Incentives—Using one to Achieve the Other.

- Other business.
- Adjournment.

Public Participation: The meeting is open to the public. The Chairperson of the Council will conduct the meeting to facilitate the orderly conduct of business. If you would like to file a written statement with the Council, you may do so either before or after the meeting. If you would like to make oral statements regarding any of the items on the agenda, you should contact Margie D. Biggerstaff at the address or telephone number listed above. You must make your request for an oral statement at least five business days prior to the meeting, and reasonable provisions will be made to include the presentation on the agenda. Public comment will follow the 10-minute rule.

Transcripts: The transcript will be available for pubic review and copying, within 30 days, at the Freedom of Information Public Reading Room, 1E–190, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. between 9:00 a.m. and 4:00 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, D.C. on April 15, 1999.

Rachel M. Samuel,

Deputy Advisory Committee Management Officer.

[FR Doc. 99–10206 Filed 4–21–99; 8:45 am]

BILLING CODE 6450–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. SA99–17–000, SA99–18–000, SA99–19–000, SA99–20–000. SA99–21–000 (Not Consolidated)]

Chevron U.S.A. Inc.; Notice of Petitions for Dispute Resolution or, Alternative, for Adjustment

April 16, 1999.

Take notice that Chevron U.S.A. Inc. (Chevron) filed the above-referenced petitions, requesting the Commission to resolve disputes concerning this Kansas ad valorem tax refund obligation to the pipelines listed below.

Pipeline	Docket No.	Refund claim
ANR Pipeline Company	[1] SA99–17–000	$23,260.20
Northern Natural Gas Company	[2] SA99–18–000	494,814.97
Panhandle Eastern Pipe Line Company	[3] SA99–19–000	7,403.85
Colorado Interstate Gas Company	[4] SA99–20–000	418,116.56
Williams Gas Pipelines Central, Inc	[5] SA99–21–000	840,470.72

[1] Changed from GP99–2–000, filed March 9, 1999.
[2] Changed from GP99–3–000, filed March 11, 1999.
[3] Changed from GP99–4–000, filed March 9, 1999.
[4] Changed from GP99–5–000, filed March 10, 1999.
[5] Changed from GP99–6–000, filed March 10, 1999.

Chevron requests that the Commission resolve its dispute with the pipelines by holding that settlements and/or release agreements resolved all issues, including those associated with Kansas ad valorem tax refund liabilities, between the parties. Chevron contends that by agreeing in the settlement to forego claims it for nonperformance it otherwise could have continued to pursue, Chevron agreed to accept total payments under the contracts that did not exceed the MLP ceilings multiplied by the total volumes represented by each pipeline's nonperformance. In such circumstances, no refund should be required. To order otherwise would prevent Chevron from receiving the very benefits it bargained for in the settlements-settlements that the Commission itself strongly encouraged as a means to resolve the massive take-or-pay and underpayments liabilities of interstate pipelines and make the transition to a more market-responsive and competitive environment.

Chevron maintains that the pipelines and consumers benefitted from agreements and settlements because the settlements allowed the pipelines to avoid the much higher costs that full-performance of the contract would have entailed. By resolving ''all claims'' relating to, *inter alia,* ''contractual price'', the settlements resolved the Kansas ad valorem tax reimbursement issue. The Commission has found that these settlements served the public interest.

Chevron also requests the Commission to establish procedures to verify the refund calculations in all dockets to ensure fairness and equity. Alternatively, Chevron requests that the Commission waive Chevron's refund liability pursuant to Section 501(c) of the NGPA. Chevron asserts that the Commission has equitable discretion to grant adjustment relief from this refund requirement. Since the tax reimbursement payments made by the pipelines were for taxes that Chevron in fact paid the State of Kansas, Chevron maintains it did not retain any revenues in excess of the MLPs. Chevron maintains that the equities in the case require the Commission to waive Chevron's refund obligation. At a minimum, Chevron continues the Commission should waive the royalty portion of the refund. Chevron notes that it sold its Kansas properties since 1988, and thus no longer has ongoing contractual relationships with its former Kansas royalty owners. The response from Chevron's former royalty owners to Chevron's mailing has been negligible. To engage in extensive searches or to pursue legal action against these interests would be a cost-prohibitive exercise in futility. Since Chevron has transferred or otherwise ended the leases in question here, and thus has no ongoing relationship with the royalty owners, let alone relationships that would permit Chevron to impose a unilateral reduction in future royalty payments as contemplated in Wylee. Chevron asserts that the royalty portion of the refund claim is uncollectible, as a practical matter, due to the passage of time and the Kansas statute of limitations. Chevron's petitions are on file with the Commission, and they are open to public inspection. This filing may be viewed on the web at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

Any person desiring to be heard or to make any protest with reference to said petition should on or before 15 days after the date of publication in the **Federal Register** of this notice, file with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 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, 385.211 385.1105, and 385.1106). 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.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 99–10035 Filed 4–21–99; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP99–313–000]

Kern River Gas Transmission Company; Notice of Request Under Blanket Authorization

April 16, 1999.

