

the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Trunkline proposes to upgrade the existing Somerville delivery meter (DP #80073, 87A-111) by replacing inefficient, undersized facilities with more efficient upgraded facilities so as to allow increased deliveries to be made at this delivery point. Trunkline states that based on discussions with Somerville, their area of distribution is growing considerably and that the upgraded facilities will ensure the ability of Trunkline to accommodate the anticipated increased growth.

Trunkline states the proposed project will consist of 1) removing and retiring two existing 2-inch turbine meters at milepost 393.18, downstream of Valve Section #87 in Fayette County, Tennessee, and 2) installing one 4-inch turbine meter and 2-inch bypass piping. Trunkline states that as a result of these proposed modifications, the maximum design capacity of the Somerville delivery point will increase from approximately 2.7 MMcf per day to approximately 7.1 MMcf per day at an operating pressure of 225 psig.

Trunkline states that the proposed upgrade of the Somerville delivery point will not increase the existing firm entitlements of Somerville at this time. Trunkline states that its transportation service to Somerville is provided pursuant to Rate Schedule SST (Small Shipper Transportation) and Section 284.223(a) of the Commission's Regulations.

The estimated cost to upgrade the existing facilities described herein is \$22,400.

Comment date: October 25, 1996, in accordance with Standard Paragraph G at the end of this notice.

Standard Paragraphs

F. Any person desiring to be heard or make any protest with reference to said filing should on or before the comment date 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 385.211 and 385.214) and the Regulations under the Natural Gas Act (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 jurisdiction conferred upon the Federal Energy Regulatory 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 filing 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 the applicant to appear or be represented at the hearing.

G. Any person or the Commission's staff may, within 45 days after the

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 therefore, 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.

Lois D. Cashell,

Secretary.

[FR Doc. 96-23764 Filed 9-16-96; 8:45 am]

BILLING CODE 6717-01-P

Notice of Cases Filed With the Office of Hearings and Appeals; Week of August 19 Through August 23, 1996

During the Week of August 19 through August 23, 1996, the appeals, applications, petitions or other requests listed in this Notice were filed with the Office of Hearings and Appeals of the Department of Energy.

Any person who will be aggrieved by the DOE action sought in these cases may file written comments on the application within ten days of publication of this Notice or the date of receipt of actual notice, whichever occurs first. All such comments shall be filed with the Office of Hearings and Appeals, Department of Energy, Washington, D.C. 20585-0107.

Dated: September 5, 1996.

George B. Breznay,

Director, Office of Hearings and Appeals.

LIST OF CASES RECEIVED BY THE OFFICE OF HEARINGS AND APPEALS

Date	Name and location of applicant	Case No.	Type of submission
8/19/96	James D. Hunsberger, Berlin, Germany.	VFA-0206	Appeal of an Information Request Denial. If Granted: The July 22, 1996 Freedom of Information Request Denial issued by the Office of Human Radiation Experiments would be rescinded, and James D. Hunsberger would receive access to certain DOE information.
8/19/96	Malcolm Parvey, Mansfield, Massachusetts.	VFA-0205	Appeal of an Information Request Denial. If Granted: The August 7, 1996 Freedom of Information Request Denial issued by Western Area Power Administration would be rescinded, and Malcolm Parvey would receive access to certain DOE information.
8/22/96	D.L. Cheaves, Alpharetta, Georgia	RR300-288	Request for Modification/Rescission in the Gulf Refund Proceeding. If Granted: The March 20, 1992 Dismissal Letter, Case Number RR300-288, issued to D.L. Cheaves would be modified regarding the firm's application for refund submitted in the Gulf refund proceeding.
8/23/96	Rocky Flats Field Office, Golden, Colorado.	VSO-0110	Request for Hearing under 10 C.F.R. Part 710. If Granted: An individual employed at Rocky Flats Field Office would receive a hearing under 10 C.F.R. Part 710.

