

[Docket No. ER96-2879-000]

US Energy, Inc.; Notice of Issuance of Order

December 24, 1996.

US Energy, Inc. (US Energy) submitted for filing a rate schedule under which US Energy will engage in wholesale electric power and energy transactions as a marketer. US Energy also requested waiver of various Commission regulations. In particular, US Energy requested that the Commission grant blanket approval under 18 CFR Part 34 of all future issuances of securities and assumptions of liability by US Energy.

On December 11, 1996, pursuant to delegated authority, the Director, Division of Applications, Office of Electric Power Regulation, granted requests for blanket approval under Part 34, subject to the following:

Within thirty days of the date of the order, any person desiring to be heard or to protest the blanket approval of issuances of securities or assumptions of liability by US Energy 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 Procedures (18 CFR 385.211 and 385.214).

Absent a request for hearing within this period, US Energy is authorized to issue securities and assume obligations or liabilities as a guarantor, endorser, surety, or otherwise in respect of any security of another person; provided that such issuance or assumption is for some lawful object within the corporate purposes of the applicant, and compatible with the public interest, and is reasonably necessary or appropriate for such purposes.

The Commission reserves the right to require a further showing that neither public nor private interests will be adversely affected by continued approval of US Energy's issuances of securities or assumptions of liability.

Notice is hereby given that the deadline for filing motions to intervene or protests, as set forth above, is January 10, 1997. Copies of the full text of the order are available from the Commission's Public Reference Branch, 888 First Street, N.E., Washington, D.C. 20426.

Lois D. Cashell,
Secretary.

[FR Doc. 96-33113 Filed 12-27-96; 8:45 am]

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[Docket No. EG97-10-000, et al.]

CMS Morocco Operating Company SCA, et al.; Electric Rate and Corporate Regulation Filings

December 23, 1996.

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

1. CMS Morocco Operating Company SCA

[Docket No. EG97-10-000]

On October 31, 1996, CMS Morocco Operating Company SCA ("Applicant"), with its principal office at c/o CMS Generation Co., Fairlane Plaza South, 330 Town Center Drive, Suite 1000, Dearborn, Michigan 48126, 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. On December 19, 1996, Applicant filed an amendment to this application. In its amendment, Applicant states that it is a company duly incorporated under the laws of Morocco. Applicant also amends the first line of Section IV(3) of its application by deleting the word "directly" because it may create unnecessary ambiguity. All other aspects of its Application remain unchanged. Applicant believes these changes should have no material impact on its application for determination of exempt wholesale generator status.

Applicant will operate two existing 330 MW coal-fired units and operate two additional 348 MW units to be constructed. Electric energy produced by the Facility will be sold at wholesale to the state-owned Office National de l'Electricite. In no event will any electric energy be sold to consumers in the United States.

Comment date: January 13, 1997, 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. City of Las Cruces, New Mexico

[Docket No. EL97-16-000]

Take notice that on December 13, 1996, the City of Las Cruces, New Mexico tendered for filing a petition for exemption in lieu of filing fee for a petition for a declaratory order.

Comment date: January 9, 1997, in accordance with Standard Paragraph E at the end of this notice.

3. Resale Power Group of Iowa, Inc. v. IES Utilities, Inc.

[Docket No. EL97-17-000]

Take notice that on December 18, 1996, pursuant to Section 306 of the Federal Power Act, 16 U.S.C. 824e, and Rule 206 of the Federal Energy Regulatory Commission's Rules of Practice and Procedure, 18 CFR 385.206, Resale Power Group of Iowa, Inc. (RPGI), c/o Farmers Electric Cooperative, Inc., 5047 Cosgrove Road S.W., Kalona, Iowa, 52247, filed a complaint against IES Utilities, Inc. (IES Utilities). The complaint requests that the Commission issue an order directing IES Utilities to file a jurisdictional contract with the Commission. The contract at issue is a Joint Transmission Agreement (JTA) which governs IES Utilities' use of certain transmission facilities for which RPGI has provided capital to construct and in which RPGI members hold undivided joint interests. Under the JTA, in return for its use of the transmission facilities, IES Utilities pays RPGI a "transmission use fee" that IES collects in other rates. RPGI asserts that such contract is required to be filed with the Commission pursuant to Section 205(c) of the Federal Power Act.

