

Groundwater/vadose Zone Draft  
Baseline Document.

**Public Participation:** The meeting is open to the public. Written statements may be filed with the Committee either before or after the meeting. Individuals who wish to make oral statements pertaining to agenda items should contact Gail McClure's office at the address or telephone number listed above. Requests must be received 5 days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Each individual wishing to make public comment will be provided a maximum of 5 minutes to present their comments near the beginning of the meeting.

**Minutes:** The minutes of this meeting will be available for public review and copying at the Freedom of Information Public Reading Room, 1E-190, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585 between 9:00 a.m. and 4:00 p.m., Monday-Friday, except Federal holidays. Minutes will also be available by writing to Gail McClure, Department of Energy Richland Operations Office, P.O. Box 550, Richland, WA 99352, or by calling her at (509) 373-5647.

Issued at Washington, DC on December 17, 1998.

**Rachel M. Samuel,**

*Deputy Advisory Committee Management Officer.*

[FR Doc. 98-34085 Filed 12-23-98; 8:45 am]

BILLING CODE 6450-01-P

## DEPARTMENT OF ENERGY

### Environmental Management Site-Specific Advisory Board, Rocky Flats

**AGENCY:** Department of Energy.

**ACTION:** Notice of open meeting.

**SUMMARY:** Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770) notice is hereby given of the following Advisory Committee meeting: Environmental Management Site-Specific Advisory Board (EM SSAB), Rocky Flats.

**DATES:** Thursday, January 7, 1999: 6 p.m.-9:30 p.m.

**ADDRESS:** College Hill Library, (Front Range Community College), 3705 West 112th Avenue, Westminster, CO.

**FOR FURTHER INFORMATION CONTACT:** Ken Korkia, Board/Staff Coordinator, EM SSAB-Rocky Flats, 9035 North Wadsworth Parkway, Suite 2250,

Westminster, CO 80021, phone: (303) 420-7855, fax: (303) 420-7579.

#### SUPPLEMENTARY INFORMATION:

**Purpose of the Board:** The purpose of the Board is to make recommendations to DOE and its regulators in the areas of environmental restoration, waste management, and related activities.

#### Tentative Agenda:

1. The Board will host a presentation on the National Environmental Policy Act (NEPA). Many actions at Rocky Flats, including the upcoming interim storage of transuranic waste, fall under NEPA requirements.

2. The Board will continue to learn about and discuss storage plans for transuranic waste at Rocky Flats. The site must now make interim storage decisions for these wastes, as lawsuits have delayed the opening of the Waste Isolation Pilot Plant (WIPP).

3. Other Board business will be conducted as necessary.

**Public Participation:** The meeting is open to the public. Written statements may be filed with the Committee either before or after the meeting. Individuals who wish to make oral statements pertaining to agenda items should contact Ken Korkia at the address or telephone number listed above. Requests must be received 5 days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Designated Federal Official is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Each individual wishing to make public comment will be provided a maximum of 5 minutes to present their comments at the beginning of the meeting.

**Minutes:** The minutes of this meeting will be available for public review and copying at the Freedom of Information Public Reading Room, 1E-190, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585 between 9 a.m. and 4 p.m., Monday-Friday, except Federal holidays. Minutes will also be available at the Public Reading Room located at the Board's office at 9035 North Wadsworth Parkway, Suite 2250, Westminster, CO 80021; telephone (303) 420-7855. Hours of operation for the Public Reading Room are 9:00 am and 4:00 pm on Monday through Friday. Minutes will also be made available by writing or calling Deb Thompson at the Board's office address or telephone number listed above.

Issued at Washington, DC on December 18, 1998.

