

Commission, and for an order accepting its FERC Electric Rate Schedule No. 1 to be effective the earlier of May 1, 2000, or the date of a Commission order granting approval of this Rate Schedule.

TEM intends to engage in electric power and energy transactions as a marketer and a broker. In transactions where TEM purchases power, including capacity and related services from electric utilities, qualifying facilities, and independent power producers, and resells such power to other purchasers, TEM will be functioning as a marketer. In TEM's marketing transactions, TEM proposes to charge rates mutually agreed upon by the parties. In transactions where TEM does not take title to the electric power and/or energy, TEM will be limited to the role of a broker and will charge a fee for its services. TEM is not in the business of producing nor does it contemplate acquiring title to any electric power transmission facilities.

*Comment date:* March 23, 2000, in accordance with Standard Paragraph E at the end of this notice.

#### 14. Marquette Energy, L.L.C.

[Docket No. ER00-1781-000]

Take notice that on March 2, 2000, Marquette Energy, L.L.C. (Marquette) petitioned the Commission for acceptance of Marquette Rate Schedule FERC No. 1; the granting of certain blanket approvals, including the authority to sell electricity at market-based rates; and the waiver of certain Commission Regulations.

Marquette intends to engage in wholesale electric power and energy purchases and sales as a marketer. Marquette is not in the business of generating or transmitting electric power. Marquette is a wholly-owned subsidiary of Marquette Partners, L.P., which, through its affiliates, trades derivatives on regulated futures exchanges for its own proprietary account.

*Comment date:* March 23, 2000, in accordance with Standard Paragraph E at the end of this notice.

#### 15. Duke Energy Trenton, LLC

[Docket No. ER00-1782-000]

Take notice that on March 2, 2000, Duke Energy Trenton, LLC (Duke Madison) tendered for filing pursuant to Section 205 of the Federal Power Act its proposed Rate Schedules FERC Nos. 1, 2, and 3.

Duke Trenton seeks authority to sell energy and capacity, as well as ancillary services, at market-based rates, together with certain waivers and preapprovals. Duke Trenton also seeks authority to

sell, assign, or transfer transmission rights that it may acquire in the course of its marketing activities.

Duke Trenton seeks an effective date sixty (60) days from the date of filing for its proposed rate schedules.

*Comment date:* March 23, 2000, in accordance with Standard Paragraph E at the end of this notice.

#### 16. Duke Energy Vermillion, LLC

[Docket No. ER00-1783-000]

Take notice that on March 2, 2000, Duke Energy Vermillion, LLC (Duke Vermillion), tendered for filing pursuant to Section 205 of the Federal Power Act an application for an order accepting its rates for filing, determining rates to be just and reasonable, and granting certain waivers and preapprovals.

Duke Vermillion is developing an approximately 640 MW generation facility located in Cayuga, Vermillion County, Indiana. Under its proposed Rate Schedules FERC Nos. 1 and 2, Duke Vermillion seeks to sell energy and capacity, as well as ancillary services, at market-based rates. Under its proposed Rate Schedule FERC No. 3, Duke Vermillion seeks authority to sell, assign, or transfer transmission rights that it may acquire in the course of its marketing activities. Under its proposed Rate Schedule FERC No. 4, Duke Vermillion seeks authority to sell energy generated during the testing phase of construction of the Facility to Cinergy Services, Inc.

*Comment date:* March 23, 2000, in accordance with Standard Paragraph E at the end of this notice.

#### 17. Duke Energy Madison, LLC

[Docket No. ER00-1784-000]

Take notice that on March 2, 2000, Duke Energy Madison, LLC (Duke Madison), tendered for filing pursuant to Section 205 of the Federal Power Act an application for an order accepting its rates for filing, determining rates to be just and reasonable, and granting certain waivers and preapprovals.

Duke Madison is developing an approximately 640 MW generation facility located in Madison Township, Butler County, Ohio. Under its proposed Rate Schedules FERC Nos. 1 and 2, Duke Madison seeks to sell energy and capacity, as well as ancillary services, at market-based rates. Under its proposed Rate Schedule FERC No. 3, Duke Madison seeks authority to sell, assign, or transfer transmission rights that it may acquire in the course of its marketing activities. Under its proposed Rate Schedule FERC No. 4, Duke Madison seeks authority to sell energy generated during the testing phase of

construction of the Facility to Cinergy Services, Inc.

