

petitioned DOE for a waiver of such prescribed test procedures, 51 FR 42823 (November 26, 1986).

The waiver process allows the Assistant Secretary to waive temporarily test procedures for a particular basic model when a petitioner shows that the basic model contains one or more design characteristics which prevent testing according to the prescribed test procedures or when the prescribed test procedures may evaluate the basic model in a manner so unrepresentative of its true energy consumption as to provide materially inaccurate comparative data. Waivers generally remain in effect until final test procedure amendments become effective, resolving the problem that is the subject of the waiver.

Wolf Steel filed a "Petition for Waiver," dated December 3, 1996, in accordance with section 430.27 of Title 10 CFR Part 430. The Department published in the **Federal Register** on January 29, 1997, Wolf Steel's Petition and solicited comments, data and information respecting the Petition, 62 FR 4747 (January 31, 1997). Wolf Steel also filed an "Application for Interim Waiver" under section 430.27(b)(2), which DOE granted on January 27, 1997, 62 FR 4747 (January 31, 1997).

No comments were received concerning either the "Petition for Waiver" or the "Interim Waiver." The Department consulted with the Federal Trade Commission (FTC) concerning the Wolf Steel Petition. The FTC does not have any objections to the issuance of the waiver to Wolf Steel.

Assertions and Determinations:

Wolf Steel's Petition seeks a waiver from the DOE test provisions regarding the use of pilot light energy consumption in calculating the AFUE. The DOE test provisions in section 3.5 of Title 10 CFR Part 430, Subpart B, Appendix O require measurement of energy input rate to the pilot light (Q_p) with an error no greater than 3 percent for vented heaters, and use of this data in section 4.2.6 for the calculation of AFUE using the formula:

$$AFUE = \frac{4400\eta_{ss}\eta_u Q_{in-max}}{4400\eta_{ss}Q_{in-max} + 2.5(4600)\eta_u Q_p}.$$

Wolf Steel requests that, in essence, it be allowed to delete Q_p and, accordingly, the $[2.5(4600)\eta_u Q_p]$ term in the calculation of AFUE. Wolf Steel states that its models GD22, GD27, GD3200, GD3200B, GD40, GI3014B, GI3014, GI3600, GS3500, GDS3700, GDS50, GS50, GDI50, and GD45 manually controlled vented heaters are designed with a transient pilot which is to be turned off by the user when the heater is not in use.

The control knob on the combination gas control in these heaters has three positions: "OFF," "PILOT," and "ON." Gas flow to the pilot is obtained by rotating the control knob from "OFF" to "PILOT," depressing the knob, holding in, pressing the piezo igniter. When the pilot heats a thermocouple element, sufficient voltage is supplied to the combination gas control for the pilot to remain lit when the knob is released and turned to the "ON" position. The main burner can then be ignited by moving an ON/OFF switch to the "ON" position. Instructions to users to turn the gas control knob to the "OFF" position when the heater is not in use, which automatically turns off the pilot, are provided in the User's Instruction Manual and on a label adjacent to the gas control valve. If the manufacturer's instructions are observed by the user, the pilot light will not be left on. Since the current DOE test procedure does not address this issue, and since others have received the same waiver under the same circumstances, Wolf Steel asks that the Waiver be granted. Previous Petitions for Waiver under the same circumstances have been granted by DOE to Appalachian Stove and Fabricators, Inc., 56 FR 51711 (October 15, 1991); Valor Inc., 56 FR 51714 (October 15, 1991); CFM International Inc., 61 FR 17287 (April 19, 1996); Vermont Castings, Inc., 61 FR 17290 (April 19, 1996); Superior Fireplace Company, 61 FR 17885 (April 23, 1996); Vermont Castings, Inc., 61 FR 57857 (November 8, 1996); and Heat-N-Glo, 61 FR 64519 (December 5, 1996).

Based on DOE's review of how Wolf Steel's models GD22, GD27, GD3200, GD3200B, GD40, GI3014B, GI3014, GI3600, GS3500, GDS3700, GDS50, GS50, GDI50, and GD45 manually controlled vented heaters operate and the fact that if the manufacturer's instructions are followed, the pilot light will not be left on, DOE grants Wolf Steel its Petition for Waiver to exclude the pilot light energy input in the calculation of AFUE.

This decision is subject to the condition that the heaters shall have an easily read label near the gas control knob instructing the user to turn the valve to the off-position when the heaters are not in use.

It is, therefore, ordered That:

(1) The "Petition for Waiver" filed by Wolf Steel Ltd. (Case No. DH-010) 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, Wolf Steel Ltd. shall be permitted to test its models

GD22, GD27, GD3200, GD3200B, GD40, GI3014B, GI3014, GI3600, GS3500, GDS3700, GDS50, GS50, GDI50, and GD45 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) 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 η_u is defined in section 4.2.5 of this appendix.

