

steady state efficiency used in the calculation of AFUE at a minimum fuel input rate of no greater than two-thirds of the maximum fuel input rate instead of the specified 50 percent  $\pm$  5 percent of the maximum fuel input rate for CFM Majestic models A120, A125, A130, A132, A230, A232, AB132, D130, D132, D230, D232, D332, D334, D336, DR333, DR336, DR339, DT336, DT339, DT343, DVR33, DVR36, DVR39, DVRS3, DVT36, DVT39, DVT43, DVTS2, FS22, FS32, FSDV22, FSDV32, HE25, HE32, HEB32, and HEDV32 manually controlled vented heaters.

*It is, therefore, ordered that:*

(1) The "Petition for Waiver" filed by CFM Majestic, Inc. (Case No. DH-008) is hereby granted as set forth in paragraph (2) below, subject to the provisions of paragraphs (3), (4), and (5).

(2) Notwithstanding any contrary provisions of Appendix O of Title 10 CFR Part 430, Subpart B, CFM Majestic, Inc. shall be permitted to test its models A120, A125, A130, A132, A230, A232, AB132, D130, D132, D230, D232, D332, D334, D336, DR333, DR336, DR339, DT336, DT339, DT343, DVR33, DVR36, DVR39, DVRS3, DVT36, DVT39, DVT43, DVTS2, FS22, FS32, FSDV22, FSDV32, HE25, HE32, HEB32, and HEDV32 manually controlled vented heaters on the basis of the test procedure specified in Title 10 CFR Part 430, with modifications set forth below:

(i) Delete paragraph 3.5 of Appendix O.

(ii) The last paragraph of 3.1.1 of Appendix O is revised to read as follows:

3.1.1 (a) For manually controlled gas fueled vented heaters with various input rates, determine the steady-state efficiency at:

(1) A fuel input rate within 50 percent  $\pm$  5 percent of the maximum fuel input rate or,

(2) The minimum fuel input rate if the design of the heater is such that 50 percent  $\pm$  5 percent of the maximum fuel input rate can not be set, provided this minimum input rate is no greater than two-thirds of the maximum input rate of the heater.

(b) If the heater is designed to use a control that precludes operation at other than maximum output (single firing rate), determine the steady state efficiency at the maximum input rate only.

(iii) Delete paragraph 4.2.4 of Appendix O and replace with the following paragraph:

4.2.4 Weighted Average Steady-State Efficiency. (a) For manually controlled heaters with various input rates, the weighted average steady-state efficiency ( $\eta_{ss-wt}$ ) is:

(1) At 50 percent  $\pm$  5 percent of the maximum fuel input rate as measured in either section 3.1.1 to this appendix for manually controlled gas vented heaters or section 3.1.2 to this appendix for manually controlled oil vented heaters, or

(2) At the minimum fuel input rate as measured in either section 3.1.1 to this appendix for manually controlled gas vented heaters or section 3.1.2 to this appendix for manually controlled oil vented heaters if the design of the heater is such that 50 percent  $\pm$  5 percent of the maximum fuel input rate can not be set, provided the tested input rate is no greater than two-thirds of maximum input rate of the heater.

(b) For manually controlled heaters with one single firing rate, the weighted average steady-state efficiency is the steady-state efficiency measured at the single firing rate.

(iv) Delete paragraph 4.2.6 of Appendix O and replace with the following paragraph:

4.2.6 Annual Fuel Utilization Efficiency. For manually controlled vented heaters, calculate the Annual Fuel Utilization Efficiency (AFUE) as a percent and defined as:

$$AFUE = \eta_u$$

Where  $\eta_u$  is defined in section 4.2.5 of this appendix.

(v) With the exception of the modification set forth above, CFM Majestic, Inc. shall comply in all respects with the test procedures specified in Appendix O of Title 10 CFR Part 430, Subpart B.

(3) The Waiver shall remain in effect from the date of issuance of this Order until DOE prescribes final test procedures appropriate to models A120, A125, A130, A132, A230, A232, AB132, D130, D132, D230, D232, D332, D334, D336, DR333, DR336, DR339, DT336, DT339, DT343, DVR33, DVR36, DVR39, DVRS3, DVT36, DVT39, DVT43, DVTS2, FS22, FS32, FSDV22, FSDV32, HE25, HE32, HEB32, and HEDV32 manually controlled vented heaters manufactured by CFM Majestic, Inc.

(4) This Waiver is based upon the presumed validity of statements, allegations, and documentary materials submitted by the petitioner. This Waiver may be revoked or modified at any time upon a determination that a factual basis underlying the Petition is incorrect.

(5) Effective March 3, 1997, this Waiver supersedes the Interim Waiver granted CFM Majestic, Inc. on December 27, 1996. 62 FR 742, January 6, 1997. (Case No. DH-008).

Issued in Washington, DC, on March 3, 1997.

Christine A. Ervin,

*Assistant Secretary, Energy Efficiency and Renewable Energy.*

[FR Doc. 97-5657 Filed 3-6-97; 8:45 am]

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## Federal Energy Regulatory Commission

[Docket Nos. EC97-11-000 and ER97-1346-000]

### American Ref-Fuel Company of Delaware County, L.P. and Delaware Resources Management, Inc., Notice of Filing

March 3, 1997.

