

may result in the expenditure by State, local, and tribal governments, in the aggregate, of \$100 million (adjusted annually for inflation) in any one year. DOE officials may apply this Statement of Policy selectively if there is an exigent need for immediate agency action that would warrant waiver of prior notice and opportunity for public comment under the Administrative Procedure Act, 5 U.S.C. 553.

III. Intergovernmental Consultation

When to begin. As early as possible in the development of a notice of proposed rulemaking (for other than a financial assistance program) that involves an enforceable duty on State, local, or tribal governments, the responsible Secretarial Officer, with the concurrence of the Assistant Secretary for Policy and the General Counsel, should estimate whether the aggregate compliance expenditures will be in the amount of \$100 million or more in any one year. In making such an estimate, the Secretarial Officer ordinarily should adjust the \$100 million figure in years after 1995 using the Gross Domestic Product deflator as contained in the Annual Report of the Council of Economic Advisors which is part of the Economic Report of the President.

Content of notice. Upon determining that a proposed regulatory mandate on State, local, or tribal governments may be a significant intergovernmental mandate, the Secretarial Officer responsible for the rulemaking should provide adequate notice to pertinent State, local and tribal officials: (1) Describing the nature and authority for the rulemaking; (2) explaining DOE's estimate of the resulting increase in their governmental expenditure level; (3) inviting them to participate in the development of the notice of proposed rulemaking by participating in meetings with DOE or by presenting their views in writing on the likely effects of the regulatory requirement or legally available policy alternatives that DOE should take into account. If DOE publishes an advance notice of proposed rulemaking, then these issues may be addressed in that advance notice.

How to notify State and tribal officials. With respect to State and tribal governments, actual notice should be given by letter, using a mailing list maintained by the DOE Office of Intergovernmental and External Affairs that includes elected chief executives (or their designees), chief financial officers (or their designees), the National Governors Association, and the National Congress of American Indians. The

Secretarial Officer also should provide notice in the Federal Register.

How to notify local officials. With respect to local governments, the Secretarial Officer should provide notice through the Federal Register and by letter to the National League of Cities, the National Association of Counties, the U.S. Conference of Mayors, and any State Municipal League not represented by a national association. If a significant intergovernmental mandate might affect local governments in a limited area of the United States, then the Secretarial Officer, in consultation with the Office of Intergovernmental and External Affairs, should give actual notice by letter to appropriate local officials if practicable.

Exemption from the Federal Advisory Committee Act. Secretarial Officers are encouraged to meet with State, local, and tribal elected officials (or their designees) to exchange views, information, and advice concerning the implementation of intergovernmental responsibilities or administration. Section 204(b) of the Act, 2 U.S.C. 1534(b), exempts from the Federal Advisory Committee Act (5 U.S.C. App.) meetings for this purpose that do not include other members of the public.

Small government consultation plan. If the proposed regulatory requirements might significantly or uniquely affect small governments, then the Secretarial Officer should summarize in the Supplementary Information section of the notice of proposed rulemaking its plan for intergovernmental consultation under section 203 of the Act. Unless impracticable, the plan should provide for actual notice by letter to potentially affected small governments.

Documenting compliance. The Supplementary Information section of any notice of proposed and final rulemaking involving a significant intergovernmental mandate upon State, local, or Indian tribal governments should describe DOE's determinations and compliance activities under the Act. The Supplementary Information section of the notice of proposed rulemaking should describe the estimated impact of an intergovernmental mandate, the assumptions underlying its calculation, and the resulting determination of whether the rulemaking involves a significant intergovernmental mandate. It should discuss, as appropriate, cost and benefit estimates and any reasonable suggestions received during pre-notice intergovernmental consultations. Any substantive pre-notice written communications should be described in the Supplementary Information and made available for

inspection in the public rulemaking file in the DOE Freedom of Information Reading Room.

Reporting. Pursuant to the OMB guidelines and instructions, the Office of General Counsel, with the cooperation of the Secretarial Officers, will prepare the annual report to OMB on compliance with the intergovernmental consultation requirements of the Act (initially due on January 15, 1996, and annually on January 15 thereafter).

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Federal Energy Regulatory Commission

[Docket No. TM97-10-23-000]

Eastern Shore Natural Gas Company; Notice of Proposed Changes in FERC Gas Tariff

March 12, 1997.

Take notice that on March 7, 1997, Eastern Shore Natural Gas Company (ESNG) tendered for filing as part of its FERC Gas Tariff, First Revised Volume No. 1, certain revised tariff sheet in the above captioned docket, with a proposed effective date of April 1, 1997.

