

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****[Docket No. ER97-1328-000, et al.]****Boston Edison Company, et al.;  
Electric Rate and Corporate Regulation Filings**

February 12, 1997.

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

**1. Boston Edison Company****[Docket No. ER97-1328-000]**

Take notice that on January 31, 1997, Boston Edison Company (Boston Edison) of Boston, Massachusetts, tendered for filing amendments to conform its open-access transmission Tariff No. 8 to the new NEPOOL tariff, submitted by the NEPOOL Executive Committee on December 31, 1996, and amendments to make Boston Edison's share of the Hydro-Quebec transmission facilities available on an open-access basis. Boston Edison asks that the proposed Hydro-Quebec amendments be made effective as of March 1, 1997. Boston Edison asks that its NEPOOL conforming amendments be made effective on March 1, 1997 if the new NEPOOL Tariff is allowed to become effective on that date. Due to the relationship between its conforming amendments and the new NEPOOL Tariff, Boston Edison states that the conforming amendments should not become effective unless and until the NEPOOL amendments become effective.

Boston Edison states that this filing has been posted and that copies have been served upon its own transmission customers, the recipients of the new NEPOOL tariff, and the Massachusetts Department of Public Utilities.

*Comment date:* February 25, 1997, in accordance with Standard Paragraph E at the end of this notice.

**2. Duke Power Company and PanEnergy Corp****[Docket No. EC97-13-000]**

Take notice that on February 3, 1997, Duke Power Company ("Duke"), on behalf of itself and certain of its affiliates, and PanEnergy Corp ("PanEnergy"), on behalf of itself and certain of its affiliates (collectively "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 33, and 18 CFR 2.26, an Application for an order approving the proposed merger of Duke and PanEnergy and changes in control

over certain of their respective power marketer affiliates.

Applicants state that pursuant to an Agreement and Plan of Merger dated as of November 24, 1996, Duke and PanEnergy will merge through an exchange of stock, with Duke to continue as the surviving corporation. They state that after consummation of the merger, PanEnergy will become a wholly-owned subsidiary of Duke, which will change its name to Duke Energy Corporation. Applicants further state that, as a result of the merger of Duke and PanEnergy, control over Duke/Louis Dreyfus L.L.C. (an FPA-jurisdictional affiliate of Duke) and PanEnergy Trading and Market Services L.L.C., PanEnergy Power Services, Inc. and PanEnergy Lake Charles Generation, Inc. (each an FPA-jurisdictional affiliate of PanEnergy) will change. According to Applicants, the FPA-jurisdictional contracts held by their power marketer affiliates will not be transferred at the time of the merger, and the respective power marketers will continue to hold and perform under them. The Applicants state that they have submitted the information required by Part 33 of the Commission's Regulations, and by the Commission's recently-issued Merger Policy Statement (Order No. 592, Inquiry Concerning the Commission's Merger Policy Under the Federal Power Act; Policy Statement (issued December 18, 1996), 61 Fed. Reg. 68,595 (December 30, 1996), to be codified at 18 CFR 2.26, in support of the Application.

Applicants represent that, as required by 18 CFR 33.6, copies of the Application and related testimony and exhibits have been served on each of Duke's wholesale customers and on the North Carolina Utilities Commission and the South Carolina Public Service Commission.

*Comment date:* April 4, 1997, in accordance with Standard Paragraph E at the end of this notice.

**3. CMS Generation Pinamucan Limited Duration Company****[Docket No. EG97-30-000]**

On January 27, 1997, CMS Generation Pinamucan Limited Duration Company, Fairlane Plaza South, 330 Town Center Drive, Suite 1100, Dearborn, Michigan 48126, filed with the Federal Energy Regulatory Commission an application for determination of exempt wholesale generator status pursuant to Part 365 of the Commission's Regulations.

Applicant intends to acquire up to 44 percent of the common stock of Magellan Corporation, Inc., a Philippine Corporation. Magellan Corporation, Inc. owns and operates an approximately 63

MW diesel fuel-fired electric generating facility (Facility) located in Rosario, Cavite, Philippines. The electric energy produced by the Facility will be sold exclusively at wholesale. None of the electric energy generated will be sold to consumers in the United States.

*Comment date:* March 4, 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.

