

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.

**Lois D. Cashell,**

*Secretary.*

[FR Doc. 97-12036 Filed 5-7-97; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP97-349-000]

#### CNG Transmission Corporation; Notice of Proposed Changes in FERC Gas Tariff and Report of Refunds

May 2, 1997.

Take notice that on April 30, 1997, CNG Transmission Corporation (CNG), tendered for filing as part of its FERC Gas Tariff, Second Revised Volume No. 1, the following sheets, with an effective date of June 1, 1997:

Sheet No. 38

First Revised Sheet Nos. 320-328

Sheet No. 329

CNG states that the purpose of this filing is to revise its tariff to reflect the collection of known direct and indirect take-or-pay costs under Sheet Nos. 38 through 55 of CNG's FERC Gas Tariff. CNG also submits its report of refunds attributable to the reconciliation of cumulative direct and indirect take-or-pay charges, which have been collected from CNG's customers in accordance with the Commission-approved Stipulation and Agreement in Docket Nos. RP88-217-000, et al. On March 31, 1997, CNG states that it refunded to its customers an aggregate amount of \$1,628,933.

CNG states that copies of this letter of transmittal and enclosures are being mailed to affected customers and interested state commissions.

Any person desiring to be heard or to protest this 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 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. 97-12037 Filed 5-7-97; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP97-52-003]

#### Columbia Gulf Transmission Company; Notice of Proposed Changes in FERC Gas Tariff

May 2, 1997.

Take notice that on April 29, 1997, Columbia Gulf Transmission Company (Columbia Gulf) filed a motion to place its suspended rates and tariff sheets into effect on May 1, 1997, and tendered for filing the revised tariff sheets to its FERC Gas Tariff, Second Revised Volume No. 1, listed on Appendix A, attached to the filing. The revised tariff sheets bear an issue date of April 29, 1997, and a proposed effective date of May 1, 1997.

Columbia Gulf states that the revised filing is being made in accordance with the Commission's suspension order issued November 27, 1996, in this proceeding and Section 154.206 of the Commission's Regulations (18 CFR Section 154.206). The rates on the Appendix A tariff sheets reflect the changes required by the suspension order.

Columbia Gulf states that it is also moving into effect the non-rate tariff sheets identified separately on Appendix B, attached to the filing, which were accepted and suspended effective May 1, 1997. The filing is explained in greater detail in the transmittal letter accompanying the filing.

Columbia Gulf states that copies of its filing have been mailed to Columbia Gulf's firm customers and interruptible customers, affected state regulatory commissions, and to each of the parties set forth on the official service list in this proceeding.

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 of Practice and Procedure. 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 proceedings. Copies of Columbia Gulf's filing are on file with the Commission and are available for public inspection in the Commission's Public Reference Room.

**Lois D. Cashell,**

*Secretary.*

[FR Doc. 97-12029 Filed 5-7-97; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP97-350-000]

#### Copano Field Services/ Copano Bay, L.P.; Notice of Petition for Declaratory Order

May 2, 1997.

Take notice that on April 17, 1997, Copano Field Services/Copano Bay, L.P. (Copano), 1300 Post Oak Boulevard, Suite 1750, Houston, Texas 77056, filed a petition for declaratory order in Docket No. CP97-350-000, requesting that when Copano acquires the Encinal Channel Lateral Facilities, which are certain pipeline and measuring facilities with appurtenances located in San Patricio, and Nueces Counties, Texas, from Florida Gas Transmission Company (FGT), that the Commission declare that the facilities are gathering facilities exempt from the Commission's Regulations pursuant to Section 1(b) of the Natural Gas Act (NGA), all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

Copano states that it currently renders non-jurisdictional gathering services through its Copano Bay System located adjacent to the Encinal Channel Lateral Facilities to be acquired from FGT. It is further stated that the Encinal Channel Lateral Facilities will be operated independently from its existing gathering systems, although the facilities may be integrated in the future. Copano indicates that it anticipates attaching additional supplies to the Encinal Channel Lateral Facilities.