ESNG states that the purpose of this instant filing is to "track" Transcontinental Gas Pipe Line Corporation's (Transco) revised fuel retention percentages for injecting gas into storages (see Transco's Seventh Revised Sheet No. 29) proposed to be effective April 1, 1997.

ESNG states that copies of the filing have been served upon its jurisdictional 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 Rule 211 and Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or 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. 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. 97-6760 Filed 3-17-97; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. TM97-2-24-000]

Equitrans, L.P.; Notice of Proposed Changes in FERC Gas Tariff

March 12, 1997.

Take notice that on March 3, 1997, Equitrans, L.P. (Equitrans) tendered for filing as part of its FERC Gas Tariff, First Revised Volume No. 1, the following proposed tariff sheet, with an effective date of April 1, 1997:

Eighth Revised Sheet No. 6

Equitrans states that this filing constitutes its second annual products extraction rate adjustment filing under Section 32 of the General Terms and Conditions of its FERC Gas Tariff. By this filing, Equitrans proposes an adjusted extraction rate of \$0.2004/Dth for the prospective 12-month period beginning April 1, 1997. Equitrans states that this represents a reduction from the \$0.2015/Dth rate which was approved by the Commission in 1996. In calculating the current rate, Equitrans states that it utilizes actual extraction billings and actual plant throughput for the 12 months ended December 31, 1996, adjusted for anticipated activity during 1997, all as more fully set forth in the filing.

Any person desiring to be heard or 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. All such motions or 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. 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. 97-6761 Filed 3-17-97; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP97-198-002]

Gulf States Transmission Corporation; Notice of Proposed Changes in FERC Gas Tariff

March 12, 1997.

Take notice that on March 7, 1997, Gulf States Transmission Corporation (GSTC) tendered for filing as part of its FERC Gas Tariff, Original Volume No. 1, certain tariff sheets to be effective December 31, 1996.

GSTC states that the purpose of the filing is to comply with the Commission's letter order issued February 5, 1997 in Docket No. RP97-198-001.

GSTC states that it has modified its tariff to (i) replace the term "case reservation rate" with "base reservation rate" on Tariff Sheet No. 58G, (ii) reflect that its discounted policy is applicable also to GSTC's interruptible rates, (iii) modify Tariff Sheet No. 58G to correctly reflect Original Volume No. 1 instead of First Revised Volume No. 1, and (iv) change the requested effective date to December 31, 1996.

GSTC states that copies of the filing are being mailed to its jurisdictional customers and interested states regulatory agencies.

Any person desiring to protest this 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 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 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. 97-6775 Filed 3-17-97; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. TM97-1-131-000]

KO Transmission Company; Notice of Tariff Filing

March 12, 1997.

Take notice that on March 4, 1997, KO Transmission Company (KO Transmission) tendered for filing to become part of its FERC Gas Tariff, Original Volume No. 1, the following revised tariff sheet bearing a proposed effective date of April 1, 1997.

Second Revised Sheet No. 10

KO Transmission states that the purpose of the filing is to revise its fuel retainage percentage consistent with Section 24 of the General Terms and Conditions of its Tariff. According to KO Transmission, Columbia Gas Transmission Corporation (Columbia) operates and maintains the KO Transmission facilities pursuant to the Operating Agreement referenced in its Tariff at Original Sheet No. 7. Pursuant to that Operating Agreement, Columbia retains certain volumes associated with gas transported on behalf of KO Transmission. On March 4, 1997, Columbia notified KO Transmission that under the terms of the Operating Agreement KO Transmission will be subject to a 0.46% retainage. Accordingly, KO Transmission states that the instant filing tracks this fuel percentage.

Any person desiring to be heard or 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. All such motions or 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. 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. 97-6762 Filed 3-17-97; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP97-281-000]

Koch Gateway Pipeline Company; Notice of Proposed Changes in FERC Gas Tariff

March 12, 1997.

Take notice that on March 7, 1997, Koch Gateway Pipeline Company (Koch) tendered for filing as part of its FERC Gas Tariff, Fifth Revised Volume No. 1, the following tariff sheets, to become effective April 7, 1997:

1st Rev Seventh Revised Sheet No. 1

Seventeenth Revised Sheet No. 24

First Revised Sheet No. 1414

Third Revised Sheet No. 3200

Fourth Revised Sheet No. 5200

Koch states that the above referenced tariff sheets are being filed to reflect