

[Docket No. RP96-67-000]**Mojave Pipeline Company; Notice of Technical Conference**

February 6, 1996.

Pursuant to the Commission's order issued on December 29, 1995,¹ a technical conference will be held to resolve the issues raised in the above-captioned proceeding. The conference will be held on Thursday, March 7, 1996 at 10:00 a.m. in a room to be designated at the offices of the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

All interested persons and Staff are permitted to attend.

Lois D. Cashell,

Secretary.

[FR Doc. 96-2940 Filed 2-9-96; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER96-854-000]**Northeast Utilities Service Company; Notice of Filing**

February 1, 1996.

Take notice that on January 18, 1996, Northeast Utilities Service Company (NUSCO), tendered for filing, a Service Agreement to provide non-firm transmission service to Koch Power Services, Inc. (Koch) under the NU System Companies' Transmission Service Tariff No. 2.

NUSCO states that a copy of this filing has been mailed to Koch.

NUSCO requests that the Service Agreement become effective sixty (60) days after receipt of this filing by the Commission.

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 February 15, 1996. 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 this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 96-2994 Filed 2-9-96; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP96-137-000]**Northern Natural Gas Company; Notice of Proposed Changes in FERC Gas Tariff**

February 6, 1996.

Take notice that on February 1, 1996, Northern Natural Gas Company (Northern), tendered for filing to become part of Northern's FERC Gas Tariff, the following tariff sheets, proposed to be effective March 1, 1996:

Fifth Revised Volume No. 1
Nineteenth Revised Sheet No. 50
Nineteenth Revised Sheet No. 51
Eighth Revised Sheet No. 52
28 Revised Sheet No. 53
Eighth Revised Sheet No. 59
Ninth Revised Sheet No. 60
First Revised Sheet No. 200
Original Sheet No. 237A
Original Sheet No. 237B

Original Volume No. 2

148 Revised Sheet No. 1C
23 Revised Sheet No. 1C.a

In this filing Northern is seeking to recover costs relating to take-or-pay, pricing or other contract provisions, and buyout, buydown or reformation costs pursuant to the Commission's Order No. 528.

Northern states that copies of the filing were served upon the company's customers and interested State Commissions.

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 §§ 385.214 and 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed as provided in § 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken in this proceeding, but will not serve to make protestant a party to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 96-2942 Filed 2-9-96; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP96-133-000]**Panhandle Eastern Pipe Line Company; Notice of Section 4 Filing**

February 1, 1996.

Take notice that on January 30, 1996, Panhandle Eastern Pipe Line Company (Panhandle) tendered for filing, pursuant to Section 4 of the Natural Gas Act, a notice of termination of gathering service upon the transfer of Panhandle's facilities¹ to Anadarko Gathering Company (AGC) and Panhandle Field Services Company (Field Services). AGC and Field Services will continue to offer gathering service to all existing shippers.

Panhandle has proposed an effective date of March 1, 1996, for the termination of services on the facilities. Panhandle states that in accordance with the Commission's regulations, a copy of the filing has been mailed to all of Panhandle's customers and applicable state commissions as well as to all parties to the proceedings in Docket Nos. CP95-21-000, CP95-22-000 and CP95-23-000.

Any person desiring to be heard or to protest this 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 Sections 385.214 and 385.211 of the Commission's Rules and Regulations. Pursuant to Section 154.210 of the Commission's Regulations, all such motions or protests must be filed no later than February 12, 1996. 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 this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

Lois D. Cashell,

Secretary.

[FR Doc. 96-2944 Filed 2-9-96; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP95-396-006]**Tennessee Gas Pipeline Company; Notice of Tariff Filing**

February 6, 1996.

Take notice that on January 31, 1996, Tennessee Gas Pipeline Company

¹ Panhandle received authorization in Docket Nos. CP95-21-000, CP95-22-000 and CP95-23-000, 73 FERC ¶ 61,343 (1995), to abandon these facilities.

¹ 73 FERC ¶ 61,390 (1995).

(Tennessee), tendered for filing as part of its FERC Gas Tariff, Fifth Revised Volume No. 1, the following tariff sheets, to be effective January 1, 1996:

Substitute Second Revised Sheet No. 204
Substitute Fourth Revised Sheet No. 205
Third Revised Sheet No. 205A
Substitute Original Sheet No. 205B
Substitute First Revised Sheet No. 206
Third Revised Sheet No. 209
Second Substitute First Revised Sheet No. 209A
Substitute First Revised Sheet No. 217
Substitute Original Sheet No. 314A
Substitute Original Sheet No. 314B
Substitute First Revised Sheet No. 393

Tennessee states that it is filing the instant tariff sheets to correct certain typographical errors and omissions that occurred in Tennessee's December 1, 1995, filing in this docket to implement Phase I of the Stipulation and Agreement filed on July 25, 1995 (S&A). Tennessee further states that the tendered tariff sheets do not effect any substantive change to the S&A.

Any person desiring to protest with reference to said filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Section 211 of the Commission's Rules of Practice and Procedure, 18 CFR 385.211. All such protests must be filed as provided in Section 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to this proceeding. Copies of this filing are on file and available for public inspection in the Public Reference Room.

Lois D. Cashell,
Secretary.

[FR Doc. 96-2939 Filed 2-9-96; 8:45 am]

BILLING CODE 6717-01-M

Office of Hearings and Appeals

Implementation of Special Refund Procedures

AGENCY: Office of Hearings and Appeals, Department of Energy.