**Rachel M. Samuel,**

*Deputy Advisory Committee Management Officer.*

[FR Doc. 98-34086 Filed 12-23-98; 8:45 am]

BILLING CODE 6450-01-P

## DEPARTMENT OF ENERGY

### Office of Fossil Energy

[Docket No. FE-R-79-43B]

### Electric and Gas Utilities Covered in 1999 by Titles I and III of the Public Utility Regulatory Policies Act of 1978 and Requirements for State Regulatory Authorities To Notify the Department of Energy

**AGENCY:** Office of Fossil Energy, Department of Energy.

**ACTION:** Notice.

**SUMMARY:** Sections 102(c) and 301(d) of the Public Utility Regulatory Policies Act of 1978 (PURPA) require the Secretary of Energy (Secretary) to publish a list, before the beginning of each calendar year, identifying each electric utility and gas utility to which Titles I and III of PURPA apply during such calendar year. In addition, sections 102(c) and 301(d) of PURPA require each State regulatory authority to notify the Secretary of each electric utility and gas utility on the list for which such State regulatory authority has ratemaking authority. This Notice is to announce the availability of the 1999 list of electric and gas utilities and to request written comments on the accuracy of the list.

The list is available both in hard copy and electronically. The hard copy version of the 1999 list is being provided by mail to all State regulatory authorities. Other parties interested in receiving the hard copy of the list may contact the **FOR FURTHER INFORMATION CONTACT** identified below. In addition, the Office of Coal & Power Import and Export operates a web site as a service to commercial and government users, as well as the general public. The 1999 list is available by accessing the web site at: [http://www.fe.doe.gov/coal\\_\\_power/elec\\_\\_reg/elec\\_\\_reg.htm](http://www.fe.doe.gov/coal__power/elec__reg/elec__reg.htm)

**DATES:** Notifications by State regulatory authorities and written comments must be received no later than 4:30 p.m. on February 15, 1999.

**ADDRESSES:** Notifications and written comments should be forwarded to: U.S. Department of Energy, Office of Coal & Power Import and Export, FE-27, 1000 Independence Avenue, SW, Room 4G-

025, Docket No. FE-R-79-43B, Washington, DC 20585.

**FOR FURTHER INFORMATION CONTACT:** Steven Mintz, Office of Coal & Power Import and Export, Office of Fossil Energy, U.S. Department of Energy, 1000 Independence Avenue, SW., Room 4G-025, FE-27, Washington, DC 20585, Telephone 202/586-9506.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Pursuant to sections 102(c) and 301(d) of PURPA, Pub. L. 95-617, 92 Stat. 3117 *et seq.* (16 U.S.C. 2601 *et seq.*,

hereinafter referred to as the Act) the Department of Energy (DOE) is required to publish a list of utilities to which Titles I and III of PURPA apply in 1999.

State regulatory authorities are required by the Act to notify the Secretary as to their ratemaking authority over the listed utilities. The inclusion or exclusion of any utility on or from the list does not affect the legal obligations of such utility or the responsible authority under the Act.

The term "State regulatory authority" means any State, including the District of Columbia and Puerto Rico, or a political subdivision thereof, and any agency or instrumentality, which has authority to fix, modify, approve, or disapprove rates with respect to the sale of electric energy or natural gas by any utility (other than such State agency). In the case of a utility for which the Tennessee Valley Authority (TVA) has ratemaking authority, the term "State regulatory authority" means the TVA.

Title I of PURPA sets forth ratemaking and regulatory policy standards with respect to electric utilities. Section 102(c) of Title I requires the Secretary to publish a list, before the beginning of each calendar year, identifying each electric utility to which Title I applies during such calendar year. An electric utility is defined as any person, State agency, or Federal agency that sells electric energy. An electric utility is covered by Title I for any calendar year if it had total sales of electric energy, for purposes other than resale, in excess of 500 million kilowatt-hours during any calendar year beginning after December 31, 1975, and before the immediately preceding calendar year. An electric utility is covered in 1999 if it exceeded the threshold in any year from 1976 through 1997.

Title III of PURPA addresses ratemaking and other regulatory policy standards with respect to natural gas utilities. Section 301(d) of Title III requires the Secretary to publish a list, before the beginning of each calendar year, identifying each gas utility to

which Title III applies during such calendar year. A gas utility is defined as any person, State agency, or Federal agency, engaged in the local distribution of natural gas and the sale of natural gas to any ultimate consumer of natural gas. A gas utility is covered by Title III if it had total sales of natural gas, for purposes other than resale, in excess of 10 billion cubic feet during any calendar year beginning after December 31, 1975, and before the immediately preceding calendar year. A gas utility is covered in 1999 if it exceeded the threshold in any year from 1976 through 1997.