*Comment date:* March 23, 2000, in accordance with Standard Paragraph E at the end of this notice.

#### Standard Paragraphs

E. Any person desiring to be heard or to protest such 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 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 these filings are on file with the Commission and are available for public inspection. This filing may also be viewed on the Internet at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

David P. Boergers,

Secretary.

[FR Doc. 00-6176 Filed 3-13-00; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP00-59-001]

#### Petal Gas Storage, L.L.C.; Notice of Intent To Prepare an Environmental Assessment for the Amended Petal Project and Request for Comments on Environmental Issues

March 8, 2000.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the amended Petal Project in Forrest County Mississippi. On February 24, 2000, Petal Gas Storage, L.L.C. (Petal) amended its application under Section 7 of the Natural Gas Act and Part 157 of the Commission's regulations to request authorization to construct and operate about 5.5 miles of pipeline and 20,000 horsepower (hp) of compression.<sup>1</sup> The EA will be used by

<sup>1</sup> The original application was filed with the Commission on December 28, 1999, by Petal Gas Storage Company (which converted to Petal Gas

the Commission in its decision-making process to determine whether the projects is in the public convenience and necessity.

If you are a landowner on Petal's proposed route and receive this notice, you may be contacted by a pipeline company representative about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The pipeline company would seek to negotiate a mutually acceptable agreement. However, if the project is approved by the Commission, that conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings in accordance with state law.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need to Know?" was attached to the project notice Petal provided to landowners. This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. It is available for viewing on the FERC Internet website ([www.ferc.fed.us](http://www.ferc.fed.us)).

This Notice of Intent (NOI) is being sent to landowners crossed by Petal's amended project; landowners along the originally proposed pipeline route withdrawn from the amended project; Federal, state, and local government agencies; national elected officials; regional environmental and public interest groups; Indian tribes that might attach religious and cultural significance to historic properties in the area of potential effects; local libraries and newspapers; and the Commission's list of parties to the proceeding. Government representatives are encouraged to notify their constituents of this proposed action and encourage them to comment on their areas of concern. Additionally with this NOI we are asking Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues to cooperate with us in the preparation of the EA. These agencies may choose to participate once they have evaluated Petal's proposal relative to their agencies' responsibilities. Agencies who would like to request cooperating status should follow the instructions for filing comments described below.

Storage, L.L.C. on January 4, 2000) requesting authorization to construct and operate about 64.2 miles of pipeline and 35,590 hp of compression. Petal's amended application withdraws 58.7 miles pipeline and 15,000 hp of compression, and other related facilities.

### Summary of the Amended Project

Petal's amended project proposes to build new pipeline and compression facilities to transport up to 700 million cubic feet per day of natural gas from its storage field to an interconnection with Tennessee Gas Pipeline Company (Tennessee). Petal requests Commission authorization to construct, own, operate, and maintain the following facilities.

- About 5.5 miles of bi-directional 36-inch-diameter loop<sup>2</sup> of Petal's existing storage header in Forrest County, Mississippi;
- A new compressor station with four electric-driven units totaling 20,000 hp adjacent to Petal's existing compressor station at its storage field near the town of Petal in Forrest County, Mississippi;
- A new station at the interconnection with Tennessee near the town of Macedonia in Forrest County, Mississippi; and
- Associated facilities, including mainline block valves and pig traps at the Petal storage field and the Tennessee Meter Station.

With its amendment, Petal is withdrawing the following facilities proposed in its original application:

- 58.7 miles of 36-inch-diameter pipeline between the interconnection with Tennessee at milepost (MP) 5.5 and the formerly proposed interconnections with Southern Natural Gas Company (Sonat) and Destin Pipeline Company (Destin) at MP 64.2, crossing portions of Forrest, Jasper, Jones, and Clarke Counties, Mississippi;
- A compressor station totaling 15,590 hp near Heidelberg, in Jasper County, Mississippi; and
- Three meter stations at interconnections with Transcontinental Gas Pipe Line Corporation (Transco) in Jasper County, Mississippi, and with Sonat and Destin in Clarke County, Mississippi.

