

clearing of vegetation, and placement of fill materials. Some of these activities would require temporary construction access. A number of mitigation activities would be implemented to minimize potential impacts to the floodplain and wetland areas. Operation of construction equipment in the floodplain and wetland areas would be minimized. Depending upon the type of mechanized construction equipment to be employed, the use of platform support mats may be required to minimize the impacts to the wetland soils in the project area. Silt fences and other erosion control structures as needed would be installed to ensure there is no deposition in the downslope wetland areas. Best management practices would be employed during construction and maintenance activities associated with this proposed action.

In accordance with DOE regulations for compliance with floodplain and wetland environmental review requirements (10 CFR 1022), DOE-SR will prepare a floodplain and wetlands assessment for this proposed DOE action. The assessment will be included in the environmental assessment (EA) being prepared for the proposed action in accordance with the requirements (EA) being prepared for the proposed action in accordance with the requirements of NEPA. A floodplain statement of findings will be included in any finding of no significant impact that is issued following the completion of the EA or may be issued separately.

Issued in Aiken, SC, on February 3, 1999.

**Lowell E. Tripp,**

*Director, Engineering and Analysis Division, Savannah River Operations Office.*

[FR Doc. 99-3653 Filed 2-12-99; 8:45 am]

BILLING CODE 6450-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER99-1134-000]

#### Central Vermont Public Service Corporation; Notice of Filing

February 9, 1999.

Take notice that on January 27, 1999, Central Vermont Public Service Corporation (Central Vermont), tendered for filing in the above-referenced docket a Service Agreement with Select Energy, Inc., under its FERC Electric Tariff No. 8.

Central Vermont requests waiver of the Commission's Regulations to permit the service agreement to become effective December 3, 1998.

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 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 and protests should be filed on or before February 19, 1999. Protests will be considered by the Commission to determine 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 this filing are on file with the Commission and are available for public inspection.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 99-3636 Filed 2-12-99; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP99-188-000]

#### El Paso Offshore Gathering and Transmission Company; Notice of Petition for Declaratory Order

February 9, 1999.

Take notice that on February 1, 1999, El Paso Offshore Gathering and Transmission Company (El Paso), P.O. Box 2511, Houston, Texas 77252-2511, filed in the above docket a petition seeking a declaratory order from the Commission requesting the Commission to declare that certain facilities being acquired by El Paso from Northern Natural Gas Company (Northern) will be gathering facilities as defined by section 1(b) of the Natural Gas Act (NGA), and as such, will exempt from the Commission's NGA jurisdiction. Northern has filed for abandonment of these facilities in Docket No. CP98-744-000.

The facilities that El Paso seeks to have declared non-jurisdictional upon purchase from Northern are certain non-contiguous pipeline facilities, with appurtenances, located in Matagorda Island, Offshore Texas known as the Seagull Shoreline Laterals (SSL facilities). Specifically these facilities include:

(1) MATAGORDA ISLAND 623 A: (TOS-84071) approximately 2 miles of 16-inch pipeline and appurtenant facilities, extending from the platform in MAT 623 "A" to an underwater connection in MAT 623 "B".

(2) MATAGORDA ISLAND 623 B & 624: (TOS-83431 & TOS 83421) approximately 4 miles of 24-inch pipeline with associated metering and appurtenant facilities from the "B" platform in MAT 623 to El Paso's facilities in MAT 624, and approximately 0.4 miles of 10-inch pipeline from MAT 624 to a subsea tap on the 24-inch line in MAT 623.

(3) MATAGORDA ISLAND 622 C: (TOS-84961) approximately 3 miles of 24-inch pipeline with associated metering and appurtenant facilities from MAT 622 "C" to the "B" platform in MAT 623, and

(4) MATAGORDA ISLAND 628: (TOS-85411) approximately 7 miles of 16-inch pipeline associated metering and appurtenant facilities, extending from the platform in MAT 638 "B" to an underwater connection in MAT 622 "C".

Any person desiring to be heard or to make any protest with reference to said petition should on or before March 1, 1999, 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 385.211 and 385.214) 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 proceedings. 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. The petition may be viewed on the web at [www.ferc.fed.us](http://www.ferc.fed.us). Call (202) 208-2222 for assistance.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the 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 petition if no motion to intervene is filed within the time required herein or if the Commission on its own review of the matter, finds that a grant of the certificate for the proposal is required by the public convenience and necessity. If the Commission 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 El Paso to appear or be represented at the hearing.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 99-3594 Filed 2-12-99; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EG99-37-000]

#### FPL Energy Wyman LLC; Notice of Amendment To Application for Commission Determination of Exempt Wholesale Generator Status

February 9, 1999.

