

Commission, 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 385.214, 385.211, 385.1105, and 385.1106). 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.

David P. Boergers,

Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP87-203-007]

CNG Transmission Corporation; Notice of Petition To Amend

February 8, 1999.

Take notice that on January 29, 1999, CNG Transmission Corporation (CNG), 445 West Main Street, Clarksburg, West Virginia 26301, filed in Docket No. CP87-203-007, a petition to amend the authorizations issued on August 18, 1987 in Docket No. CP87-203-000,¹ pursuant to Section 7 of the Natural Gas Act (NGA) and Part 157 of the Federal Energy Regulatory Commission's (Commission) Regulations, to expand the certificated boundaries of the Tioga Storage Pool, located in Tioga County, Pennsylvania, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

CNG seeks to expand the certificated boundaries of the Tioga Storage Pool. CNG says the proposed new boundary will reflect the full extent of the area currently used for storage. CNG also seeks authorization for a 2000 foot protective boundary around the storage pool. Additionally, CNG requests authorization to convert two observation wells to injection/withdrawal wells.

Any person desiring to be heard or making any protest with reference to said application should on or before March 1, 1999, 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 385.214 or 385.211) and the Regulations under the NGA (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. The Commission's rules require that protestors provide copies of their protests to the party or person to whom the protests are directed. 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.

A person obtaining intervenor status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents issued by the Commission, filed by the applicant, or filed by all other intervenors. An intervenor can file for rehearing of any Commission order and can petition for court review of any such order. However, an intervenor must serve copies of comments or any other filing it makes with the Commission to every other intervenor in the proceeding, as well as filing an original and 14 copies with the Commission.

A person does not have to intervene, however, in order to have comments considered. A person, instead, may submit two copies of such comments to the Secretary of the Commission. Commenters will be placed on the Commission's environmental mailing list, will receive copies of environmental documents, and will be able to participate in meetings associated with the Commission's environmental review process. Commenters will not be required to serve copies of filed documents on all other parties. However, commenters will not receive copies of all documents filed by other parties or issued by the Commission, and will not have the right to seek rehearing or appeal the Commission's final order to a Federal court. The Commission will consider all comments and concerns equally, whether filed by commenters or those requesting intervenor status.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, 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 CNG to appear or be represented at the hearing.

David P. Boergers,

Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 4715-014]

Felts Mills Energy Partners, L.P.; Notice Dismissing Request for Rehearing

February 8, 1999.

On December 8, 1998, the Director, Office of Hydropower Licensing, issued an order granting to the licensee for the Felts Mills Project No. 4715 an extension of time to commence construction. On January 7, 1999, New York Rivers United filed a request for rehearing of the Director's order.

Rule 713 of the Commission's Rules of Practice and Procedure provides that rehearing may be sought only with respect to a "final Commission decision or other final order."¹ The Director's order in this case, extending the deadline to commence construction, is interlocutory, and is therefore not subject to rehearing.² Accordingly, New York Rivers United's request for rehearing is dismissed.³

This notice constitutes final agency action. Requests for rehearing by the Commission of this dismissal notice may be filed within 30 days of the date

¹ 18 CFR 385.713(b).

² See, e.g., Wisconsin Valley Improvement Company, 80 FERC ¶ 61,319 (1997).

³ Even if the rehearing request had not been interlocutory, it would have to be rejected since a request for rehearing may be filed only by a party to the proceeding. With regard to post-licensing proceedings, the Commission only entertains motions to intervene where the filings at issue entail material changes in the plan of project development or in the terms and conditions of the license, or could adversely affect the rights of property-holders in a manner not contemplated by the license. See Kings River Conservation District, 36 FERC ¶ 61,365 (1986). Such was not the case here. Thus, notice of this proceeding was not issued, and motions to intervene were not entertained.

¹ 40 FERC ¶ 61,185 (1987).