

Materials<sup>6</sup> to parties that executed the Protective Order and appropriate Non-Disclosure Certificates (January 10, 2001 order).<sup>7</sup> After reviewing the Protected Materials, Southern California Edison Company, Pacific Gas & Electric Company, and Southern California Gas Company filed comments.

On March 26, 2001, an article entitled "Deal for Use of Gas Pipeline Stirs Dispute on Competition" was featured in *The New York Times*. The article makes detailed references to "sealed documents" filed in Docket No. RP00-241-000 and obtained by *The New York Times*. Such references have raised issues of whether improper disclosure of Protected Materials or otherwise non-public materials has occurred.

The Commission is instituting an investigation to determine whether improper disclosure of Protected Materials or otherwise non-public materials has occurred and whether the September 15, 2000 Protective Order, any Non-Disclosure Certificates executed pursuant to the September 15, 2000 Protective Order or the Commission's regulations at sections 388.112 and 3c.2 have been violated (18 CFR 388.112 and 3c.2 (2000)). In conducting the investigation, the Chief ALJ has all powers conferred under section 1.b of the Commission's regulations, including the authority conferred under sections 1b.13 and 1b.14 (18 CFR 1b.13 and 1b.14 (2000)).

*The Commission orders:* The Chief ALJ shall conduct a formal, non-public investigation pursuant to 18 CFR 1b.5 (2000), with all the authority conferred under 18 CFR 1.b (2000), including the authority to subpoena witnesses conferred in 18 CFR 1b.13 and 1b.14 (2000), as discussed in the body of this order. The Chief ALJ shall report non-publicly the results of the investigation to the Commission, along with any recommended remedies, within 30 days of the date of issuance of this order.

By the Commission.

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

*Acting Secretary.*

[FR Doc. 01-8488 Filed 4-5-01; 8:45 am]

**BILLING CODE 6717-01-M**

<sup>6</sup> Under paragraph 2 of the September 15, 2000 Protective Order, "[a] Participant may designate as protected those materials which customarily are treated by that Participant as sensitive or proprietary, which are not available to the public, and which, if disclosed freely, would subject that Participant or its customers to risk of competitive disadvantage or other business injury."

<sup>7</sup> Public Utilities Commission of the State of California v. El Paso Natural Gas Co., 94 FERC ¶ 61,021 (2001).

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP01-115-000]

#### Transwestern Pipeline Company; Notice of Application

April 2, 2001.

Take notice that on March 29, 2001, Transwestern Pipeline Company, P.O. Box 3330, Omaha, Nebraska 68103-0330, in Docket No. CP01-115-000 filed an application pursuant to Sections 7(b) and (c) of the Natural Gas Act for permission and approval for Transco to replace mainline compression facilities at four existing compressor stations in Arizona, all as more fully set forth in the application which is on file with the Commission and open to public inspection. This filing may be viewed on the web at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

Specifically, Transwestern proposes to abandon in place twelve existing drivers and compressors, totaling 49,500 horsepower, at Stations 1, 2, 3 and 4; and install operate a 41,500 ISO-rated horsepower turbine centrifugal compressor at each of the four stations. Transwestern also requests, to ensure a smooth transition to the new compressor units, to maintain the ability to operate the existing facilities up to six months after the installation of the new units. It is stated that the new units will require less maintenance activity than the existing units as well as operate more efficiently in flowing more gas through its system.

Transwestern states that result of the project it will be able to provide incremental capacity of approximately 150,000 Mcf per day on its mainline from Thoreau, New Mexico to California, increasing its total capacity to California to 1,240,000 Mcf per day. It is indicated that the proposed modification will enable it to meet the supply and demand imbalance in the California area. Transwestern proposes to place the facilities into service by June 1, 2002. Transwestern estimates the cost for the proposed construction to be approximately \$93,300,000, to be financed with internally-generated funds. Transwestern also states that it is not at this time requesting rolled-in pricing for the new facilities, and understands that it will be at risk for the recovery of costs associated with the proposed modifications.

Any questions regarding the application should be directed to Keith L. Petersen, at (402) 398-7421.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before April 16, 2001, file with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, a motion to intervene 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). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding.

Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

The Commission may issue a preliminary determination of non-environmental issues prior to the completion of its review of the environmental aspects of the project. This preliminary determination typically considers such issues as the need for the project and its economic effect on existing customers of the applicant, on other pipelines in the area, and on landowners and communities. For example, the Commission considers the extent to which the applicant may need to exercise eminent domain to obtain rights-of-way for the proposed project and balances that against the non-environmental benefits to be provided by the project. Therefore, if a person has comments on community and landowner impacts from this proposal, it is important either to file comments or to intervene as early in the process as possible.

Also, comments, protests, and interventions may be filed electronically via the internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site at <http://www.ferc.fed.us/efi/doorbell.htm>.

If the Commission decides to set the application for a formal hearing before an Administrative Law Judge, the Commission will issue another notice describing that process. At the end of the Commission's review process, a final Commission order approving or denying a certificate will be issued.

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

*Acting Secretary.*

[FR Doc. 01-8489 Filed 4-5-01; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EG01-161-000, et al.]

#### Haleywest L.L.C., et al.; Electric Rate and Corporate Regulation Filings

March 30, 2001.

Take notice that the following filings have been made with the Commission:

##### 1. Haleywest L.L.C.

[Docket No. EG01-161-000]

Take notice that on March 28, 2001, 2001, Haleywest L.L.C. (Applicant), an Idaho limited liability company, whose address is P.O. Box 171, Laclede, Idaho 83851 filed with the Federal Energy Regulatory Commission an application for determination of exempt wholesale generator status pursuant to part 365 of the Commission's regulations.

Applicant intends to lease and operate a facility comprised of three (3), continuously rated 1.6-megawatt generator sets (non-road engines) fired on diesel fuel with a maximum total output of 6-megawatts (the "Facility"). The Facility is located in Plummer, Idaho. Electric energy produced by the Facility will be sold by Applicant to the wholesale power market in the Northwestern United States.

*Comment date:* April 20, 2001, in accordance with Standard Paragraph E at the end of this notice. The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application.

##### 2. Fountain Valley Power, L.L.C.

[Docket No. EG01-162-000]

Take notice that on March 26, 2001, Fountain Valley Power, L.L.C. (Applicant), filed with the Federal Energy Regulatory Commission an application for determination of exempt wholesale generator status pursuant to Part 365 of the Commission's regulations.

Applicant is presently a wholly-owned subsidiary of Enron North America Corp., but is expected to become a wholly-owned indirect subsidiary of Black Hills Energy Capital, Inc.

Applicant stated that it served its application on the following: Public Service Company of Colorado, the Colorado Public Utilities Commission, South Dakota Public Utility Commission, Wyoming Public Service Commission and the Securities and Exchange Commission.

*Comment date:* April 20, 2001, in accordance with Standard Paragraph E at the end of this notice. The Commission will limit its consideration of comments to those that concern the adequacy of accuracy of the application.

##### 3. Pinnacle West Energy Corporation

[Docket No. EG01-163-000]

Take notice that on March 28, 2001, Pinnacle West Energy Corporation (PWE) filed with the Federal Energy Regulatory Commission an application for determination of exempt wholesale generator status pursuant to Part 365 of the Commission's regulations.

PWE is a wholly owned subsidiary of Pinnacle West Capital Corporation (PNW) and an associate company of Arizona Public Service Company. PWE was created to serve as PNW's competitive generation affiliate. The eligible facilities to be owned by PWE are a 120 MW natural gas-fired, combined cycle unit that is presently under construction and 10 trailer-

mounted generating units with a combined capacity of less than 200 MW.

*Comment date:* April 20, 2001, in accordance with Standard Paragraph E at the end of this notice. The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application.

##### Standard Paragraph

E. Any person desiring to be heard or to protest such filing 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). 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. This filing may also be viewed on the Internet at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance). Comments, protests, and interventions may be filed electronically via the internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site at <http://www.ferc.fed.us/efi/doorbell.htm>.

**David P. Boergers,**

*Secretary.*

[FR Doc. 01-8459 Filed 4-5-01; 8:45 am]

BILLING CODE 6717-01-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6963-5]

### Agency Information Collection Activities: Proposed Collection; Comment Request; "Stakeholder Preferences Regarding Environmental Quality, Quality of Life, and Economic Development in Survey of Cape May County, New Jersey"

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit the following proposed Information Collection Request (ICR) to the Office of Management and Budget (OMB):