Take notice that on April 14, 1999, Kern River Gas Transmission Company (Kern River), 295 Chipeta Way, Salt Lake City, Utah 84108, filed in Docket No. CP99–313–000, an application pursuant to section 7 of the Natural Gas Act (NGA), requesting approval to upgrade its Blue Diamond Meter Station in Clark County, Nevada, by constructing and operating additional facilities, all as more fully set forth in the request that is filed with the Commission and open to public inspection. This filing may be viewed on the web at http://www.ferc.fed.us/online/htm (call 202–208–2222 for assistance).

Kern River proposes to upgrade the Blue Diamond Meter Station by adding a third 12-inch turbine meter and appurtenances. It is stated that the maximum design capacity of the meter station for delivery to the local distribution system of Southwest Gas Corporation (Southwest) will increase from 338,000 Mcf per day to approximately 507,000 Mcf per day. Kern River states that the total cost of the proposed upgrade at the Blue Diamond Meter Station is estimated to be approximately $102,000. It is asserted that the total actual cost of the upgrade plus the associated income tax gross-up will be reimbursed by Southwest.

Any person or the Commission Staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 285.214) a motion to intervene or notice of intervention and pursuant to section 157.205 of the Regulations under the NGA (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the NGA.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 99–10102 Filed 4–21–99; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP99–303–000]

K N Interstate Gas Transmission Co.; Notice of Request Under Blanket Authorization

April 16, 1999.

Take notice that on April 13, 1999, K N Interstate Gas Transmission Co. (KNI), P.O. Box 281304, Lakewood, Colorado 80228–8304, filed in Docket No. CP99–303–000 a request pursuant to Sections 157.205 and 157.212(a) of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205 and 157.212(a)) for authorization to construct and operate two new delivery points in Kearny County, Kansas to provide firm transportation and delivery of natural gas to Midwest Energy, Inc. (Midwest) under KNI's blanket certificate issued in Docket Nos. CP83–140–000 and CP83–140–001, all as more fully set forth in the request which is on file with the Commission and open to public inspection. This filing may be viewed on the web at http:///www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

According to KNI, it provides firm transportation service for Midwest pursuant to the terms and conditions of a Transportation Agreement dated October 1, 1998. Midwest is a distribution customer of KNI, which owns and operates facilities to transport, distribute, and sell gas to consumers in Kansas. Midwest has requested two additional delivery points (Midwest Energy Kearny Nos. 1 and 2) to serve irrigation load in Kearny County, Kansas. KNI proposes to deliver 9,480 Mcf on a peak day and 3,460,200 Mcf annually at Kearny No. 1 and 12,000 Mcf on a peak day and 4,380,000 Mcf annually at Kearny No. 2. KNI estimates the proposed cost of the tap and valve assemblies, meter and appurtenant facilities at each of the proposed delivery points to be $106,600 for Kearny No. 1 and $126,100 for Kearny No. 2. Midwest has agreed to reimburse KNI for the total costs related to the construction of the proposed delivery points.

KNI states the addition of the proposed delivery points will have no adverse impact on a daily or annual basis upon its existing customers. Additionally, KNI states the volumes of gas to be delivered at the proposed delivery points will be within the current maximum transportation quantities set forth in its transportation service agreement with Midwest. KNI asserts that the addition of the proposed delivery points is not prohibited by KNI's existing FERC Gas Tariff.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 99–10038 Filed 4–21–99; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP99–282–000]

Reliant Energy Gas Transmission Company; Notice of Proposed Changes in FERC Gas Tariff

April 16, 1999.

Take notice that on April 12, 1999, Reliant Energy Gas Transmission Company (REGT), formerly NorAm Gas Transmission Company, tendered for filing *pro forma* tariff sheets which REGT desires to take effect June 1, 1999.

These tariff sheets would institute new Rate Schedule HFT to provide hourly firm transportation service, to serve the peaking needs of electric generation customers and other shippers with similar requirements.

Any person desiring to be heard or to protest said filing should file a motion