**4. Logan Generating Company, L.P., Premier Enterprises, Inc., E Prime, Inc., Mid American Natural Resources, Inc., Texaco Natural Gas Inc., WPS Power Development, Inc., North American Power Brokers, Inc.**

**[Docket Nos. ER95-1007-003, ER95-1123-005, ER95-1269-005, ER95-1423-004, ER95-1787-005, ER96-1088-007, and ER96-1156-003 (not consolidated)]**

Take notice that the following informational filings have been made with the Commission and are on file and available for inspection and copying in the Commission's Public Reference Room:

On February 3, 1997, Logan Generating Company, L.P. filed certain information as required by the Commission's June 28, 1995, order in Docket No. ER95-1007-000.

On February 7, 1997, Premier Enterprises, Inc. filed certain information as required by the Commission's August 7, 1995, order in Docket No. ER95-1123-000.

On February 6, 1997, E Prime, Inc. filed certain information as required by the Commission's March 29, 1996, order in Docket No. ER95-1269-000.

On February 7, 1997, Mid American Natural Resources, Inc. filed certain information as required by the Commission's August 25, 1995, order in Docket No. ER95-1423-000.

On February 6, 1997, Texaco Natural Gas Inc. filed certain information as required by the Commission's January 25, 1996, order in Docket No. ER95-1787-000.

On January 22, 1997, WPS Power Development, Inc. filed certain information as required by the Commission's April 16, 1996, order in Docket No. ER96-1088-000.

On February 7, 1997, North American Power Brokers, Inc. filed certain information as required by the Commission's April 24, 1996, order in Docket No. ER96-1156-000.

5. Ohio Valley Electric Corporation,  
Indiana-Kentucky Electric Corporation

[Docket No. ER97-1447-000]

Take notice that on January 29, 1997, Ohio Valley Electric Corporation (including its wholly-owned subsidiary, Indiana-Kentucky Electric Corporation) (OVEC), tendered for filing a Service Agreement for Non-Firm Point-to-Point transmission Service, dated November 1, 1996 (the Service Agreement) between OVEC and The Cincinnati Gas & Electric Company, PSI Energy, Inc. (together, the Cinergy Operating Companies) and Cinergy Services, Inc. (Cinergy Services), as agent for and on behalf of the Cinergy Operating Companies. OVEC proposes an effective date of January 27, 1997 and requests waiver of the Commission's notice requirement to allow the requested effective date. The Service Agreement provides for non-firm transmission service by OVEC to the Cinergy Operating Companies.

In its filing, OVEC states that the rates and charges included in the Service Agreement are the rates and charges set forth in OVEC's Order No. 888 compliance filing (Docket No. OA96-190-000).

Copies of this filing were served upon the Public Utilities Commission of Ohio, the Indiana Utility Regulatory Commission, the Kentucky Public Service Commission and Cinergy Services.

*Comment date:* February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

6. The Dayton Power and Light Company

[Docket No. ER97-1448-000]

Take notice that on January 30, 1997, The Dayton Power and Light Company (Dayton), submitted service agreements establishing VTEC Energy, Inc. as customers under the terms of Dayton's Open Access Transmission Tariff.

Dayton requests an effective date of one day subsequent to this filing for the service agreements. Accordingly, Dayton requests waiver of the Commission's notice requirements. Copies of the filing were served upon VTEC Energy, Inc., and the Public Utilities Commission of Ohio.

*Comment date:* February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

7. Wisconsin Public Service Corporation

[Docket No. ER97-1449-000]

Take notice that on January 29, 1997, Wisconsin Public Service Corporation (WPSC), tendered for filing executed

Transmission Service Agreements with itself for its own off-system sales. The Agreements provide for transmission service under the Open Access Transmission Service Tariff, FERC Original Volume No. 11.

*Comment date:* February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

8. Public Service Electric and Gas Company

[Docket No. ER97-1450-000]

Take notice that on January 29, 1997, Public Service Electric and Gas Company (PSE&G), tendered for filing an agreement to provide non-firm transmission service to NorAm Energy Services, Inc., pursuant to PSE&G's Open Access Transmission Tariff presently on file with the Commission in Docket No. OA96-80-000.

PSE&G further requests waiver of the Commission's Regulations such that the agreement can be made effective as of January 15, 1997.

