should not find Three Rivers to be an interstate pipeline subject to the Commission's Natural Gas Act (NGA) jurisdiction. In the alternative, Three Rivers may produce evidence that it qualifies as a "Hinshaw pipeline" exempt from Commission jurisdiction under the provisions of section 1(c) of the Natural Gas Act.

#### I. Background and Related Proceedings

##### A. Facilities

In 1946, Mobil Oil Company (Mobil) constructed a 300-mile long, 8-inch diameter oil-products pipeline extending from southwest Pennsylvania, at Midland, to the border of New Jersey. Mobil currently uses its pipeline east of Altoona, Pennsylvania, for the transportation of oil products. On August 29, 1991, Three Rivers purchased approximately 121 miles of Mobil's oil-products pipeline extending from Midland to Altoona in order to render natural gas service. Three Rivers, then owned by subsidiaries of GEMCO Gas Marketing, Inc. and Pentex Petroleum, Inc., converted the oil products pipeline to natural gas use. Subsequently, Three Rivers added compression on the eastern portion of its system, main line valves, and interconnections with National Fuel Gas Supply (National Fuel) at the Midland receipt point, and delivery points at downstream locations in Pennsylvania