LIST OF CASES RECEIVED BY THE OFFICE OF HEARINGS AND APPEALS—Continued

Date	Name and location of applicant	Case No.	Type of submission
8/23/96	Wilford M. Anderson, Salt Lake City, Utah.	VFA-0207	Appeal of an Information Request Denial. If Granted: The March 4, 1996 Freedom of Information Request Denial issued by the Idaho Operations Office would be rescinded, and Wilford M. Anderson would receive access to certain Department of Energy information.
Date received	Name of refund proceeding/name of refund application	Case No.	
8/19/96-8/23/96	Crude Oil Supplemental Applications	RK272-3884 thru RK272-3889	

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Notice of Issuance of Decisions and Orders; Office of Hearings and Appeals Week of August 7 Through August 11, 1995

During the week of August 7 through August 11, 1995, the decisions and orders summarized below were issued with respect to appeals, applications, petitions, or other requests filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a list of submissions that were dismissed by the Office of Hearings and Appeals.

Copies of the full text of these decisions and orders are available in the Public Reference Room of the Office of Hearings and Appeals, Room 1E-234, Forrestal Building, 1000 Independence Avenue, SW, Washington, D.C. 20585-0107, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays. They are also available in *Energy Management: Federal Energy Guidelines*, a commercially published loose leaf reporter system. Some decisions and orders are available on the Office of Hearings and Appeals World Wide Web site at <http://www.oha.doe.gov>.

Dated: September 4, 1996.

George B. Breznay

Director, Office of Hearings and Appeals.

Decision List No. 932

Appeals

Jay M. Baylon, 8/10/95, VFA-0059

Crude Oil Supplemental Refund Distribution	RB272-00032	08/10/95
Crude Oil Supplemental Refund Distribution	RB272-38	08/10/95
Jeannette, PA et al	RF272-96000	08/10/95

Dismissals

The following submissions were dismissed:

Name	Case No.
Clarke County, Virginia	RF272-86668
Commonwealth Oil Refining Co., Inc	RF345-47
Concho County, Texas	RF272-89244

Jay M. Baylon (Baylon) filed an Appeal from determinations issued to him on May 24, 1995, and June 28, 1995, by the DOE's FOI and Privacy Branch, Reference and Information Management Division and the Office of Arms Control and Nonproliferation (Arms Control) which partially denied a request for information that Baylon had filed under the Freedom of Information Act (FOIA). The request sought information concerning Westinghouse Electric Corporation's transfer of nuclear-related technology to the People's Republic of China. The determinations stated that Arms Control had produced all available documents responsive to Baylon's request. They further explained that any other relevant information either originated in another Executive Agency, or was classified and undergoing a declassification review. The Appeal challenged the adequacy of the search. In considering the appeal, the DOE found that the initial search was too narrow in its scope because the FOI Office did not direct Baylon's FOIA request to other DOE offices involved in nuclear-related transfers. Accordingly, Baylon's Appeal was granted and the matter was remanded to the FOI Office to initiate a new search.

Robert S. Foote, 8/10/95, VFA-0058

Robert S. Foote filed an Appeal from a determination issued to him by the DOE's Office of Health and Environmental Research (OHER) in response to a request from Mr. Foote under the Freedom of Information Act (FOIA). Mr. Foote sought the names of panelists who reviewed certain research

grants. In considering the Appeal, the DOE found that the OHER properly withheld the panelists' names under Exemption 6 of the FOIA. Accordingly, the Appeal was denied.

Personnel Security Hearing

Oak Ridge Operations Office, 8/11/95, VSO-0021

An Office of Hearings and Appeals Hearing Officer issued an opinion recommending restoration of the security clearance of an individual whose clearance had been suspended because the DOE had obtained derogatory information that fell within 10 C.F.R. § 710.8(h). The individual had been diagnosed as having a mental condition that could cause a significant defect in the individual's judgment or reliability. In reaching his conclusion, the Hearing Officer found that the testimony at the hearing supported the individual's contention that the results of his MMPI testing did not show the existence of a mental condition that affected his judgment or reliability.

Refund Applications

The Office of Hearings and Appeals issued the following Decisions and Orders concerning refund applications, which are not summarized. Copies of the full texts of the Decisions and Orders are available in the Public Reference Room of the Office of Hearings and Appeals.