

Energy Regulatory Commission, 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 to the proceeding 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. 97-8466 Filed 4-2-97; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER97-399-000, et al.]

**Montana Power Company, et al.;  
Electric Rate and Corporate Regulation  
Filings**

March 27, 1997.

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

**1. Montana Power Company**

[Docket No. ER97-399-000]

Take notice that on February 28, 1997, Montana Power Company tendered for filing an amendment in the above-referenced docket.

*Comment date:* April 10, 1997, in accordance with Standard Paragraph E at the end of this notice.

**2. El Paso Electric Company**

[Docket No. ER97-1343-000]

Take notice that on March 12, 1997, El Paso Electric Company tendered for filing an amendment in the above-referenced docket.

*Comment date:* April 10, 1997, in accordance with Standard Paragraph E at the end of this notice.

**3. Dayton Power & Light Company**

[Docket No. ER97-1529-000]

Take notice that on March 7, 1997, Dayton Power & Light Company tendered for filing an amendment in the above-referenced docket.

*Comment date:* April 10, 1997, in accordance with Standard Paragraph E at the end of this notice.

**4. Louisville Gas and Electric Co.**

[Docket No. ER97-1945-000]

Take notice that on March 24, 1997, Louisville Gas and Electric Company tendered for filing revised copies of a

Service Agreement between Louisville Gas and Electric Company and PanEnergy Trading and Market Services which had been originally filed in the above-cited docket on February 26, 1997.

*Comment date:* April 10, 1997, in accordance with Standard Paragraph E at the end of this notice.

**5. Commonwealth Electric Company and Cambridge Electric Light Company**

[Docket No. ER97-2098-000]

Take notice that on March 14, 1997, Commonwealth Electric Company (Commonwealth) and Cambridge Electric Light Company (Cambridge), collectively referred to as the Companies, tendered for filing with the Federal Energy Regulatory Commission changes to their respective Market-Based Power Sales Tariffs, FERC Electric Tariff, Original Volume Nos. 7 & 9 (Tariffs). The Companies are filing these changes in compliance with the Commission's February 27, 1997 order in Docket No. ER97-1068-000.

*Comment date:* April 10, 1997, in accordance with Standard Paragraph E at the end of this notice.

**6. Southwestern Public Service Company**

[Docket No. ER97-2101-000]

Take notice that on March 14, 1997, Southwestern Public Service Company (Southwestern), tendered for filing a proposed amendment to its rate schedule for service to Golden Spread Electric Cooperative, Inc. (Golden Spread) for service to Deaf Smith Electric Cooperative, Inc (Deaf Smith).

The proposed amendment reflects a new delivery point for service to Golden Spread and a one time contribution in aid of construction for transmission switches.

*Comment date:* April 10, 1997, in accordance with Standard Paragraph E at the end of this notice.

**7. Ohio Edison Company and Pennsylvania Power Company**

[Docket No. ER97-2102-000]

Take notice that on March 14, 1997, Ohio Edison Company tendered for filing on behalf of itself and Pennsylvania Power Company, Service Agreements with American Energy Solutions, Inc., under Ohio Edison's Power Sales Tariff. This filing is made pursuant to Section 205 of the Federal Power Act.

*Comment date:* April 10, 1997, in accordance with Standard Paragraph E at the end of this notice.

**8. Central Louisiana Electric Co. Inc.**

[Docket No. ER97-2103-000]

Take notice that on March 14, 1997, Central Louisiana Electric Company, Inc. (CLECO), tendered for filing a service agreement under which CLECO will provide non-firm point-to-point transmission service to Southern Energy Trading and Marketing, Inc. under its point-to-point transmission tariff.

CLECO states that a copy of the filing has been served on Southern Energy Trading and Marketing, Inc.

*Comment date:* April 10, 1997, in accordance with Standard Paragraph E at the end of this notice.

**9. Central Louisiana Electric Co., Inc.**

[Docket No. ER97-2104-000]

Take notice that on March 14, 1997, Central Louisiana Electric Company, Inc., (CLECO), tendered for filing a service agreement under which CLECO will provide non-firm point-to-point transmission service to Minnesota Power and Light Company under its point-to-point transmission tariff.

CLECO states that a copy of the filing has been served on Minnesota Power and Light Company.