ACTION: Notice of Implementation of Special Refund Procedures.

SUMMARY: The Office of Hearings and Appeals (OHA) of the Department of Energy announces the procedures for disbursement of \$275,000,000 (plus interest) in alleged overcharges remitted or to be remitted to the DOE by Occidental Petroleum Corporation and its wholly owned subsidiary OXY USA, Inc., Case No. VEF-0030. The OHA has determined that these funds should be

distributed in accordance with the DOE's Modified Statement of Restitutionary Policy in Crude Oil Cases, 51 FR 27899 (August 4, 1986).

FOR FURTHER INFORMATION CONTACT: Thomas L. Wieker, Deputy Director, Janet N. Freimuth, Deputy Assistant Director, Office of Hearings and Appeals, 1000 Independence Avenue, SW., Washington, DC 20585-0107 (202) 586-2390 [Wieker]; (202) 586-2400 [Freimuth].

SUPPLEMENTARY INFORMATION: In accordance with 10 C.F.R. 205.282(c), notice is hereby given of the issuance of the Decision and Order set forth below. The Decision and Order sets forth the procedures that the DOE has formulated to distribute a total of \$275,000,000 plus interest, remitted or to be remitted to the DOE, by Occidental Petroleum Corporation. The DOE is currently holding \$100,000,000, plus accrued interest, of these funds in an interest bearing escrow account pending distribution. The DOE will receive additional annual payments of \$35,000,000 plus interest during the years 1996 through 2000.

The OHA will distribute these funds in accordance with the DOE's Modified Statement of Restitutionary Policy in Crude Oil Cases, 51 FR 27899 (August 4, 1986) (the MSRP). Under the MSRP, crude oil overcharge monies are divided among the federal government, the states, and injured purchasers of refined petroleum products. Refunds to the states will be distributed in proportion to each state's consumption of petroleum products during the price control period. Refunds to eligible purchasers will be based on the volume of petroleum products that they purchased and the extent to which they can demonstrate injury.

Because the June 30, 1995 deadline for crude oil refund applications has passed, we will not accept any new applications from purchasers of refined petroleum products for these funds. As we state in the Decision, any party who has previously submitted a refund application in the crude oil refund proceeding should not file another Application for Refund. Any party whose crude oil application is approved will share in all crude oil overcharge funds.

Dated: January 31, 1996.
George B. Breznay,
Director, Office of Hearings and Appeals.

DECISION AND ORDER OF THE DEPARTMENT OF ENERGY

Implementation Order

Name of Case: OXY USA, Inc.
Date of Filing: September 18, 1995.

Case Number: VEF-0030.

On December 1, 1995, the Office of Hearings and Appeals (OHA) of the Department of Energy (DOE) issued a Proposed Decision and Order which tentatively established refund procedures for the distribution of the Occidental Petroleum Corporation (Occidental) consent order funds. After a review of the comments received, the DOE has determined that the procedures set forth in the Proposed Decision and Order should be adopted.

I. Background

A. The Occidental Enforcement Proceeding

The Occidental consent order concerned reciprocal crude oil transactions between Cities Service Corporation (Cities) and various crude oil resellers.¹ In those transactions, Cities sold price-controlled crude oil in its refinery inventory in exchange for deeply discounted exempt crude oil. Cities reported the exempt crude oil to the DOE Entitlements Program, thereby significantly reducing its entitlements obligations.

In 1985, the DOE's Economic Regulatory Administration, now the DOE's Office of General Counsel, Regulatory Litigation (OGC), issued a Proposed Remedial Order (PRO) to the firm. In 1988, the DOE issued a Remedial Order (RO) holding that the transactions violated the price regulations and that the violation amount of \$264 million, plus interest, should be remitted to the DOE. *Cities Service Oil and Gas Corp.*, 17 DOE ¶ 83,021 (1988). The 1988 RO also remanded the issue of whether the transactions violated other regulations. Subsequently, the Federal Energy Regulatory Commission (FERC) reversed the 1988 RO, except for the remand provision. *Cities Service Oil and Gas Corp.*, 65 FERC ¶ 61,403 (1993), *reconsideration denied*, 66 FERC ¶ 61,222 (1994). A group of utilities, transporters, and manufacturers (the UTM) and a group of states appealed to federal district court, which dismissed their appeals for lack of standing. *Alabama v. FERC*, 3 Fed. Energy Guidelines ¶ 26,693 (CCH) (D.D.C. June 8, 1995). The UTM had noticed an appeal at the time of the execution of the proposed consent order.

In 1992, pursuant to the remand provision of the 1988 RO, the OGC issued a Revised Proposed Remedial Order (RPRO), specifying an alternate liability of \$254 million, plus interest, on the ground that the reporting of the transactions, except those in January 1981, violated the entitlements reporting requirements. The firm filed objections to the RPRO with the OHA, which were ready for oral argument at the time of execution of the consent order. *OXY USA, Inc.*, Case No. LRO-0003 (dismissed August 30, 1995).

B. The Occidental Consent Order

On June 27, 1995, the DOE issued the consent order in proposed form. The DOE published notice of the proposed consent order and of the opportunity to file

¹ Occidental's wholly-owned subsidiary OXY USA, Inc. (OXY) was formerly Cities Service Oil and Gas Corporation, which in turn was a successor in interest to Cities. Unless otherwise indicated, the firms collectively are referred to as Occidental.