In compiling the list published today, the DOE revised the 1998 list (63 FR 475, January 6, 1998) upon the assumption that all entities included on the 1998 list are properly included on the 1999 list unless the DOE has information to the contrary. In doing this, the DOE took into account information included in public documents regarding entities which exceeded the PURPA thresholds for the first time in 1997. The DOE believes that it will become aware of any errors or omissions in the list published today by means of the comment process called for by this Notice. The DOE will, after consideration of any comment and other information available to the DOE, provide written notice of any further additions or deletions to the list.

**II. Notification and Comment Procedures**

No later than 4:30 p.m. on February 15, 1999, each State regulatory authority must notify the DOE in writing of each utility on the list over which it has ratemaking authority. Two copies of such notification should be submitted to the address indicated in the **ADDRESS** section of this Notice and should be identified on the outside of the envelope and on the document with the designation "Docket No. FE-R-79-43B." Such notification should include:

1. A complete list of electric utilities and gas utilities over which the State regulatory authority has ratemaking authority;
2. Legal citations pertaining to the ratemaking authority of the State regulatory authority; and,
3. For any listed utility known to be subject to other ratemaking authorities within the State for portions of its service area, a precise description of the portion to which such notification applies.

All interested persons, including State regulatory authorities, are invited to comment in writing, no later than 4:30 p.m. on February 15, 1999, on any errors or omissions with respect to the list. Two copies of such comments should be

sent to the address indicated in the **ADDRESS** section of this Notice and should be identified on the outside of the envelope and on the document with the designation "Docket No. FE-R-79-43B." Written comments should include the commenter's name, address, and telephone number.

All notifications and comments received by the DOE will be made available, upon request, for public inspection and copying in the Freedom of Information Reading Room, Room 1E-190, 1000 Independence Avenue, SW, Washington, DC 20585, between the hours of 9 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

**III. List of Electric Utilities and Gas Utilities**

The 1999 list consists of two parts (Appendices A and B). Each displays a different tabulation of the utilities that meet PURPA coverage requirements. As stated above, the inclusion or exclusion of any utility on or from the lists does not affect that utility's legal obligations or those of the responsible State regulatory authority under PURPA.

Appendix A contains a list of utilities which are covered by PURPA. These utilities are grouped by State and by the regulatory authority within each State. Also included in this list are utilities which are covered by PURPA but which are not regulated by the State regulatory authority. This tabulation, including explanatory notes, is based on information provided to the DOE by State regulatory authorities in response to the January 6, 1998 **Federal Register** notice (63 FR 475) requiring each State regulatory authority to notify the DOE of each utility on the list over which it has ratemaking authority, public comments received with respect to that notice, and information subsequently made available to the DOE.

The utilities classified in Appendix A as not regulated by the State regulatory authority, in fact, may be regulated by local municipal authorities. These municipal authorities would be State agencies as defined by PURPA and thus have responsibilities under PURPA identical to those of the State regulatory authority. Therefore, each such municipality is to notify the DOE of each utility on the list over which it has ratemaking authority.

In Appendix B, the utilities are listed alphabetically, subdivided into electric utilities and gas utilities, and further subdivided by type of ownership: investor-owned utilities, publicly-owned utilities, and rural cooperatives.

Those parties interested in accessing the list electronically through our web site may do so by contacting <http://>

www.fe.doe.gov/coal\_power/elec\_reg/elec\_reg.htm. Once you have accessed our web site just follow the directions to the 1999 list.

The changes to the 1998 list of electric and gas utilities are as follows:

*Additions:*

Central Iowa Power Cooperative (IA)  
College Station Utilities (TX)  
Concord Electric Company (NH)  
Connecticut Valley Electric Company (NH)  
Corn Belt Power Cooperative (IA)  
Denton Municipal Utilities (TX)  
Exeter & Hampton Electric Company (NH)  
Kirkwood Electric (CA)  
Lake Superior Water, Light and Power (WI)  
New Braunfels Utilities (TX)  
Northwest Iowa Power Cooperative (IA)  
West Coast Gas (CA)  
(Public Utility Regulatory Policies Act of 1978, Pub. L. 95-617, 92 Stat. 3117 *et seq.* (16 U.S.C. 2601) *et seq.*)

Issued in Washington, DC., on December 17, 1998.

