

agreement between K N Interstate and K N Energy, Inc. (K N) and will be used by K N to provide natural gas to a new rural distribution lateral which will be used to provide natural gas service to new direct retail customers, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, K N Interstate indicates that K N, as a local distribution company, has requested the addition of a new delivery point under its existing transportation service agreement with K N Interstate. This proposed delivery point would be located on K N Interstate's main transportation system in the northwest quarter of Section 32 or the northeast quarter of Section 31, Township 2 North, Range 47 West in Yuma County, Colorado. The exact location has not yet been determined and is dependent upon the acquisition of right-of-way for the tap site. The proposed delivery point will facilitate the delivery of natural gas by K N Interstate to K N for sale to new direct retail customers located along a new rural distribution lateral to be constructed by K N.

K N Interstate further indicates that the quantities of gas to be delivered through this proposed point will be approximately 3,400 Mcf on a peak day and 105 MMcf annually. K N Interstate states that (1) the volumes of gas which will be delivered at this proposed delivery point will be within the current maximum transportation quantities set forth in its transportation service agreement with K N; (2) the addition of the proposed delivery point is not prohibited by its existing FERC Gas Tariff; and (3) the addition of the proposed delivery point will not have any adverse impact, on a daily or annual basis, upon its existing customers.

The cost of the facilities installed by K N Interstate will be reimbursed by K N.

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 Rules of Practice and Procedure (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 is deemed to be authorized effective on 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 If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for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.

Lois D. Cashell,

*Secretary.*

[FR Doc. 96-2305 Filed 2-2-96; 8:45 am]

BILLING CODE 6717-01-M

#### [Docket No. CP96-159-000]

#### Shell Gas Pipeline Company; Notice of Application

January 30, 1996.

Take notice that on January 29, 1996, Shell Gas Pipeline Company (Shell), 200 North Dairy Ashford, Houston, Texas 77079, filed an application with the Commission in Docket No. CP96-159-000 pursuant to Section 7(c) of the Natural Gas Act (NGA) for authorization to construct and operate a natural gas pipeline and appurtenant facilities, offshore Louisiana, and for a blanket transportation certificate pursuant to Part 284 of the Commission's Regulations, all as more fully set forth in the application which is open to the public for inspection.

Shell proposes to construct and operate approximately 45 miles of 30-inch diameter pipe and related facilities which would deliver natural gas from a West Delta Block 143 to the Venice Gas Processing Plant in Plaquemines Parish, Louisiana. Shell states that the gas and condensate would be separated at Venice, where the gas would then be delivered either as processed or unprocessed gas to one or more interstate pipelines downstream of the Venice Plant. Shell also states that the proposed facilities would cost approximately \$75,000,000 to construct.

Shell asserts that it has filed the instant proposal under protest and requests that the Commission affirm that neither issuance of the requested certificate nor the operations described in the proposal would subject any of Shell's other facilities or operations to the Commission's jurisdiction under the NGA. Shell also asserts that it has requested authorization conditioned upon the ultimate resolution of Shell's petition for a declaratory order in Docket No. CP96-9-000, wherein Shell has requested that the proposed pipeline be declared a nonjurisdictional gathering line.<sup>1</sup>

Any person desiring to be heard or to make any protest with reference to said

<sup>1</sup> This application does not cover the pipeline facilities extending from the Mars Field to West Delta Block 143 and the related interconnection facilities with Texas Eastern Transmission Corporation at West Delta Block 143 because those facilities were previously determined to be nonjurisdictional gathering facilities. [Shell Gas Pipeline Co., 69 FERC ¶ 61,271 (1994)]

application should on or before February 6, 1996, file with the Federal Energy Regulatory 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 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. 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.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the NGA 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 Shell to appear or be represented at the hearing.

Lois D. Cashell,

*Secretary.*

[FR Doc. 96-2306 Filed 2-2-96; 8:45 am]

BILLING CODE 6717-01-M

#### Notice of Amendment of License

January 30, 1996.

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

a. *Type of Application:* Amendment of License.

b. *Project No.:* 2114-044, 045.

c. *Date Filed:* January 11, 1996.

d. *Applicant:* Public Utility District No. 2 of Grant, County, Washington.

e. *Name of Project:* Priest Rapids Project.

f. *Location:* On the Columbia River in Grant County, Washington.