(iii) With the exception of the modification set forth above, Wolf Steel Ltd. 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 GD22, GD27, GD3200, GD3200B, GD40, GI3014B, GI3014, GI3600, GS3500, GDS3700, GDS50, GS50, GDI50, and GD45 manually controlled vented heaters manufactured by Wolf Steel Ltd.

(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 19, 1997, this Waiver supersedes the Interim Waiver granted Wolf Steel Ltd. on January 31, 1997, 62 FR 4747 (January 31, 1997). (Case No. DH-010).

Issued in Washington, DC, on March 19, 1997.

Christine A. Ervin,

Assistant Secretary, Energy Efficiency and Renewable Energy.

[FR Doc. 97-7609 Filed 3-25-97; 8:45 am]

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Federal Energy Regulatory Commission

[Docket No. RP97-99-001]

Algonquin LNG, Inc., Notice of Request for Waiver

March 20, 1997.

Take notice that on January 6, 1997, Algonquin LNG, Inc. (Algonquin LNG) filed a request for waiver of Section

154.107(b) of the Commission's regulations so that it may be allowed to use rates for Capacity Reservation and Authorized Overrun Charge stated in Dollars per Barrel per Day.

Algonquin LNG states that the Per Barrel rate most accurately reflects the use of the storage facility. In addition, Algonquin LNG states that it is also the basis upon which the rates were designed and that its storage Per Barrel rates do not contravene the intent of Order No. 582.

Algonquin LNG's waiver request is in response to the Commission's Letter Order of December 20, 1996, accepting certain tariff sheets filed November 26, 1996, in Docket No. RP97-99-000, to comply with the Commission's Order Nos. 581 and 582. The December 20 Letter Order also required Algonquin LNG to submit an explanation as to why it has not filed to reflect all rates on a thermal basis or to request a waiver of Section 154.107(b) of the Commission's regulations.

Any person desiring to protest said filing should file a protest with Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Section 385.211 of the Commission's Rules of Practice and Procedures. All such protests should be filed on or before March 27, 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. Copies of this filing are on file with the Commission and are available for public inspection.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 97-7575 Filed 3-25-97; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. TM97-2-127-000]

Cove Point LNG Limited Partnership; Notice of Proposed Changes in FERC Gas Tariff

March 20, 1997.

Take notice that on March 14, 1997, Cove Point LNG Limited Partnership (Cove Point) tendered for filing to become part of its FERC Gas Tariff, First Revised Volume No. 1, the following tariff sheet, to be effective April 16, 1997:

Second Revised Sheet No. 7

Cove Point states that the listed tariff sheets sets forth the restatement and adjustment to its retainage percentages, pursuant to the Section 1.27 of the General Terms and Conditions of its

FERC Gas Tariff, First Revised Volume No. 1.

Cove Point states that copies of the filing were served upon Cove Point affected 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, NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure. 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 proceedings. Any person wishing to become a party must file a motion to intervene. Copies of Cove Point's filings are on file with the Commission and are available for public inspection.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 97-7576 Filed 3-25-97; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP96-321-003]

El Paso Natural Gas Company; Notice of Compliance Filing

March 20, 1997.

Take notice that on March 10, 1997, El Paso Natural Gas Company (El Paso), tendered for filing as part of its FERC Gas Tariff, Second Revised Volume No. 1-A, the following tariff sheets, to become effective April 9, 1997:

Second Revised Volume No. 1

Fourth Revised Sheet No. 22

Eleventh Revised Sheet No. 24

Fourth Revised Sheet No. 111

Third Revised Sheet No. 112

El Paso states that the purpose of this filing is to comply with ordering paragraph (B) of the Commission's order (Order) issued on December 23, 1996 in Docket No. CP96-727-000. In the instant filing, El Paso is tendering tariff sheets to place in effect the Havasu Facilities Reservation Charge which was approved by the Order.

Any person desiring to be heard or to make any protest with reference to said filing should on or before April 10, 1997, 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 385.214 and

385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests 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 must file a motion to intervene in accordance with the Commission's Rules. Copies of this filing are on file with the Commission and are available for public inspection.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 97-7572 Filed 3-25-97; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP96-352-006]

Transwestern Pipeline Company; Notice of Compliance Filing

March 20, 1997.

Take notice that on March 17, 1997, Transwestern Pipeline Company (Transwestern), tendered for filing to become part of Transwestern's FERC Gas Tariff, the following tariff sheets, proposed to be effective April 1, 1997.

Second Revised Volume No. 1.

Substitute 14 Revised Sheet No. 48

Substitute 12 Revised Sheet No. 80

Transwestern states that it is complying with the Commission's February 28, 1997 order in this docket by removing from its tariff Section 8 of its General Terms and Conditions (GT&C) entitled "Experimental Pilot Program Relaxing the Price Cap for Sending Market Transactions," as well as any other tariff provisions that referenced the experimental pilot program.

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

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 in this proceeding, but will not serve to make Protestants a party to the proceeding. Copies of this filing are on file with the