Take notice that on February 27, 1997, American Ref-Fuel Company of Delaware County, L.P. (ARC) and Delaware Resource Management, Inc. (DRMI) (collectively "Applicants") submitted for filing with the Federal Energy Regulatory Commission ("Commission") pursuant to 18 CFR Part 33, a letter notifying the Commission of a change in fact related to the joint petition Applicants filed with the Commission for an order under Section 203 of the Federal Power Act approving the transfer of jurisdictional assets ("Joint Petition").

The Joint Petition stated that ARC is owned equally by Air Products and Chemicals, Inc. ("Air Products") and Browning-Ferris Industries, Inc. ("BFI"). The Joint Petition also stated that Air Products has announced that it is seeking purchasers for its share of ARC and certain affiliates of ARC. The letter notified the Commission that in the event that Air Products declines to continue as a 50% owner of ARC, BFI would assume 100% of the ownership of ARC (through subsidiaries). The letter stated that ARC would either be owed (1) wholly by BFI or (2) 50% by Air Products and 50% by BFI.

Applicants requested that the Commission issue an order approving the transfer as soon as possible but not later than March 11, 1997.

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 March 10, 1997. 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. 97-5655 Filed 3-6-97; 8:45 am]

BILLING CODE 6717-01-M

**[Docket No. ER97-1663-000]**

**Commonwealth Edison Company; Notice of Filing**

March 3, 1997.

Take notice that on February 12, 1997, Commonwealth Edison Company (Edison) submitted Amendment No. 4, dated January 15, 1997, to the Electric Coordination Agreement, dated December 21, 1988 (ECA), between Edison and the Village of Winnetka, Illinois (Village). The ECA provides for the interchange of power and energy between Edison and Village. The Commission has previously designated the Interconnection Agreement as Edison's FERC Rate Schedule No. 37.

Edison requests an effective date of December 31, 1996, for Amendment No 4 and, accordingly, seeks waiver of the Commission's notice requirements. Copies of this filing were served upon the Village and the Illinois Commerce 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 and protests must be filed on or before March 13, 1997. 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. 97-5613 Filed 3-6-97; 8:45 am]

BILLING CODE 6717-01-M

**National Fuel Gas Supply Corporation; Notice of Proposed Changes in FERC Gas Tariff**

March 3, 1997.

Take notice that on February 27, 1997, National Fuel Gas Supply Corporation (National Fuel) tendered for filing as part of its FERC Gas Tariff, Third Revised Volume No. 1, the tariff sheets listed in Appendix A to the filing, to be effective April 1, 1997.

National Fuel states that this filing is to supplement its December 23, 1996 and February 24, 1997, Section 4 filing at Docket No. RP97-201. National Fuel states that the purpose of the filing is to insert the same tariff changes proposed in its February 24, 1997 filing into the tariff sheets which will be proposed in National Fuel's next GISB compliance filing in Docket No. RP97-1.

National states that it is serving copies of the filing upon all parties to this proceeding, firm customers and interested state commissions. National states that copies are also being served on all interruptible customers as of the date of the filing.

Any person desiring to protest 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 385.211 of the Commission's Rules and Regulations. All such protests must be filed in accordance with 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 the proceeding. 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. 97-5617 Filed 3-6-97; 8:45 am]

BILLING CODE 6717-01-M

**[Docket No. ER97-1507-000]**

**Northern Indiana Public Service Company, Notice of Filing**

March 3, 1997.

Take notice that on February 24, 1997, Northern Indiana Public Service Company tendered for filing an amendment in the above-referenced docket.

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, 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 18 CFR 385.214). All such motions or protests should be filed on or before March 14, 1997. 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. 97-5614 Filed 3-6-97; 8:45 am]

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**[Docket No. CP96-690-000]**

**Northern Natural Gas Company; Notice of Meeting and Site Visit**

March 3, 1997.

On March 12, 1997, the Office of Pipeline Regulation (OPR) staff will conduct a meeting with the applicants, concerned Federal and state agencies, and all interested parties to discuss Northern's proposed Mississippi River Crossing. The meeting will begin at 9:30 a.m. at the Minnesota Valley National Wildlife Refuge-Visitor Center in Classroom B located at 3815 E. 80th Street, Bloomington, Minnesota. The phone number is (612) 854-5900.

OPR staff will also conduct a site visit of the proposed route for the Mississippi River Crossing in Washington and Dakota Counties, Minnesota with Northern Natural Gas Company.

All parties may attend. Those planning to attend must provide their own transportation.

For additional information, contact Paul McKee at (202) 208-1088.

Lois D. Cashell,

*Secretary.*

[FR Doc. 97-5611 Filed 3-6-97; 8:45 am]

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**[Docket No. RP96-306-000]**

**Paiute Pipeline Company; Notice of Informal Settlement Conference**

March 3, 1997.

Take notice that an informal settlement conference will be convened in this proceeding on March 10, 1997 at 10:00 a.m., at the offices of the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC, 20426, for the purpose of exploring the possible settlement of the above-referenced docket.