The purpose of this project is to provide natural gas to Southern County Services, Inc. (Southern). On January 5, 2000, Petal's parent company, Crystal Gas Storage, Inc., merged with El Paso Energy Corporation (El Paso). Petal then reach an agreement with Tennessee, an El Paso affiliate, to transport the volumes intended for Southern by utilizing incremental and interruptible capacity on Tennessee's existing 500 Line, replacing the need for Petal to construct its own transportation pipeline to the Transco, Sonat, and Destin interconnections. However, Petal indicated that Tennessee may file its own application with the Commission in the near future seeking authorization to add facilities along its 500 Line so that Petal would have capacity to move its volumes on a primary firm basis.

<sup>2</sup> A loop is a segment of pipeline that is installed adjacent to an existing pipeline and connected to it on both ends. The loop allows more gas to be moved through the pipeline system.

Tennessee is contemplating adding about 30 miles of pipeline in the general vicinity where Petal had originally proposed to build its 58.7 miles of pipeline.<sup>3</sup>

The general location of Petal's amended facilities is shown on the map attached as appendix 1.<sup>4</sup>

### Land Requirements for Construction

Construction of Petal's amended facilities would affect about 64 acres of land. Following construction, about 24 acres would be retained as permanent right-of-way. The remaining 40 acres of temporary work space would be restored and allowed to revert to its former use.

Petal purposes to use a typical pipeline construction right-of-way width of 75 feet, consisting of 30 feet of permanent right-of-way and 45 feet of temporary extra work space. There also would be about 10 acres used as additional temporary extra work spaces at steam, utility, and road crossings. The new compressor station near Petal, Mississippi would occupy about 4 acres. The new meter station would be within an existing Tennessee facility.

### The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate to Public Convenience and Necessity. NEPA also requires us<sup>5</sup> to discover and address concerns the public may have about proposals. We all this "scoping." The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this NOI, the Commission requests public comments on the scope of the issues it will address in the EA. All comments received are

<sup>3</sup> Tennessee has not yet filed its application with the FERC. Petal asserts that its amended application is for a stand alone project, not dependent on Tennessee's future expansion. Tennessee indicated to Petal that it currently has sufficient capacity on its 500 Line to transport gas to Petal's customers, including the volumes for Southern, on a primary firm, secondary firm, and interruptible basis. The FERC would conduct a separate environmental analysis of any future facilities proposed by Tennessee.

<sup>4</sup> The appendices referenced in this notice are not being printed in the *Federal Register*. Copies are available on the Commission's website at the "RIMS" link or from the Commission's Public Reference and Files Maintenance Branch, 888 First Street, NE, Room 2A, Washington, DC 20426, or call (202) 208-1371. For instructions on connecting to RIMS refer to the last page of this notice. Copies of the appendices were sent to all those receiving this notice in the mail.

<sup>5</sup> "Us," "we" and "our" refer to the environment staff of the FERC's Office of Pipeline Regulation.

considered during the preparation of the EA.

Our independent analysis of the issues will be in the EA. Depending on the comments received during the scoping process, the EA may be published and mailed to Federal, state, and local agencies, elected officials, affected landowners, regional public interest groups, Indian tribes, local newspapers and libraries, and the Commission's official service list for this proceeding. A comment period will be allotted for review if the EA is published. We will consider all comments on the EA before we make our recommendations to the Commission.

### Currently Identified Environmental Issues

The EA will discuss impacts that would occur as a result of construction and operation of the proposed project. We have already identified a number of issues that we think deserve attention based on a preliminary review of the proposed facilities and the environmental information provided by Petal. This preliminary list of issues may be changed based on your comments and our analysis.

