

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Docket No. CP97-729-001]

Eastern Shore Natural Gas Company; Notice of Amendment

September 25, 1998.

Take notice that on September 16, 1998, pursuant to Sections 7(c) of the Natural Gas Act (NGA), Eastern Shore Natural Gas Company (Eastern Shore), P.O. Box 1769, Dover, Delaware 19903-1769, filed in Docket No. CP97-729-001 an amendment to its certificate issued at Docket No. CP97-729-000 (82 FERC ¶ 62,160 (1998)), on March 6, 1998 in order to increase the diameter of the 2.3 mile section of pipeline replacement from the authorized 10 inches to 16 inches, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

On March 6, 1998, the Commission authorized Eastern Shore to replace 2.3 miles of 6-inch pipeline with 10-inch pipeline, and .2 miles of 10-inch pipeline with 16-inch pipeline, all in connection with a highway realignment project required by the State of Delaware Department of Transportation (DelDOT). Eastern Shore states that as presented in the original application, the estimated total cost of the 2.3 miles of 10-inch pipeline is \$781,517. Eastern Shore also notes that it requested and received a preliminary determination that rolled-in rate treatment would be appropriate for the entire cost of the upsized pipeline segments. Eastern Shore is requesting the current authorization to increase the diameter of the approved 2.3 mile pipeline from 10 inches to 16 inches because, in late September, it will file an application for authorization to construct and operate additional facilities, which in combination with the change requested herein, will enable Eastern Shore to provide additional firm advice to existing customers.

Eastern Shore believes that DelDOT will require the construction of the 2.3 mile segment of pipeline prior to the Commission's approval of the additional facilities that Eastern Shore proposes to file for authorization with the Commission in September. Eastern Shore claims that DelDOT's current construction schedule may require Eastern Shore to begin construction as early as November of 1998. Consequently, Eastern Shore asserts that it faces a timing dilemma that can best be resolved by amending the Commission's March 9, 1998 order to

allow it to install the 16-inch diameter pipe. Eastern Shore claims that the incremental cost of increasing the diameter of the 2.3 mile segment to 16-inches is \$369,853, if undertaken in conjunction with the DelDOT project. By comparison, Eastern Shore notes that if it were to install the previously approved 10-inch pipeline and later loop the line, the cost of installing the looping on new right-of-way without the benefit of the ongoing highway construction would be in excess of the \$1,460,594 that Eastern Shore estimated in the original application as the cost to separately install a 10-inch pipeline loop. Eastern Shore states that it is not this time seeking a preliminary determination of rolled-in rate treatment for the incremental cost of upsizing the pipeline segment, it will however do so in its next rate case, assuming the Commission approves the proposed facilities to be filed with the Commission in September.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 9, 1998, 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 385.211) 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 jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules and Regulations, 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 a grant of the certificate is 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 Eastern Shore to appear or be represented at the hearing.

David P. Boergers,*Secretary.*

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DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Docket No. CP98-795-000]

Transwestern Pipeline Company; Notice of Application

September 25, 1998.

Take notice that on September 22, 1998, Transwestern Pipeline Company (Transwestern), having its main offices at 1400 Smith Street, Houston, Texas 77002, filed in the above docket an abbreviated application pursuant to Section 7(b) and 7(c) of the Natural Gas Act seeking permission to abandon by sale to Union Pacific Highlands Gathering and Processing Company (UPH), approximately 57.9 miles of various diameter pipeline facilities appurtenant facilities, one small volume tap, all located in Eddy and Lea Counties, New Mexico, (the Crawford/Burton Flats Facilities) and certain firm and interruptible transportation services rendered over these facilities.

Specifically, Transwestern proposes to convey to UPH:

1. The 8-inch diameter Crawford lateral, approximately 27.2 miles in length,
2. A portion of the 16-inch diameter Crawford Loop Lateral segment approximately 5.6 miles in length,
3. The 12-inch diameter Burton Flats Lateral approximately 15.7 miles in length,
4. The 8-inch diameter Avalon Lateral approximately 2.08 miles in length,
5. The 10-inch diameter Yates Federal #1 Lateral approximately 4.9 miles in length,
6. The 8-inch diameter TX O&G Williamson Federal #1 Lateral approximately 0.9 miles in length,
7. The 6-inch TX O&G Williamson Federal #1 Lateral extension approximately 0.5 miles in length, and
8. All delivery and receipt points located on these facilities.

Transwestern also proposes to abandon by sale in existing farm tap, but will continue the service through a new farm tap to be installed on its portion of the Crawford Loop Lateral that Transwestern will retain. Transwestern proposes to sell these facilities to UPH for \$3.1 million.