**Anthony J. Como,**

*Manager, Electric Power Regulation, Office of Coal and Power Im/Ex, Office of Fossil Energy.*

[FR Doc. 98-34087 Filed 12-23-98; 8:45 am]

BILLING CODE 6450-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. TM99-1-20-001]

#### Algonquin Gas Transmission Company; Notice of Compliance Filing

December 18, 1998.

Take notice that on December 14, 1998, Algonquin Gas Transmission Company (Algonquin) tendered for filing as part of its FERC Gas Tariff, Fourth Revised Volume No. 1, Third Revised Sheet No. 687, to become effective December 1, 1998.

Algonquin asserts that the above listed tariff sheet is being filed in compliance with the Commission's November 27, 1998 letter order in Docket No. TM99-1-20 in which the Commission directed Algonquin to file additional information to support its waiver request in its October 30, 1998 filing to permit the computation of the Fuel Reimbursement Quantity Deferred Account surcharge solely on the basis of actual cash transactions to reflect current Commission policy, as expressed in Koch Gateway Pipeline Co., 76 FERC ¶ 61,296 (1996), followed more recently in ANR Pipeline Co., 80 FERC ¶ 61,173 (1997), and since Algonquin's tariff permits the use of imputed values in part. Algonquin states that the revised tariff provision is

being submitted as an alternative to the prospective portion of Algonquin's October 30 waiver-request, consistent with the Commission's policy.

Algonquin also states that the filing includes the data required by the Commission's order; i.e., a detailed explanation and workpapers showing the differences between the adjustments contained in Algonquin's filing in Docket No. TM99-1-20 and those which would have occurred under the procedures previously followed by Algonquin and approved by the Commission.

Algonquin states that copies of the filing were mailed to all affected customers of Algonquin and interested state commissions, as well as all parties in Docket No. TM99-1-20-000.

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 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.

**David P. Boergers,**

*Secretary.*

[FR Doc. 98-34084 Filed 12-23-98; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER99-198-000]

#### Constellation Energy Source, Inc.; Notice of Issuance of Order

December 18, 1998.

Constellation Energy Source, Inc. (CES), a wholly-owned subsidiary of Baltimore Gas & Electric Company, filed an application seeking Commission authorization to engage in the wholesale sale and brokering of electric energy and capacity at market-based rates, and for certain waivers and authorizations. In particular, CES requested that the Commission grant blanket approval under 18 CFR Part 34 of all future issuances of securities and assumptions of liabilities by CES. On December 18, 1998, the Commission issued an Order Conditionally Accepting For Filing

Proposed Market-Based Rates (Order), in the above-docketed proceeding.

The Commission's December 18, 1998 Order granted the request for blanket approval under Part 34, subject to the conditions found in ordering Paragraphs (E), (F), and (H):

(E) Within 30 days of the date of issuance of this order, any person desiring to be heard or to protest the Commission's blanket approval of issuances of securities or assumptions of liabilities by CES 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.

(F) Absent a request to be heard within the period set forth in Ordering Paragraph (E) above, CES is hereby authorized to issue securities and assume obligations and liabilities as guarantor, indorser, surety or otherwise in respect of any security of another person; provided that such issue or assumption is for some lawful object within the corporate purposes of CES, compatible with the public interest, and reasonably necessary or appropriate for such purposes.

(H) The Commission reserves the right to modify this order to require a further showing that neither public nor private interests will be adversely affected by continued Commission approval of CES' issuances of securities or assumptions of liabilities\* \* \*.

Notice is hereby given that the deadline for filing motions to intervene or protests, as set forth above, is January 19, 1999.

Copies of the full text of the Order are available from the Commission's Public Reference Branch, 888 First Street, NE, Washington, DC 20426.

**David P. Boergers,**

*Secretary.*

[FR Doc. 98-34072 Filed 12-23-98; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP98-259-002 and TM99-2-31-002 (Not consolidated)]

#### NorAm Gas Transmission Company; Notice of Proposed Changes in FERC Gas Tariff

December 18, 1998.

Take notice that on December 14, 1998, NorAm Gas Transmission Company (ANGT) tendered for filing as