- **Geology and Soils**
  - Impacts on about 2 miles of prime farmland soils.
  - Crossing about 1 mile of erosion prone soils.
- **Water Resources and Wetlands**
  - Crossing one perennial stream.
  - Crossing four wetlands.
- **Biological Resources**
  - Impacts on about 47 acres of forest or woodlands.
  - Impacts on the Gopher Tortoise, a federally listed threatened species.
- **Cultural Resources**
  - Impacts on prehistoric and historic sites.
  - Native American concerns.
- **Land Use**
  - Impacts on crop production.
  - Impacts on residential areas.
  - Visual effect of the aboveground facilities on surrounding areas.
- **Air and Noise Quality**
  - Impacts on local air quality and noise environment as a result of the operation of a new compressor station.

### Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. By becoming a commentor, your concerns will be addressed in the EA and considered by the Commission. You should focus on the potential environmental effects of the proposal,

alternatives to the proposal (including alternative locations or routes), and measures to avoid or lessen environmental impact. The more specific your comments, the more useful they will be. Please carefully follow these instructions to ensure that your comments are received in time and properly recorded:

- Send two copies of your letter to: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First St., N.E., Room 1A, Washington, DC 20426;
- Label one copy of the comments for the attention of the Environmental Review and Compliance Branch, PR-11.1;
- Reference Docket No. CP00-59-001; and
- Mail your comments so that they will be received in Washington, DC on or before April 14, 2000.

[If you do not want to send comment at this time but still want to remain on our mailing list, please return the Information Request (appendix 3). If you do not return the Information Request, you will be removed from the environmental mailing list.]

### Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an official party to the proceeding known as an "intervenor." Intervenor play a more formal role in the process. Among other things, intervenors play a more formal role in the process. Among other things, intervenors have the right to receive copies of case-related Commission documents and filings by other intervenors. Likewise, each intervenor must provide 14 copies of its filings to the Secretary of the Commission and must send a copy of its filings to all other parties on the Commission's service list for this proceeding. If you want to become an intervenor you must file a motion to intervene according to Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.214) (see appendix 2). Only intervenors have the right to seek rehearing of the Commission's decision.

Affected landowners and parties with environmental concerns may be granted intervenor status upon showing good cause by stating that they have a clear and direct interest in this proceeding which would not be adequately represented by any other parties. You do not need intervenor status to have your environmental comments considered.

Additional information about the proposed project is available from Mr. Paul McKee of the Commission's Office of External Affairs at (202) 208-1088 or on the FERC website ([www.ferc.fed.us](http://www.ferc.fed.us)) using the "RIMS" link to information in this docket number. Click on the "RIMS" link, select "Docket #" from the RIMS Menu, and follow the

instructions. For assistance with access to RIMS, the RIMS helpline can be reached at (202) 208-2222.

Similarly, the "CIPS" link on the FERC Internet website provides access to the texts of formal documents issued by the Commission, such as orders, notice, and rulemakings. From the FERC Internet website, click on the "CIPS" link, select "Docket #" from the CIPS menu, and following the instructions. For assistance with access to CIPS, the CIPS helpline can be reached at (202) 208-2474.

**David P. Boergers,**  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Draft License Surrender Application and Preliminary Draft Environmental Assessment (PDEA) and Request for Preliminary Terms and Conditions

March 8, 2000.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* Surrender of License.

b. *Project No.:* 477.

c. *Applicant:* Portland General Electric.

d. *Name of Project:* Bull Run Project.

e. *Location:* On the Sandy, Little Sandy, and Bull run Rivers, in Clackamas County, Oregon. Of 606 acres of land within the project boundary, about 55 acres is managed by Bureau of Land Management and 18 acres is managed by U.S. Forest Service.

f. *Applicant Contact:* Julie Keil, Portland General Electric Company, 121 SW Salmon Street, 3WTC-BRHL, Portland, OR 97204, (503) 464-8864.

g. *FERC Contact:* Jim Hastreiter, (503) 944-6760, [james.hastreiter@ferc.fed.us](mailto:james.hastreiter@ferc.fed.us).

h. Portland General Electric mailed a copy of the Preliminary Draft Environmental Assessment and draft application to interested parties on March 3, 2000. The Commission received a copy of the PDEA and draft application on March 6, 2000.

i. With this notice we are soliciting preliminary terms, conditions, and recommendations on the PDEA and draft license application. All comments on the PDEA and draft license application should be sent to the address above in item (f) with one copy