Comment date: January 31, 1997, in accordance with Standard Paragraph E at the end of this notice. Answers to the complaint shall be due on or before January 31, 1997.

4. Arizona Public Service Company

[Docket Nos. ER96-2999-000, ER97-31-000]

Take notice that on December 17, 1996, Arizona Public Service Company (APS) tendered for filing a request that the Amendment to APS' FERC Electric Coordination Tariff, Original Volume No. 1 (Tariff), filed November 12, 1996, be allowed an effective date of September 6, 1996 in order to coincide with the execution date of the Service Agreement with Edison Source Energy in Docket ER96-2999-000.

A copy of this filing has been served on all parties on the Service List.

Comment date: January 2, 1997, in accordance with Standard Paragraph E at the end of this notice.

5. Exact Power Company, Inc.

[Docket No. ER97-382-000]

Take notice that on November 20, 1996, Exact Power Company, Inc. tendered for filing an amendment in the above-referenced docket.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

6. Central Illinois Light Company

[Docket No. ER97-767-000]

Take notice that on December 11, 1996, Central Illinois Light Company (CILCO), 300 Liberty Street, Peoria, Illinois 61602, tendered for filing with the Commission a substitute Index of Customers under its Coordination Sales Tariff and service agreements for two new customers.

CILCO requested an effective date of December 9, 1996.

Copies of the filing were served on all affected customers and the Illinois Commerce Commission.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

7. NIPSCO Energy Services, Inc.

[Docket No. ER97-768-000]

Take notice that on December 12, 1996, NIPSCO Energy Services, Inc., tendered for filing an executed Power Sales Enabling Agreement between NIPSCO Energy Services, Inc. and Valero Power Services Company.

Under the Power Sales Enabling Agreement, NIPSCO Energy Services, Inc. may sell power and energy to Valero Power Services Company pursuant to the Power Sales Tariff filed by NIPSCO Energy Services, Inc. in docket No. ER96-1431-000 and allowed to become effective by the Commission on May 29, 1996, as NIPSCO Energy Services, Inc. FERC Rate Schedule 1. Northern Indiana Public Service Company and NIPSCO Energy Services, Inc., 75 FERC ¶ 61,213 (1996). NIPSCO Energy Services, Inc. and Valero Power Services Company have requested that the Service Agreement be allowed to become effective as of December 15, 1996.

Copies of this filing have been sent to the Indiana Utility Regulatory Commission and the Indiana Office of Utility Consumer Counselor.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

8. Southern Company Services, Inc.

[Docket No. ER97-769-000]

Take notice that on December 12, 1996, Southern Company Services, Inc. (SCSI), acting on behalf of Alabama Power Company, Georgia Power Company, Gulf Power Company, Mississippi Power Company and Savannah Electric and Power Company (collectively referred to as Southern Companies) filed seven (7) service agreements under Southern Companies' Market-Based Rate Power Sales Tariff (FERC Electric Tariff, Original Volume No. 4) with the following entities: (i)

Stand Energy Corporation; (ii) Sonat Power Marketing, L.P.; (iii) Southeastern Power Administration; (iv) Valero Power Services Company; (v) Industrial Energy Applications, Inc.; (vi) Western Power Services, Inc.; and (vii) Enron Power Marketing, Inc. SCSI states that the service agreements will enable Southern Companies to engage in short-term market-based rate transactions with this entity.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

9. UtiliCorp United Inc.

[Docket No. ER97-770-000]

Take notice that on December 12, 1996, UtiliCorp United Inc., tendered for filing on behalf of its operating division, Missouri Public Service, a Service Agreement under its Power Sales Tariff, FERC Electric Tariff Original Volume No. 10, with PanEnergy Trading and Market Services, L.L.C. The Service Agreement provides for the sale of capacity and energy by Missouri Public Service to PanEnergy Trading and Market Services, L.L.C. pursuant to the tariff, and for the sale of capacity and energy by PanEnergy Trading and Market Services, L.L.C. to Missouri Public Service pursuant to PanEnergy Trading and Market Services, L.L.C.'s Rate Schedule No. 1.

UtiliCorp also has tendered for filing a Certificate of Concurrence by PanEnergy Trading and Market Services, L.L.C.

