

Copies of the filing have been provided to the Public Utilities Commission of Ohio, the Pennsylvania Public Utility Commission, the Maryland Public Service Commission, the Virginia State Corporation Commission, the West Virginia Public Service Commission.

*Comment date:* February 9, 1999, in accordance with Standard Paragraph E at the end of this notice.

### 28. New England Power Pool and ISO New England Inc.

[Docket No. ER99-1414-000]

Take notice that on January 15, 1999, the New England Power Pool and ISO New England Inc. filed a response with respect to the Commission's December 16, 1998 Order in Docket No. EL98-52-000.

*Comment date:* February 16, 1999, in accordance with Standard Paragraph E at the end of this notice.

### 29. Public Service Company of New Mexico

[Docket Nos. OA96-202-001 and OA97-655-000]

Take notice that on January 22, 1999, Public Service Company of New Mexico (PNM) submitted for filing a corrected page 2 (correcting a typographical error) of Ancillary Service Schedule 3, "Regulation and Frequency Response Service", to its Open Access Transmission Tariff, submitted as a component of contemporaneous filings made on July 27, 1998, in association with the above captioned dockets.

A copy of the corrected page has been sent to all parties on the Official Service List of the above captioned dockets, as well as to the New Mexico Public Regulation Commission. PNM's filing is available for public inspection at its offices in Albuquerque, New Mexico.

*Comment date:* February 22, 1999, in accordance with Standard Paragraph E at the end of this notice.

### Standard Paragraphs

E. 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 or protests should be filed on or before the comment date. 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 proceeding. Any person wishing to become a party must file a motion to intervene. Copies

of these filings are on file with the Commission and are available for public inspection.

**David P. Boergers,**

*Secretary.*

[FR Doc. 99-2364 Filed 2-1-99; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP99-151-000]

#### ANR Pipeline Company; Notice of Intent To Prepare an Environmental Assessment for the Proposed 100 Line and Line 1-100 Replacement Project and Request for Comments on Environmental Issues

January 27, 1999.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the 100 Line and Line 1-100 Replacement Project by ANR Pipeline Company (ANR), in Porter County, Indiana.<sup>1</sup> These facilities would consist of about 1.63 miles of 22-inch-diameter pipeline and 1.63 miles of 30-inch-diameter loop. This EA will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity. The application and other supplemental filings in this docket are available for viewing on the FERC Internet website ([www.ferc.fed.us](http://www.ferc.fed.us)). Click on the "RIMS" link, select "Docket #" from the RIMS Menu, and follow the instructions.

Similarly, the "CIPS" link on the FERC Internet website provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings. From the FERC Internet website, click on the "CIPS" link, select "Docket #" from the CIPS menu, and follow the instructions.

If you are a landowner receiving this notice, you may be contacted by a pipeline company representative about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The pipeline company would seek to negotiate a mutually acceptable agreement. However, if the project is approved by the Commission, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail

<sup>1</sup> ANR's application was filed with the Commission under Section 7(c) of the Natural Gas Act.

to produce an agreement, the pipeline company could initiate condemnation proceedings in accordance with state law. A fact sheet addressing a number of typically asked questions, including the use of eminent domain, is attached to this notice as appendix 1.<sup>2</sup>

### Summary of the Proposed Project

ANR wants to replace 1.63 miles of 22-inch-diameter pipeline and 1.63 miles of 30-inch-diameter loop in Porter County, Indiana. The replacements are required for ANR to remain compliant with U.S. Department of Transportation regulations, pursuant to Title 49, Code of Federal Regulations, Part 192, as a result of increased human population density in the vicinity of ANR's existing pipeline right-of-way (ROW).

The location of the project facilities is shown in appendix 2.

### Land Requirements for Construction

Construction of the proposed facilities would require about 33.7 acres of land, including 24.1 acres of existing permanent ROW, 0.8 acre of new permanent ROW, and 8.8 acres of temporary construction ROW that would be restored and allowed to revert to its former use.

### The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us to discover and address concerns the public may have about proposals. We call this "scoping". The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this Notice of Intent, the Commission requests public comments on the scope of the issues it will address in the EA. All comments received are considered during the preparation of the EA. State and local government representatives are encouraged to notify their constituents of this proposed action and encourage them to comment on their areas of concern.

The EA will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

<sup>2</sup> The appendices reference in this notice are not being printed in the **Federal Register**. Copies are available from the Commission's Public Reference and Files Maintenance Branch, 888 First Street, N.E., Washington, D.C. 20426, or call (202) 208-1371. Copies of the appendices were sent to all those receiving this notice in the mail.

