

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Docket No. CP-99-135-000]

Koch Gateway Pipeline Company; Notice of Request Under Blanket Authorization

January 4, 1999.

Take notice that on December 22, 1998, Koch Gateway Pipeline Company (Koch), 20 Greenway Plaza, P.O. Box 1478, Houston, Texas 77251-1478, filed in Docket No. CP99-135-000 a request pursuant to Sections 157.205 and 157.211 of the commission's Regulations (18 CFR 157.205 and 157.211) under the Natural Gas Act (NGA) for authorization to construct and operate delivery point facilities in Ouachita Parish, Louisiana, under Koch's blanket certificate issued in Docket No. CP82-430-000, pursuant to Section 7 of the NGA, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Koch proposes to construct and operate delivery point facilities consisting of an 8-inch tap, meter station and approximately 0.6 mile of 10-inch pipeline connecting to Koch's existing transmission line designated as Index 156. It is asserted that Koch would use the facilities to deliver gas transported for Koch Energy Trading, Inc., a market affiliate, to Koch Power Louisiana, L.L.C., a wholesale seller of electric power, which is the end-user and an affiliate. It is explained that Koch would deliver 15,000 MMBtu equivalent of natural gas on an average day and up to 60,000 MMBtu equivalent on a peak day on an interruptible basis under Koch's ITS Rate Schedule. It is estimated that the cost of the facilities would be \$330,000. Koch states that the installation of the delivery point would not have a significant impact on Koch's peak day or annual deliveries.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request

shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

Linwood A. Watson, Jr.,*Acting Secretary.*

[FR Doc. 99-342 Filed 1-7-99; 8:45 am]

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DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Docket No. RP98-410-003]

Koch Gateway Pipeline Company; Notice of Compliance Filing

January 4, 1999.

Take notice that on December 22, 1998, Koch Gateway Pipeline Company (Koch) tendered for filing as part of its FERC Gas Tariff, Volume No. 1, the following tariff sheets, to become effective October 19, 1998.

Fifth Revised Volume No. 1
2nd Sub Fourth Revised Sheet No. 1805
Seventh Revised Sheet No. 2707

Koch filed the above referenced tariff sheets to respond to the Commission's Letter Order Pursuant to 375.307(b)(1) and (b)(3) issued on December 9, 1998 in Docket No. RP98-410.

Any person desiring to protest this 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 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.

Linwood A. Watson, Jr.,*Acting Secretary.*

[FR Doc. 99-346 Filed 1-7-99; 8:45 am]

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DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****Mountain Petroleum Corporation; Notice of Petition for Dispute Resolution**

January 4, 1999.

Take notice that, on December 23, 1998, Mountain Petroleum Corporation (Mountain) filed a letter disputing the

amount Mountain owes K N Interstate Gas Transmission Company (KNI) in Kansas ad valorem tax reforms, i.e., a petition for dispute resolution regarding KNI's refund claim. On January 28, 1998, the Commission issued an *Order Clarifying Procedures* [82 FERC ¶ 61,059 (1998)]. In that order, the Commission stated that producers (i.e., First Sellers) could file dispute resolution requests from the Commission, asking the Commission to resolve the dispute with the pipeline over the amount of Kansas ad valorem tax refunds the producer owes. Mountain's petition is on file with the Commission and open to public inspection.

The Commission issued an order on September 10, 1997, in Docket No. RP97-369-000 *et al.*, [80 FERC ¶ 61,264 (1997); rehearing denied 82 FERC ¶ 61,058 (1998)] directing First Sellers to refund Kansas ad valorem tax reimbursements, with interest, to the appropriate pipeline(s), for the period from 1983-1988. The September 10 order also directed the pipelines to serve each First Seller with a Statement of Refunds Due.

KNI served Mountain with a \$15,848.52 refund claim (\$5,583.75 of principal and \$10,264.77 of interest). KNI's May 18, 1998 Refund Report to the Commission shows that Mountain paid KNI \$5,778.61, leaving a balance due KNI of \$10,069.91.

In its December 23 letter disputing KNI's refund claim, Mountain states that it calculated and paid KNI \$5,778.61 (\$1,713.02 in principal and \$4,065.59 in interest), and that this sum is the correct Kansas ad valorem tax refund amount Mountain owed KNI. With respect to the \$10,069.91 remainder of KNI's refund claim, Mountain contends that it must be demonstrated that the amount Mountain received (inclusive of tax reimbursements) exceeded the applicable maximum lawful price, before refunds may be ordered.

Any person desiring to comment on or make any protest with respect to the above-referenced petition should, on or before January 25, 1999, file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, 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