*Comment date:* April 10, 1997, in accordance with Standard Paragraph E at the end of this notice.

**10. Jersey Central Power & Light Co., Metropolitan Edison Company, and Pennsylvania Electric Company**

[Docket No. ER97-2105-000]

Take notice that on March 14, 1997, GPU Service, Inc. (GPU), on behalf of Jersey Central Power & Light Company, Metropolitan Edison Company and Pennsylvania Electric Company (GPU Energy), filed an executed Service Agreement between GPU and The Utility—Trade Corp. (UTC), dated January 13, 1997. This Service Agreement specifies that UTC has agreed to the rates, terms and conditions of GPU Energy's Operating Capacity and/or Energy Sales Tariff (Sales Tariff) designated as FERC Electric Tariff, Original Volume No. 1. The Sales Tariff was accepted by the Commission by letter order issued on February 10, 1995 in *Jersey Central Power & Light Co., Metropolitan Edison Co. and Pennsylvania Electric Co.*, Docket No. ER95-276-000 and allows GPU and UTC to enter into separately scheduled transactions under which GPU Energy will make available for sale, surplus operating capacity and/or energy at negotiated rates that are no higher than GPU Energy's cost of service.

GPU requests a waiver of the Commission's notice requirements for good cause shown and an effective date

of January 13, 1997 for the Service Agreement.

GPU has served copies of the filing on regulatory agencies in New Jersey and Pennsylvania.

*Comment date:* April 10, 1997, in accordance with Standard Paragraph E at the end of this notice.

### **11. Jersey Central Power & Light Co., Metropolitan Edison Company, and Pennsylvania Electric Company**

[Docket No. ER97-2106-000]

Take notice that on March 14, 1997, GPU Service, Inc. (GPU), on behalf of Jersey Central Power & Light Company, Metropolitan Edison Company and Pennsylvania Electric Company (GPU Energy), filed an executed Service Agreement between GPU and Niagara Mohawk Power Corporation (NIMO), dated March 12, 1997. This Service Agreement specifies that NIMO has agreed to the rates, terms and conditions of GPU Energy's Operating Capacity and/or Energy Sales Tariff (Sales Tariff) designated as FERC Electric Tariff, Original Volume No. 1. The Sales Tariff was accepted by the Commission by letter order issued on February 10, 1995 in *Jersey Central Power & Light Co., Metropolitan Edison Co. and Pennsylvania Electric Co.*, Docket No. ER95-276-000 and allows GPU and NIMO to enter into separately scheduled transactions under which GPU Energy will make available for sale, surplus operating capacity and/or energy at negotiated rates that are no higher than GPU Energy's cost of service.

GPU requests a waiver of the Commission's notice requirements for good cause shown and an effective date of March 12, 1997 for the Service Agreement.

GPU has served copies of the filing on regulatory agencies in New Jersey and Pennsylvania.

*Comment date:* April 10, 1997, in accordance with Standard Paragraph E at the end of this notice.

### **12. Central Hudson Gas & Electric Corporation**

[Docket No. ER97-2151-000]

Take notice that Central Hudson Gas & Electric Corporation (CHG&E), on March 17, 1997, tendered for filing pursuant to Section 35.12 of the Federal Energy Regulatory Commission's (Commission) Regulations in 18 CFR a Service Agreement between CHG&E and Cinergy Services, Inc. The terms and conditions of service under this Agreement are made pursuant to CHG&E's FERC Open Access Schedule, Original Volume 1 (Transmission Tariff) filed in compliance with the

Commission's Order No. 888 in Docket No. RM95-8-000 and RM94-7-001.

CHG&E also has requested waiver of the 60-day notice provision pursuant to 18 CFR Section 35.11.

A copy of this filing has been served on the Public Service Commission of the State of New York.

*Comment date:* April 10, 1997, in accordance with Standard Paragraph E at the end of this notice.

### **13. Central Hudson Gas & Electric Corporation**

[Docket No. ER97-2152-000]

Take notice that Central Hudson Gas & Electric Corporation (CHG&E), on March 17, 1997, tendered for filing pursuant to Section 35.12 of the Federal Energy Regulatory Commission's (Commission) Regulations in 18 CFR a Service Agreement between CHG&E and Orange & Rockland Utilities, Inc. The terms and conditions of service under this Agreement are made pursuant to CHG&E's FERC Open Access Schedule, Original Volume No. 1 (Transmission Tariff) filed in compliance with the Commission's Order No. 888 in Docket No. RM95-8-000 and RM94-7-001. CHG&E also has requested waiver of the 60-day notice provision pursuant to 18 CFR Section 35.11.