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

h. *Applicant Contact*: Mr. Don Godard, Public Utility District No. 2 of Grant County, P.O. Box 878, Ephrata, WA 98823, (509) 754-3451.

i. *FERC Contact*: Timonthy Welch, (202) 219-2666.

j. *Comment Date*: February 26, 1996.

k. *Description of Amendment*: Grant County Public Utility District No. 2 (Licensee) requests authorization to modify and test an attraction flow prototype designed to facilitate downstream fish passage at the Wanapum Development. Currently, the prototype consists of a rectangular steel channel placed in the forebay and attached to the dam in front of Units 7, 8, 9 and a portion of Unit 10. The licensee wishes to extend the channel another 300 feet in front of Units 4, 5, and 6. The licensee also proposes to construct an overflow gate at spillway 12 for the development of a method of passing fish through the spillway that more effectively uses water. The overflow gate would be a bulkhead type steel structure approximately 57 feet wide by 79 feet tall. Finally, the licensee wishes to construct a deflector at spillway 2 for the development of such a device to reduce the level of dissolved gasses in the spilled water. The deflector would consist of a triangular structural steel section with concrete ballast, 32 feet below the spillway crest. The deflector's horizontal surface would be approximately 12 feet and would run the full width of the spillway slot, approximately 50 feet.

1. This notice also consists of the following standard paragraphs: B, C1, and D2.

B. *Comments, Protests, or Motions to Intervene*—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

C1. *Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named

documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

D2. *Agency Comments*—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Lois D. Cashell,

*Secretary.*

[FR Doc. 96-2307 Filed 2-2-96; 8:45 am]

BILLING CODE 6717-01-M

## Office of Energy Efficiency and Renewable Energy

[Case No. F-082]

### Energy Conservation Program for Consumer Products: Decision and Order Granting a Waiver From the Furnace Test Procedure to Consolidated Industries

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy.

**ACTION:** Decision and Order.

**SUMMARY:** Notice is given of the Decision and Order (Case No. F-082) granting a Waiver to Consolidated Industries (Consolidated) from the existing Department of Energy (DOE or Department) test procedure for furnaces. The Department is granting Consolidated's Petition for Waiver regarding blower time delay in calculation of Annual Fuel Utilization Efficiency (AFUE) for its USA and UCA series furnaces.

#### FOR FURTHER INFORMATION CONTACT:

Cyrus H. Nasser, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Mail Station EE-431, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585-0121, (202) 586-9138

Eugene Margolis, Esq., U.S. Department of Energy, Office of General Counsel, Mail Station GC-72, Forrestal Building, 1000 Independence Avenue,

SW, Washington, DC 20585-0103, (202) 586-9507

**SUPPLEMENTARY INFORMATION:** In accordance with 10 CFR 430.27(j), notice is hereby given of the issuance of the Decision and Order as set out below. In the Decision and Order, Consolidated has been granted a Waiver for its USA and UCA series furnaces permitting the company to use an alternate test method in determining AFUE.

Issued in Washington, DC, on January 30, 1996.

Christine A. Ervin,  
*Assistant Secretary, Energy Efficiency and Renewable Energy.*

#### DECISION AND ORDER

In The Matter of: Consolidated Industries.  
(Case No. F-082)

#### BACKGROUND

The Energy Conservation Program for Consumer Products (other than automobiles) was established pursuant to the Energy Policy and Conservation Act, Public Law 94-163, 89 Stat. 917, as amended (EPCA), which requires DOE to prescribe standardized test procedures to measure the energy consumption of certain consumer products, including furnaces. The intent of the test procedures is to provide a comparable measure of energy consumption that will assist consumers in making purchasing decisions. These test procedures appear at 10 CFR Part 430, Subpart B.

The Department amended the prescribed test procedures by adding 10 CFR 430.27 to create a waiver process. 45 FR 64108, September 26, 1980. Thereafter, DOE further amended its appliance test procedure waiver process to allow the Assistant Secretary for Energy Efficiency and Renewable Energy (Assistant Secretary) to grant an Interim Waiver from test procedure requirements to manufacturers that have petitioned DOE for a waiver of such prescribed test procedures. 51 FR 42823, November 26, 1986.

The waiver process allows the Assistant Secretary to waive temporarily test procedures for a particular basic model when a petitioner shows that the basic model contains one or more design characteristics which prevent testing according to the prescribed test procedures or when the prescribed test procedures may evaluate the basic model in a manner so unrepresentative of its true energy consumption as to provide materially inaccurate comparative data. Waivers generally remain in effect until final test procedure amendments become effective, resolving the problem that is the subject of the waiver.