UtiliCorp requests waiver of the Commission's Regulations to permit the Service Agreement to become effective in accordance with its terms.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

10. UtiliCorp United Inc.

[Docket No. ER97-771-000]

Take notice that on December 12, 1996, UtiliCorp United Inc., tendered for filing on behalf of its operating division, WestPlains Energy-Colorado, a Service Agreement under its Power Sales Tariff, FERC Electric Tariff Original Volume No. 11, with PanEnergy Trading and Market Services, L.L.C. The Service Agreement provides for the sale of capacity and energy by WestPlains Energy-Colorado to PanEnergy Trading and Market Services, L.L.C. pursuant to the tariff, and for the sale of capacity and energy by PanEnergy Trading and Market Services, L.L.C. to WestPlains Energy-Colorado pursuant to PanEnergy Trading and Market Services, L.L.C.'s Rate Schedule No. 1.

UtiliCorp also has tendered for filing a Certificate of Concurrence by PanEnergy Trading and Market Services, L.L.C.

UtiliCorp requests waiver of the Commission's Regulations to permit the Service Agreement to become effective in accordance with its terms.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

11. PacifiCorp

[Docket No. ER97-772-000]

Take notice that on December 12, 1996, PacifiCorp, tendered for filing in accordance with 18 CFR Part 35 of the Commission's Rules and Regulations, the August 5, 1996, Long-Term Power Sales Agreement (Agreement) between PacifiCorp and Utah Municipal Power Agency (UMPA).

Copies of this filing were supplied to UMPA, the Public Utility Commission of Oregon, Public Service Commission of Utah, and the Washington Utilities and Transportation Commission.

PacifiCorp requests an effective date of January 1, 1997 to be assigned to the Agreement.

A copy of this filing may be obtained from PacifiCorp's Regulatory Administration Department's Bulletin Board System through a personal computer by calling (503) 464-6122 (9600 baud, 8 bits, no parity, 1 stop bit).

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

12. Illinois Power Company

[Docket No. ER97-773-000]

Take notice that on December 12, 1996, Illinois Power Company (Illinois Power), 500 South 27th Street, Decatur, Illinois, 62525, tendered for filing a modification to its Power Sales (PS) Tariff, proposing to modify the billing section to provide that when IP obtains transmission service under its own open access tariff for power sales made under the power sales tariff, it will separately state the prices for wholesale generation, transmission services and ancillary services.

Illinois Power has requested an effective date of February 10, 1997.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

13. Interstate Power Company

[Docket No. ER97-774-000]

Take notice that on December 12, 1996, Interstate Power Company (IPW), tendered for filing a Transmission Service Agreement between IPW and Dairyland Power Cooperative

(Dairyland). Under the Transmission Service Agreement, IPW will provide firm point-to-point transmission service to Dairyland.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

14. UtiliCorp United Inc.

[Docket No. ER97-775-000]

Take notice that on December 12, 1996, UtiliCorp United Inc., tendered for filing on behalf of its operating division, WestPlains Energy-Kansas, a Service Agreement under its Power Sales Tariff, FERC Electric Tariff Original Volume No. 12, with PanEnergy Trading and Market Services, L.L.C. The Service Agreement provides for the sale of capacity and energy by WestPlains Energy-Kansas to PanEnergy Trading and Market Services, L.L.C. pursuant to the tariff, and for the sale of capacity and energy by PanEnergy Trading and Market Services, L.L.C. to WestPlains Energy-Kansas pursuant to PanEnergy Trading and Market Services, L.L.C.'s Rate Schedule No. 1.

UtiliCorp also has tendered for filing a Certificate of Concurrence by PanEnergy Trading and Market Services, L.L.C.

UtiliCorp requests waiver of the Commission's Regulations to permit the Service Agreement to become effective in accordance with its terms.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

15. Cinergy Services, Inc.

[Docket No. ER97-776-000]

Take notice that on December 12, 1996, Cinergy Services, Inc. (Cinergy), tendered for filing a service agreement under Cinergy's Open Access Transmission Service Tariff (the Tariff) entered into between Cinergy and Powertec International, L.L.P.