A copy of this filing has been served on the Public Service Commission of the State of New York.

*Comment date:* April 10, 1997, in accordance with Standard Paragraph E at the end of this notice.

### **14. MidAmerican Energy Company**

[Docket No. OA97-420-000]

Take notice that on March 24, 1997, MidAmerican Energy Company (MidAmerican) submitted for filing with the Commission an amendment to its initial filing in this proceeding consisting of copies of the First Amendment dated December 30, 1996 to Lehigh-Webster Transmission and Webster Terminals Facilities and Operating Agreement and the Second Amendment dated December 30, 1996 to Transmission Facilities and Operating Agreement George Neal Generating Unit No. 4 Transmission with both contract amendments reflecting execution by all parties.

MidAmerican states that when it made its initial filing in this proceeding, certain of the municipal utilities who are parties to the aforementioned contract amendments submitted with the initial filing had not executed the contract amendments at the time of the filing. MidAmerican states that since the initial filing all of those municipal utilities have executed the contract

amendments and provided MidAmerican with signature pages. MidAmerican states that the purpose of this amendment to the initial filing is to submit to the Commission copies of such contract amendments reflecting the execution by all parties thereto.

*Comment date:* April 14, 1997, in accordance with Standard Paragraph E at the end of this notice.

### **15. Tampa Electric Company**

[Docket No. OA97-461-000]

Take notice that on March 21, 1997, Tampa Electric Company (Tampa Electric) filed a supplement to its initial filing in this docket. Tampa Electric states that the supplemental filing provides additional information concerning Tampa Electric's implementation of the Standards of Conduct in Section 37.4 of the Commission's Regulations.

A copy of the supplemental filing has been served on each person on the official service list in this docket, and the Florida Public Service Commission.

*Comment date:* April 10, 1997, in accordance with Standard Paragraph E at the end of this notice.

### **16. Wisconsin Public Service Corporation**

[Docket No. OA97-476-000]

Take notice that on March 3, 1997, Wisconsin Public Service Corporation (WPSC) tendered for filing an amendment to the original filing of a contract and rate schedule documents under which Morgan Stanley Capital Group, Inc. (MS) will take over certain of WPS's power supply commitments to Oconto Electric Cooperative (Oconto) beginning on January 1, 1997. Both MS and Oconto have consented to the restructured power supply arrangement.

*Comment date:* April 10, 1997, in accordance with Standard Paragraph E at the end of this notice.

### **17. Michigan South Central Power Agency**

[Docket No. OA97-559-000]

Take notice that on March 5, 1997, the Michigan South Central Power Agency has filed a request for waiver of Open Access Same-Time Information System (OASIS) and separation of functions requirements under Order Nos. 888 and 889.

*Comment date:* April 10, 1997, in accordance with Standard Paragraph E at the end of this notice.

### **18. Nelson Industrial Steam Company**

[Docket No. QF95-41-000]

On March 24, 1997, Nelson Industrial Steam Company (Applicant) tendered

for filing a supplement to its filing in this docket. No determination has been made that the submittal constitutes a complete filing.

The supplement provides additional information pertaining to the ownership of the small power production facility.

*Comment date:* April 17, 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. 97-8489 Filed 4-2-97; 8:45 am]

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[Docket No. ER97-2108-000, et al.]

#### Virginia Electric Power Company, et al. Electric Rate and Corporate Regulation Filings

March 28, 1997.

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

##### 1. Virginia Electric and Power Company

[Docket No. ER97-2108-000]

Take notice that on March 14, 1997, Virginia Electric and Power Company (Virginia Power), tendered for filing unexecuted Service Agreements between Virginia Electric and Power Company and ConAgra Energy Services, Inc. and Valero Power Services Company under the Power Sales Tariff to Eligible Purchasers dated May 27, 1994, as revised on December 31, 1996. Under the tendered Service Agreements Virginia Power agrees to provide services to ConAgra Energy Services, Inc. and Valero Power Services Company under the rates, terms and conditions of the Power Sales Tariff as agreed by the parties pursuant to the terms of the applicable Service

Schedules included in the Power Sales Tariff.