- Geology and soils;
- Water resources, fisheries, and wetlands;
- Vegetation and wildlife;
- Public safety;
- Land use;
- Cultural resources;
- Endangered and threatened species.

We will also evaluate possible alternatives to the proposed project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resources areas.

Our independent analysis of the issues will be in the EA. Depending on the comments received during the scoping process, the EA may be published and mailed to Federal, state, and local agencies, public interest groups, interested individuals, affected landowners, newspapers, libraries, and the Commission's official service list for this proceeding. A comment period will be allotted for review if the EA is published. We will consider all comments on the EA before we make our recommendations to the Commission.

To ensure your comments are considered, please carefully follow the instructions in the public participation section below.

#### Currently Identified Environmental Issues

We have already identified the following issue that we think deserves attention based on a preliminary review of the proposed facilities and the environmental information provided by ANR. This preliminary list of issues may be changed based on your comments and our analysis.

- Four residences in the project area would be within 50 feet of the construction ROW.

#### Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. By becoming a commentor, your concerns will be addressed in the EA and considered by the Commission. You should focus on the potential environmental effects of the proposal, alternatives to the proposal (including alternative routes, and measures to avoid or lessen environmental impact. The more specific your comments, the more useful they will be. Please carefully follow these instructions to ensure that your comments are received in time and properly recorded:

- Send two copies of your letter to: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First St., N.E., Room 1A, Washington, DC 20426;

• Label one copy of the comments for the attention of the Environmental Review and Compliance Branch, PR-11.2;

• Reference Docket No. CP99-151-000; and

• Mail your comments so that they will be received in Washington, DC on or before February 26, 1999.

#### Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an official party to the proceeding known as an "intervenor". Intervenor play a more formal role in the process. Among other things, intervenors have the right to receive copies of case-related Commission documents and filings by other intervenors. Likewise, each intervenor must provide 14 copies of its filings to the Secretary of the Commission and must send a copy of its filings to all other parties on the Commission's service list for this proceeding. If you want to become an intervenor you must file a motion to intervene according to Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.214) (see appendix 3). Only intervenors have the right to seek rehearing of the Commission's decision. You do not need intervenor status to have your nvironmental comments considered.

Additional information about the proposed project is available from Mr. Paul McKee of the Commission's Office of External Affairs at (202) 208-1088 or on the FERC website ([www.ferc.fed.us](http://www.ferc.fed.us)) using the "RIMS" link to information in this docket number. For assistance with access to RIMS, the RIMS helpline can be reached at (202) 208-2222. Access to the texts of formal documents issued by the Commission with regard to this docket, such as orders and notices, is also available on the FERC website using the "CIPS" link. For assistance with access to CIPS, the CIPS helpline can be reached at (202) 208-2474.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 99-2366 Filed 2-1-99; 8:45 am]

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#### DEPARTMENT OF ENERGY

#### Federal Energy Regulatory Commission

#### Notice of Application Accepted for Filing; Ready for Environmental Analysis; and Soliciting Motions To Intervene and Protests, Comments, Recommendations, Terms and Conditions, and Prescriptions

January 28, 1999.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

*a. Type of Application:* Major Water Power Project, 5 Megawatts or Less (Subsequent License).

*b. Project No.:* 2964-006.

*c. Date filed:* March 31, 1998.

*d. Applicant:* City of Sturgis, Michigan.

*e. Name of Project:* Sturgis Project.

*f. Location:* On the St. Joseph River, near the Town of Centreville, St. Joseph County, Michigan.

*g. Filed Pursuant to:* Federal Power Act 16 U.S.C. 791(a)-825(r).

*h. Applicant Contact:* Mr. John J. Griffith, P.E., Electric Department Superintendent, City of Sturgis, 130 North Nottawa, P.O. Box 280, Sturgis, Michigan 49091, (616) 651-2321.

*i. FERC Contact:* Any questions on this notice should be addressed to Patrick Murphy, E-mail address [patrick.murphy@ferc.fed.us](mailto:patrick.murphy@ferc.fed.us) or telephone (202) 219-2659.

*j. Deadline for filing motions to intervene and protests, comments, recommendations, terms and conditions, and prescriptions:* 60 days from the issuance date of this notice.

*All documents (original and eight copies) should be filed with:* David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission, relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

*k. Status of environmental analysis:* This application has been accepted for filing and is ready for environmental analysis at this time.

*l. Description of Project:* The existing project consists of: (1) an 800-foot long