*Comment date:* February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

9. The Dayton Power and Light Company

[Docket No. ER97-1451-000]

Take notice that on January 30, 1997, The Dayton Power and Light Company (Dayton), submitted service agreements establishing Consumers Power Company, and The Detroit Edison Company as customers under the terms of Dayton's Market-Based Sales Tariff.

Dayton requests an effective date of one day subsequent to this filing for the service agreements. Accordingly, Dayton requests waiver of the Commission's notice requirements. Copies of this filing were served upon Consumers Power Company, The Detroit Edison Company and the Public Utilities Commission of Ohio.

*Comment date:* February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

10. Atlantic City Electric Company

[Docket No. ER97-1452-000]

Take notice that on January 29, 1997, Atlantic City Electric Company (Atlantic Electric), tendered for filing service agreements under which Atlantic Electric will provide capacity and energy to Aquila Power Corporation, Baltimore Gas and Electric Company, Carolina Power & Light Company, Catex Vitol Electric L.L.C., Citizens Lehman Power Sales, Consolidated Edison Company, Coral Power, L.L.C., Duke/Louis Dreyfus L.L.C., Enron Capital & Trade Resources, Equitable Power

Service Company, Heartland Energy Services, Koch Power Services, Long Island Lighting Company, Morgan Stanley Capital Group, Inc., New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation, NorAm Energy Services, PECO Energy Company, Pennsylvania Power and Light, Plum Street Energy Marketing, Public Service Electric & Gas Company, Rainbow Energy Marketing Corporation, Sonat Power Marketing, L.P., Tenneco Energy, TransCanada Power Corporation, USGen Power Services, L.P. and The Utility Trade Corporation in accordance with the Atlantic Electric wholesale power sales tariff. Atlantic Electric requests the agreements be accepted to become effective on January 1, 1997.

Atlantic Electric states that a copy of the filing has been served on the listed entities.

*Comment date:* February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

11. Atlantic City Electric Company

[Docket No. ER97-1453-000]

Take notice that on January 29, 1997, Atlantic City Electric Company (Atlantic Electric) tendered for filing an amendment to its tariff under which it sells power and energy at market-based rates.

Atlantic Electric states that a copy of the filing was served on all existing customers under the Atlantic Electric market-based rate tariff and on the New Jersey Board of Public Utilities.

*Comment date:* February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

12. Southwestern Public Service Company

[Docket No. ER97-1454-000]

Take notice that on January 30, 1997, Southwestern Public Service Company (Southwestern), submitted a Quarterly Report under Southwestern's market-based sales tariff. The report is for the period of October 1, 1996 through December 31, 1996.

*Comment date:* February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

13. New York State Electric & Gas Corporation

[Docket No. ER97-1455-000]

Take notice that on January 30, 1997, New York State Electric & Gas Corporation (NYSEG), filed Service Agreements between NYSEG and Heartland Energy Services, Inc., Green Mountain Power Corporation, and Rainbow Energy Marketing Corporation,

(Customers). These Service Agreements specify that the customers have agreed to the rates, terms and conditions of the NYSEG open access transmission tariff filed on July 9, 1996, in Docket No. OA96-195-000.

NYSEG requests waiver of the Commission's sixty-day notice requirements and an effective date of January 31, 1997, for the Service Agreements. NYSEG has served copies of the filing on The New York State Public Service Commission and on the Customers.

*Comment date:* February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

14. The Montana Power Company  
[Docket No. ER97-1458-000]

Take notice that on January 29, 1997, The Montana Power Company (Montana), tendered for filing a revised Appendix 1 as required by Exhibit C for retail sales in accordance with the provisions of the Residential Purchase and Sale Agreement (Agreement) between Montana and the Bonneville Power Administration (BPA).

The Agreement was entered into pursuant to the Pacific Northwest Electric Power Planning and Conservation Act, Public Law 96-501. The Agreement provides for the exchange of electric power between Montana and BPA for the benefit of Montana's residential and farm customers.

A copy of the filing has been served upon BPA.

*Comment date:* February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

15. New England Power Company  
[Docket No. ER97-1459-000]

Take notice that on January 30, 1997, New England Power Company filed a Service Agreement with Citizens Lehman Power Sales under NEP's FERC Electric Tariff, Original Volume No. 5.

*Comment date:* February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

16. Kentucky Utilities Company  
[Docket No. ER97-1460-000]

Take notice that on January 30, 1997, Kentucky Utilities Company (KU), tendered for filing information on transactions that occurred during October 1, 1996 through December 31, 1996, pursuant to the Power Services Tariff accepted by the Commission in Docket No. ER95-854-000.