Copies of the filing were served upon the Virginia State Corporation Commission, and the North Carolina Utilities Commission.

*Comment date:* April 11, 1997, in accordance with Standard Paragraph E at the end of this notice.

##### 2. Destec Energy, Inc., NGC Corporation

[Docket No. EC97-20-000]

Take notice that on March 17, 1997, Destec Energy, Inc. (Destec Energy), and NGC Corporation (NGC) (together, the Applicants) tendered for filing pursuant to Section 203 of the Federal Power Act, 16 U.S.C. 824b (1994), and Part 33 of the Commission's Regulations, 18 CFR Part 33, an application for such approvals as may be needed to consummate their merger. Destec Energy and NGC own Destec Power Services, Inc., and Electric Clearinghouse, Inc., respectively, both of which are public utilities. Wholly-owned subsidiaries of Destec Energy own 50 percent interests in both Commonwealth Atlantic Limited Partnership and Hartwell Energy Limited Partnership, both of which also are public utilities.

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

##### 3. PG&E Corporation and Valero Energy Corporation

[Docket No. EC97-22-000]

Take notice that on March 24, 1997, PG&E Corporation and Valero Energy Corporation (Valero), on behalf of their respective public utility subsidiaries (collectively the Applicants), tendered for filing pursuant to Section 203 of the Federal Power Act (the FPA), 16 U.S.C. 824b, Part 33 of the Commission's Regulations, 18 CFR Part 33, and 18 CFR 2.26, an Application for an order approving the proposed merger of PG&E Corporation and Valero.

Applicants state that pursuant to an Agreement and Plan of Merger dated as of January 31, 1997, PG&E Corporation and Valero will merge through an exchange of stock. They state that after consummation of the merger, Valero will become a direct wholly-owned subsidiary of PG&E Corporation. The Applicants state that they have submitted the information required by Part 33 of the Commission's Regulations, and by the Commission's *Merger Policy Statement*, Order No. 592, *Inquiry Concerning the Commission's Merger Policy Under the Federal Power Act; Policy Statement*, III FERC Stats. & Regs. ¶ 31,044 (1996) (codified at 18 CFR 2.26), in support of the

Application. Applicants request expeditious review of the Application and approval of the merger by July 1, 1997.

Applicants state that copies of the Application and a diskette containing the data relied upon to perform the competitive screen analysis required by the Merger Policy Statement are being served on the Public Utilities Commission of the State of California and the bulk power and transmission customers of Pacific Gas and Electric Company by overnight delivery. In addition, copies of the Application and the diskette are being served by overnight delivery upon the Texas Railroad Commission and the Texas Public Utilities Commission, although neither agency regulates the public utility subsidiaries of the merging companies.

*Comment date:* May 23, 1997, in accordance with Standard Paragraph E at the end of this notice.

##### 4. The Trust Known as EZH Facility Trust No. 1997-A5, Created Pursuant to a Trust Agreement Dated as of March 20, 1997 With Resources Capital Management Corporation

[Docket No. EG97-46-000]

On March 25, 1997, the Trust known as EZH Facility Trust No. 1997-A5, Created Pursuant to a Trust Agreement Dated as of March 20, 1997, with Resources Capital Management Corporation (Applicant), c/o Wilmington Trust Company, Rodney Square North, 1100 North Market Street, Wilmington, Delaware 19890 (the Applicant), filed with the Federal Energy Regulatory Commission an application for determination of exempt wholesale generator (EWG) status pursuant to Part 365 of the Commission's Regulations. The Applicant will lease an undivided interest in the following eligible facility in the Netherlands: the electric generating facility known generally as Maasvlakte Centrale MV1 with a net power capacity of 520 megawatts.

*Comment date:* April 11, 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.

##### 5. The Trust Known as EZH Facility Trust No. 1997-A4, Created Pursuant to a Trust Agreement Dated as of March 20, 1997 With Resources Capital Investment Corp.

[Docket No. EG97-47-000]

On March 25, 1997, the Trust known as EZH Facility Trust No. 1997-A4,