Cinergy and Powertec International, L.L.P. are requesting an effective date of December 1, 1996.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

16. West Texas Utilities Company

[Docket No. ER97-777-000]

Take notice that on December 12, 1996, West Texas Utilities Company (WTU), submitted for filing the Denison Dam Pooling Agreement, dated December 12, 1996, between Tex-La Electric Cooperative of Texas, Ins. and Rayburn country Electric Cooperative, Inc. and West Texas Utilities Company. Under the Agreement, WTU will dispatch, schedule, receive and backup

power and energy from the Southwestern Power Administration's (SWPA's) Denison Dam for the account of Tex-La and Rayburn.

WTU seeks an effective date of December 13, 1996, and, accordingly, seeks waiver of the Commission's notice requirements. WTU served copies of the filing on Tex-La, Rayburn, SWPA and the Public Utility Commission of Texas.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

17. NXIS, LLC

[Docket No. ER97-778-000]

Take notice that on December 12, 1996, NXIS, LLC, a California limited liability company, tendered for filing its FERC Electric Rate Schedule No. 1 to be effective on the earlier of the date of the Commission's order in the proceeding or February 12, 1997, and requested that the Commission grant blanket authorization for NXIS, LLC to make wholesale sales of electric power in interstate commerce at rates to be negotiated with the purchaser, that the Commission waive the cost of service filing requirements of 18 CFR 35.12, and grant such other waivers and authorizations as have been granted to other power marketers.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

18. Ohio Valley Electric Corporation

[Docket No. ER97-779-000]

Take notice that on December 12, 1996, Ohio Valley Electric Corporation (OVEC), tendered for filing a Service Agreement dated December 6, 1996, for Non-Firm Point-to-Point Transmission Service (the Service Agreement) between AIG Trading Corporation (AIG) and OVEC. OVEC proposes an effective date of December 6, 1996 and requests waiver of the Commission's notice requirement to allow the requested effective date. The Service Agreement provides for non-firm transmission service by OVEC to AIG.

In its filing, OVEC states that the rates and charges included in the Service Agreement are the rates and charges set forth in OVEC's Order No. 888 compliance filing (Docket No. OA96-190-000).

A copy of this filing was served upon AIG.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

19. Delmarva Power & Light Company

[Docket No. ER97-780-000]

Take notice that on December 12, 1996, Delmarva Power & Light Company

(Delmarva), tendered for filing a service agreement providing for non-firm point-to-point transmission service from time to time to Tennessee Power Company pursuant to Delmarva's open access transmission tariff. Delmarva asks that the Commission set an effective date for the service agreement of December 10, 1996, the date on which it was executed.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

20. Delmarva Power & Light Company

[Docket No. ER97-781-000]

Take notice that on December 12, 1996, Delmarva Power & Light Company (Delmarva), tendered for filing service agreements providing for firm point-to-point transmission service to Duke Louis Dreyfus pursuant to Delmarva's open access transmission tariff.

Delmarva states that a copy of the filing was provided to Duke/Louis Dreyfus.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

21. Delmarva Power & Light Company

[Docket No. ER97-782-000]

Take notice that on December 12, 1996, Delmarva Power & Light Company (Delmarva), tendered for filing service agreements providing for firm point-to-point transmission service to the City of Dover pursuant to Delmarva's open access transmission tariff.

Delmarva states that copies of the filing were provided to the City of Dover and its agent, Duke/Louis Dreyfus.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

22. Illinois Power Company

[Docket No. ER97-783-000]

Take notice that on December 12, 1996, Illinois Power Company tendered for filing a summary of its activity for the second and third quarters of 1996 under its Market Based Rate Tariff, FERC Electric Tariff, Original Volume No. 7.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

23. Maine Electric Power Company

[Docket No. ER97-785-000]

Take notice that on December 13, 1996, Maine Electric Power Company (MEPCO), tendered for filing a Non-Firm Point-to-Point Transmission Service Agreement entered into with Morgan Stanley Capital Group Inc. Service will be provided pursuant to

MEPCO's Open Access Transmission Tariff, designated rate schedule MEPCO-FERC Electric Tariff, Original Volume No. 1, as supplemented.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

24. Central Maine Power Company

[Docket No. ER97-786-000]