Copano relates that it will, effective on the date of transfer, assume all future operational and commercial responsibilities and maintenance obligations for the Encinal Channel Lateral Facilities. Copano further indicates that it expects to negotiate acceptable gathering agreements with any shipper using the Encinal Channel Lateral Facilities.

Copano states its belief that the Encinal Channel Lateral Facilities meet the criteria of "gathering facilities" under Section 1(b) of the NGA as interpreted by the Commission under the "modified primary function" test, as set forth in *Amerada Hess Corporation, et al.*, as amended. 52 FERC ¶ 61,268 (1990).

It is asserted that the Encinal Channel Lateral Facilities are well within the range of systems the Commission has determined to be gathering because the facilities consist of relatively short, small-diameter pipe configured in a web-like arrangement; there is a typical backbone-type arrangement which collects gas from many wells for delivery to the FGT mainline; there are no compressors or processing plants located on the Encinal Channel Lateral Facilities; and the facilities operate based on wellhead pressures for delivery to FGT's mainline.

Copano also states its belief that its acquisition of the Encinal Channel Lateral Facilities for use as non-jurisdictional gathering will bring increased use of the Encinal Channel Lateral Facilities for the benefit of consumers served by means of the FGT transmission system.

Any person desiring to be heard or to make any protest with reference to said petition should on or before May 23, 1997, file with the Federal Energy Regulatory Commission, 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 or 385.211). All protests filed 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 or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

**Lois D. Cashell,**

*Secretary.*

[FR Doc. 97-11988 Filed 5-7-97; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP97-362-000]

#### Florida Gas Transmission Company; Notice of Application

May 2, 1997.

Take notice that on April 21, 1997, Florida Gas Transmission Company (FGT), 1400 Smith Street, Houston, Texas 77002, filed in Docket No. CP-362-000 an application pursuant to Section 7(b) of the Natural Gas Act, for permission and approval to abandon, by sale to Copano Field Services Copano Bay, L.P., a Texas Limited Partnership (Copano), certain natural gas supply laterals and related appurtenant facilities located in the counties of Nueces and San Patricio, Texas, all as more fully set forth in FGT's application which is on file with the Commission and open to public inspection.

FGT states that it has agreed to sell Copano the 17.5 mile 12-inch Encinal Channel Lateral; the 0.3 mile 4-inch Shell East White Point Lateral; the 2.7 mile 4-inch Nueces Bay Lateral; the 0.2 mile 4-inch Phillips East White Point Lateral; the 2.1 mile 3-inch Angelita Lateral; and all related appurtenant facilities. In addition, FGT states that it seeks Commission permission to transfer by sale to Copano the 0.3 mile 4-inch Phillips Spradley Lateral which FGT states was abandoned in place pursuant to an order issued by the Commission on May 5, 1983, in Docket No. CP83-80-000.

It is further stated that the abandonment and sale proposed herein will not impair any current services nor will it disadvantage any existing customer of FGT. FGT indicates that the proposed abandonment and sale of the subject facilities will save FGT approximately \$10,500 per year in operating and maintenance costs.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 23, 1997, file with the Federal Energy Regulatory Commission, 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 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed 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 or to participate as a

party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for FGT to appear or be represented at the hearing.

**Lois D. Cashell,**

*Secretary.*

[FR Doc. 97-11986 Filed 5-7-97; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. GT97-22-000]

#### Great Lakes Gas Transmission Limited Partnership; Notice of Filing

May 2, 1997.

Take notice that on April 30, 1997, Great Lakes Gas Transmission Limited Partnership (Great lakes) tendered for filing the following tariff sheets, proposed to become effective January 1, 1997:

Second Revised Volume No. 1  
Second Revised Sheet No. 3  
First Revised Sheet No. 3A  
First Revised Sheet No. 3B  
First Revised Sheet No. 3C

Great Lakes states that the tariff sheets listed above are being filed to revise the system and zone maps included in Great Lakes' tariff pursuant to § 154.106(c) of the Commission's regulations. The revisions to the maps reflect the addition of several meter stations on Great Lakes' system as well as the construction of two loop sections.

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