Take notice that on February 8, 1999, FPL Energy Wyman LLC tendered for filing with the Federal Energy Regulatory Commission an amendment to their application for determination of exempt wholesale generator status for the W.F. Wyman Station in Yarmouth, Maine. The supplement provided an additional explanation regarding the leasing of four incidental facilities (a house, cottage, camp site and Coast Guard Light), which FPL Wyman proposed to acquire along with the Wyman generating units.

Any person desiring to be heard concerning the amended application for exempt wholesale generator status should file a motion to intervene or comments 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 385.214). The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the amended application. All such motions and comments should be filed on or before February 16, 1999, and must be served on the applicant. 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.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 99-3595 Filed 2-12-99; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP99-218-000]

#### Kern River Gas Transmission Company; Notice of Petition for Grant of Expedited Limited Waivers of Tariff

February 9, 1999.

Take notice that on February 3, 1999, pursuant to Rule 207(a)(5) of the Commission's Rules of Practice and Procedure, 18 CFR 385.207(a)(5), Kern River Gas Transmission Company (Kern River) tendered for filing a petition for grant of expedited limited waivers of Section 17.1(b) (Gas Research Institute Surcharge) and Section 19 (Discounting Policy for Rates and Charges) of the General Terms and Conditions in its FERC Gas Tariff, First Revised Volume No. 1. Kern River seeks waiver of these tariff terms relating to the way certain discounts are accounted for with respect to the GRI reservation surcharge.

Kern River states that a copy of this filing has been served upon its jurisdictional customers and affected state regulatory commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Sections 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed on or before February 16, 1999. 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 this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 99-3601 Filed 2-12-99; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. SA99-11-000]

#### Alf M. Landon; Notice of Petition for Adjustment

February 9, 1999.

Take notice that on January 12, 1999, Frank M. Rice (Rice), the attorney for

Alf M. Landon, a/k/a/ Alfred Mossman Landon (Landon), filed a petition for staff adjustment in Docket No. SA99-11-000, pursuant to section 502(c) of the Natural Gas Policy Act of 1978. Rice, on behalf of Landon and the Kansas University Endowment Association (KUEA), contends that neither Landon nor the KUEA owe the gas purchaser—Panhandle Eastern Pipe Line Company (Panhandle)—a refund under the Commission's September 10, 1997 order in docket No. RP97-369-000 *et al.*,<sup>1</sup> because the price that Panhandle paid to Landon and the KUEA, inclusive of the ad valorem tax reimbursements, was not in excess of the applicable maximum lawful price (MLP). The subject petition is on file with the Commission and open to public inspection.

The petition indicates: (1) that Panhandle served Landon with a \$32,944.63 refund claim; (2) that Panhandle purchased the gas produced from the Davis Unit, in Stevens County, Kansas, under a January 27, 1961 gas purchase contract (Contract No. 0538); (3) that Landon and D.E. Ackers were the co-owners of that unit, each with a 50% working interest in the unit; (4) that the KUEA became the successor-in-interest to D.E. Ackers' 50% working interest in the unit; (5) that Landon is deceased;<sup>2</sup> (6) that the price that Panhandle paid Landon and the KUEA, from 1983 through 1988, inclusive of the ad valorem tax reimbursements, was not in excess of the applicable MLP; and (7) that neither Landon, successor-in-interest to Landon, nor the KUEA owe a refund to Panhandle.

Rice adds that Panhandle terminated the subject gas purchase contract in January of 1991, and that one of the signers of the termination agreement, as a Seller, was the KUEA. Rice further asserts that K.S.A. 55-708(7) [a/k/a House Bill No. 2419] prohibits First Sellers such as Landon or the KUEA from taking action against royalty owners, or obtaining the ad valorem tax royalty refunds ordered by the FERC. Therefore, Rice contends that it would be inequitable to require Landon, Landon's successor(s) or the KUEA to make such refunds, when Kansas law prohibits them from attempting to obtain the refunds from the royalty owners.

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

<sup>1</sup> See: 80 FERC ¶ 61,264 (1997); order denying rehearing issued January 28, 1998, 82 FERC ¶ 61,058 (1998).

<sup>2</sup> The subject petition includes a copy of the death certificate for Alfred Mossman Landon [a/k/a Alf M. Landon], showing that he died on October 12, 1987.