Take notice that on December 13, 1996, Central Maine Power Company (CMP), tendered for filing a Non-Firm Point-to-Point Transmission Service Agreement entered into with Equitable Power Services Company. Service will be provided pursuant to CMP's Open Access Transmission Tariff, designated rate schedule CMP—FERC Electric Tariff, Original Volume No. 3, as supplemented.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

25. Maine Electric Power Company

[Docket No. ER97-787-000]

Take notice that on December 13, 1996, Maine Electric Power Company (MEPCO), tendered for filing a Non-Firm Point-to-Point Transmission Service Agreement entered into with Equitable Power Services Company. Service will be provided pursuant to MEPCO's Open Access Transmission Tariff, designated rate schedule MEPCO—FERC Electric Tariff, Original Volume No. 1, as supplemented.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

26. H. Peter Burg

[Docket No. ID-2401-001]

Take notice that on November 27, 1996, H. Peter Burg (Applicant) tendered for filing an application under Section 305(b) of the Federal Power Act to hold the following positions: Director, President and Chief Operating Officer, Ohio Edison Company Director

KeyBank National Association, an affiliate of KeyCorp.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

27. Carol A. Cartwright

[Docket No. ID-2672-001]

Take notice that on November 27, 1996, Carol A. Cartwright (Applicant) tendered for filing an application under Section 305(b) of the Federal Power Act to hold the following positions: Director,

Ohio Edison Company Director

KeyBank National Association, an affiliate of KeyCorp.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

28. Cedar Falls Utilities Light & Power

[Docket No. OA97-71-000]

Take notice that on December 4, 1996, Cedar Falls Utilities Light & Power tendered for filing a request for waiver of separation of functions.

Comment date: January 3, 1997, in accordance with Standard Paragraph E at the end of this notice.

29. New England Power Company

[Docket No. OA97-89-000]

Take notice that on December 16, 1996, New England Power Company amended tariff sheets unbundling its FERC Electric Tariffs, Original Volume Nos. 5 and 6, and an unexecuted Service Agreement under its Open Access Tariff, Original Volume No. 9, in compliance with Order 888.

Comment date: January 16, 1997, in accordance with Standard Paragraph E at the end of this notice.

30. Empire District Electric Company

[Docket No. OA97-93-000]

Take notice that on December 17, 1996, Empire District Electric Company tendered for filing a request for waiver of the Standards of Conduct.

Comment date: January 17, 1997, in accordance with Standard Paragraph E at the end of this notice.

31. The Washington Water Power Company

[Docket No. TX97-3-000]

Take notice that on December 16, 1996, The Washington Water Power Company (WWP) filed with the Federal Energy Regulatory Commission an application requesting that the Commission order Puget Sound Power Company (Puget) as a transmitting utility to provide transmission services pursuant to Section 211 *et seq* of the Federal Power Act. This is the second request of WWP for such service, the first request having been given Docket No. TX97-2-000. WWP has also moved to consolidate the two dockets.

WWP is seeking transmission services from Puget to deliver wholesale electric power to Whatcom County PUD No. 1 for ultimate delivery to Tosco Refining Company (Tosco) in Ferndale, Washington, pursuant to a contract between WWP and Tosco. Puget has declined to provide the service. The service is proposed to commence on November 21, 1996 and terminate at 0000 hours, January 1, 2001, with a total

capacity of up to 30 megawatts of firm transmission service.

Comment date: January 21, 1997, in accordance with Standard Paragraph E at the end of this notice.

32. Black Hills Power and Light Company

[Docket No. ER96-2588-000]

Take notice that on December 17, 1996, Black Hills Power and Light Company tendered for filing an amendment in the above-referenced docket.

Comment date: January 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraph

E. 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 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 this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 96-33184 Filed 12-27-96; 8:45 am]

BILLING CODE 6717-01-P

[Docket No. ER97-757-000, et al.]

Pennsylvania Power & Light Company, et al.; Electric Rate and Corporate Regulation Filings

December 20, 1996.

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

1. Pennsylvania Power & Light Company

[Docket No. ER97-757-000]

Take notice that on December 11, 1996, Pennsylvania Power & Light Company (PP&L), filed a Service Agreement, dated November 4, 1996, with Wisconsin Electric Co. (Wisconsin) for the sale of capacity and/or energy under PP&L's Short Term Capacity and Energy Sales Tariff. The Service