*Comment date:* February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

17. Virginia Electric and Power Company  
[Docket No. ER97-1461-000]

Take notice that on January 29, 1997, Virginia Electric and Power Company (Virginia Power), tendered for filing Service Agreements for Non-Firm Point-to-Point Transmission Service with Cleveland Electric Illuminating Company, Niagara Mohawk Power Corporation, Plum Street Energy Marketing, Inc., SCANA Energy Marketing, Inc., Southern Company Services, Inc., The Power Company of America, Toledo Edison Company, Wisconsin Electric Power Company and The Wholesale Power Group and two Service Agreements for Firm Point-to-Point Transmission service with Carolina Power & Light Company under the Open Access Transmission Tariff to Eligible Purchasers dated July 9, 1996. Under the tendered Service Agreement Virginia Power will provide non-firm/firm point-to-point service to the Transmission customers as agreed to by the parties under the rates, terms and conditions of the Open Access Transmission Tariff.

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

*Comment date:* February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

18. Virginia Electric and Power Company  
[Docket No. ER97-1462-000]

Take notice that on January 30, 1997, Virginia Electric and Power Company, tendered for filing an application for membership in the Western System Power Pool.

*Comment date:* February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

19. Southwestern Public Service Company  
[Docket No. ER97-1463-000]

Take notice that on January 28, 1997, Southwestern Public Service Company submitted revisions to its market-based sales tariff which correct minor typographical errors and add language implementing the Commission's transmission unbundling requirement.

*Comment date:* February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

20. Louisville Gas and Electric Company  
[Docket No. ER97-1464-000]

Take notice that on January 29, 1997, Louisville Gas and Electric Company (LG&E), tendered for filing an executed Service Agreement between LG&E and Southern Indiana Gas and Electric

Company (SIGECO) under LG&E's Rate GSS. LG&E originally filed an unexecuted agreement in Docket No. ER97-1095-000.

*Comment date:* February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

21. Northern States Power Company  
(Minnesota Company)  
[Docket No. ER97-1465-000]

Take notice that on January 30, 1997, Northern States Power Company (Minnesota) (NSP), tendered for filing a Firm Point-to-Point Transmission Service Agreement for NSP Wholesale (Point of Delivery: Wisconsin Public Service) under the Northern States Power Company Transmission Tariff.

NSP requests that the Commission accept the agreement effective January 1, 1997, and requests waiver of the commission's notice requirements in order for the agreement to be accepted for filing on the date requested.

*Comment date:* February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

22. Boston Edison Company  
[Docket No. ER97-1466-000]

Take notice that on January 30, 1997, Boston Edison Company (Boston Edison), tendered for filing a Service Agreement under Original Volume No. 8, FERC Order 888 Tariff (Tariff) for TransCanada Energy Ltd. (TransCanada). Boston Edison requests that the Service Agreement become effective as of January 1, 1997.

Boston Edison states that it has served a copy of this filing on TransCanada and the Massachusetts Department of Public Utilities.

*Comment date:* February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

23. PECO Energy Company  
[Docket No. ER97-1467-000]

Take notice that on January 29, 1997, PECO Energy Company (PECO), filed a summary of transactions made during the fourth quarter of calendar year 1996 under PECO's market based rate tariff for power service accepted by the Commission in Docket No. ER96-640-000.

*Comment date:* February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

24. Great Bay Power Corporation  
[Docket No. ER97-1468-000]

Take notice that on January 29, 1997, Great Bay Power Corporation, tendered for filing a summary of activity for the quarter ending December 31, 1996.

*Comment date:* February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

25. Louisville Gas and Electric Company  
[Docket No. ER97-1470-000]

Take notice that on January 29, 1997, Louisville Gas and Electric Company (LG&E), tendered for filing an executed Service Agreement between LG&E and Koch Energy Trading, Inc. under LG&E's Rate GSS.

*Comment date:* February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

26. Arizona Public Service Company  
[Docket No. ER97-1471-000]

Take notice that on January 29, 1997, Arizona Public Service Company (APS), tendered for filing a Service Agreement to provide Network Integration Transmission Service under APS' Open Access Transmission Tariff filed in Compliance with FERC Order No. 888 with Ajo Improvement Company (Ajo).

A copy of this filing has been served on Ajo and the Arizona Corporation Commission.

*Comment date:* February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

27. Central Vermont Public Service Corporation  
[Docket No. OA97-508-000]

Take notice that on January 27, 1997, Central Vermont Public Service Corporation tendered for filing an amendment to its open access transmission tariff that provides for service over Central Vermont's share of the Phase I and Phase II transmission facilities between Des Cantons, Quebec and Tewsbury, Massachusetts. Central Vermont requests that the Commission waive its notice of filing requirements and allow the amendment to become effective on January 27, 1997.

*Comment date:* March 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

28. Nevada Power Company  
[Docket No. OA97-509-000]

Take notice that on January 24, 1997, Nevada Power Company (Nevada Power) tendered for filing 12 letters which demonstrate its intent to unbundle the transmission and generation components of the rate contained in certain economy energy agreements executed on or before July 9, 1996 pursuant to the Federal Energy Regulatory Commission Order No. 888 dated April 24, 1996.

Copies of this filing have been served on The Public Service Commission of

Nevada, California Department of Water Resources, Citizens Utilities Company, City of Anaheim, City of Boulder City, City of Burbank, City of Colton, City of Farmington, City of Glendale, City of Pasadena, City of Riverside, City of Vernon, Colorado River Commission, Deseret Generation & Transmission Cooperative, Lincoln County Power District No. 1, Metropolitan Water District of Southern California, Overton Power District No. 5, Pacific Gas & Electric Company, PacifiCorp, Public Service Company of New Mexico, Salt River Project, Southern California Edison Company, Tri-State Generation, Tucson Electric Power Company, Utah Assoc. Municipal Power Systems, and Valley Electric Association.

*Comment date:* March 13, 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. 97-4245 Filed 2-20-97; 8:45 am]

BILLING CODE 6717-01-P

#### [Project No. 11499-000; Tennessee]

#### Armstrong Energy Resources; Notice of Opportunity for Site Visit

February 14, 1997.

The Federal Energy Regulatory Commission (FERC) and the Tennessee Valley Authority (TVA) are reviewing a proposal from Armstrong Energy Resources to construct and operate the 1,500-megawatt Laurel Branch Pumped Storage Project No. 11499. The Laurel Branch Project would be located in Bledsoe County, Tennessee, seven miles northeast of Dunlap, Tennessee.

Since the July 1996 Scoping Document I was issued for Armstrong

Energy Resources' (AER) proposed Laurel Branch Project No. 11499 and Reynolds Creek Project No. 11500, AER has decided not to pursue the Reynolds Creek Project. AER, by letter filed January 9, 1997, with the FERC, has withdrawn its proposal, and surrendered its preliminary permit, for the Reynolds Creek Pumped Storage Project No. 11500. AER, in deciding to pursue only the Laurel Branch Project, has also defined the preferred transmission line corridor and alternative corridors for the project and reduced the initial project boundary.

#### Scoping and Site Visit

FERC and TVA have scheduled a joint second public scoping meeting for Armstrong Energy Resources' revised proposal on March 4, 1997 (notice of this meeting was issued earlier on February 3, 1997). The meeting will be held at Sequatchie County High School on the west side of Highway #28 in Dunlap, Tennessee. The March 4 meeting will focus on the proposed changes to Laurel Branch Project and the proposed transmission corridor and alternative corridors. The formal public meeting will be held from 6:30 pm to 9:30 pm, CDT, with registration beginning at 5 pm.

Prior to the formal public meeting, an Information Open House will be held from 5 pm to 6:30 pm, or later. The Information Open House is an informal opportunity for questions and information about the overall project scope and environmental review process. At the Information Open House, AER will have on display for public examination, a large map showing the proposed Laurel Branch Project, the preferred transmission corridor and alternatives, and private properties that will be affected with names of the landowners.

After the meeting on March 5, 1997, there will be an opportunity for a short site visit. The site visit will be conducted mostly by private vehicles and will cover the project areas, including the defined transmission corridor (and alternatives), that are accessible by paved public roads. Further details of the site visit will be provided at the scoping meetings. Those persons who are interested in the site visit may contact Ginger Seeber of TVA at (423) 632-1721, to register. There will also be an opportunity at the meeting to register for the site visit.

For further information on this process, please contact Eddie R. Crouse,