

will be aggrieved by the issuance of a proposed decision and order in final form may file a written notice of objection within ten days of service. For purposes of the procedural regulations, the date of service of notice is deemed to be the date of publication of this Notice or the date an aggrieved person receives actual notice, whichever occurs first.

The procedural regulations provide that an aggrieved party who fails to file a Notice of Objection within the time period specified in the regulations will be deemed to consent to the issuance of the proposed decision and order in final form. An aggrieved party who wishes to contest a determination made in a proposed decision and order must also file a detailed statement of objections within 30 days of the date of service of the proposed decision and order. In the statement of objections, the aggrieved party must specify each issue of fact or law that it intends to contest in any further proceeding involving the exception matter.

Copies of the full text of this proposed decision and order are available in the Public Reference Room of the Office of Hearings and Appeals, Room 1E-234, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays.

Dated: March 13, 1995.

**George B. Breznay,**  
Director, Office of Hearings and Appeals,  
Sound Oil Company, Seattle, WA,  
Reporting Requirements—Lee-  
0153

Sound Oil Company (Sound) filed an Application for Exception from the provision of filing Form EIA-782B, entitled "Resellers'/Retailers' Monthly Petroleum Product Sales Report." The Exception request, if granted, would permit Sound to be exempted from filing Form EIA-782B. On January 19, 1995, the Department of Energy issued a Proposed Decision and Order which determined that the Exception request be denied.

[FR Doc. 95-6803 Filed 3-17-95; 8:45 am]  
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#### Office of Hearings and Appeals

#### Notice of Issuance of Proposed Decisions and Orders; Week of January 9 Through January 13, 1995

During the week of January 9 through January 13, 1995, the proposed decisions and orders summarized below were issued by the Office of Hearings

and Appeals of the Department of Energy with regard to applications for exception.

Under the procedural regulations that apply to exception proceedings (10 CFR Part 205, Subpart D), any person who will be aggrieved by the issuance of a proposed decision and order in final form may file a written notice of objection within ten days of service. For purposes of the procedural regulations, the date of service of notice is deemed to be the date of publication of this Notice or the date an aggrieved person receives actual notice, whichever occurs first.

The procedural regulations provide that an aggrieved party who fails to file a Notice of Objection within the time period specified in the regulations will be deemed to consent to the issuance of the proposed decision and order in final form. An aggrieved party who wishes to contest a determination made in a proposed decision and order must also file a detailed statement of objections within 30 days of the date of service of the proposed decision and order. In the statement of objections, the aggrieved party must specify each issue of fact or law that it intends to contest in any further proceeding involving the exception matter.

Copies of the full text of these proposed decisions and orders are available in the Public Reference Room of the Office of Hearings and Appeals, Room 1E-234, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays.

Dated: March 13, 1995.

**George B. Breznay,**  
Director, Office of Hearings and Appeals,  
Central American Petroleum Company  
Cameron, MI, Reporting  
Requirements VEE-0001

Central American Petroleum Company (Central) filed an Application for Exception from the provision of filing Form EIA-782B, entitled "Resellers'/Retailers' Monthly Petroleum Product Sales Report." The Exception request, if granted, would permit Central to be exempted from filing Form EIA-782B. On January 12, 1995, the Department of Energy issued a Proposed Decision and Order which determined that the Exception request be denied.

**Lane's Service, Inc., Lavina, MT,**  
Reporting Requirements—LEE-0158

Lane's Service, Inc. (Lane) filed an Application for Exception from the provision of filing Form EIA-782B,

entitled "Resellers'/Retailers' Monthly Petroleum Product Sales Report." The Exception request, if granted, would permit Lane to be exempted from filing Form EIA-782B. On January 12, 1995, the Department of Energy issued a Proposed Decision and Order which determined that the Exception request be denied.

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#### Western Area Power Administration

#### Central Valley Project, Proposed Non-Federal Funding to Perform Rewindings With Uprates on Three Generators at the Shasta Dam Powerplant

**AGENCY:** Western Area Power Administration, DOE.

**ACTION:** Notice of intent to enter into a contract, along with the Department of the Interior, Bureau of Reclamation (Reclamation), to obtain non-Federal funding from Central Valley Project power contractors for maintenance and replacement work, to be performed by Reclamation, on the generators at Shasta Dam Powerplant.

**SUMMARY:** The Western Area Power Administration (Western) provides notice that non-Federal funding will be obtained for Reclamation to perform rewindings with uprates on three generators at the Shasta Dam Powerplant in order to ensure system reliability. Several Central Valley Project (CVP) power contractors have voluntarily agreed to jointly provide financing to complete the proposed work. All CVP power contractors will be considered if they meet the conditions specified under "Selection Criteria" herein. A list of the CVP power contractors providing funding (Funding Entities) may be requested from Western at the address or telephone provided under "For Further Information Contact" herein.

This notice presents background project information and outlines the terms of the proposed financing agreement and the projected work.

**EFFECTIVE DATE:** April 19, 1995.

**FOR FURTHER INFORMATION CONTACT:** Ms. Zola M. Jackson, Assistant Area Manager for Power Marketing, Sacramento Area Office, Western Area Power Administration, 1825 Bell Street, Suite 105, Sacramento, CA 95825, (916) 649-4421.

**SUPPLEMENTARY INFORMATION:****Background**

The Shasta Dam Powerplant is located on the Sacramento River near the city of Redding, California. The powerplant is a feature of the Shasta Division, CVP, and was authorized to be built by the Emergency Relief Appropriations Act of 1935 (49 Stat. 115). Reclamation operates the 578-megawatt (MW) powerplant at Shasta Dam, and Western markets that power pursuant to section 302 of the Department of Energy Organization Act (42 U.S.C. 7152).

Reclamation is responsible for planning, designing, constructing, operating, and maintaining electrical power generation facilities as authorized by Congress. Reclamation also is responsible for allocating all costs to water and power users for Reclamation project purposes and determining the reimbursable costs to be recovered by revenues. Western is responsible for marketing the power, constructing transmission facilities, making transmission arrangements, assuring recovery of all costs assigned to power for repayment, and for setting power and transmission rates. Reclamation and Western will work together in the negotiation and execution of contracts for the financing arrangements for the proposed project. Reclamation will be responsible for the negotiation and execution of the construction contracts.

The Shasta Dam Powerplant has a total of seven generator units. There are five main generators and two station service generators. Main generator units 1 and 2 were uprated to 125 MW in 1978-80. Main generator units 3, 4, and 5 were rewound between 1969 and 1974 and modified in 1981. Due to age and deterioration, the core temperatures of main generator units 3, 4, and 5 have been steadily increasing for the last decade, threatening the reliability of these units. Should one or more of the units fail, the loss of power generation could increase power costs and decrease power revenues.

**Financing Proposal**

Funds for constructing the rewinds with uprates at the Shasta Dam Powerplant will be made available to Reclamation under provision of the Act of March 4, 1921 (41 Stat. 1404). Western, the Funding Entities, and Reclamation will enter into a contract to assist in obtaining the funding necessary for Reclamation to perform the maintenance work at Shasta Dam Powerplant. The Funding Entities will advance approximately \$20 million, the estimated total cost of the work to be performed, into an escrow account.

Reclamation will withdraw the funds for the material and related expenses of the rewinds with uprates. The facilities will continue to be owned and operated by the United States as a feature of the CVP.

A repayment agreement is proposed between the United States and the Funding Entities. The Funding Entities will be reimbursed for funds provided, with interest, through credits on their CVP power bills. All costs will be recovered through sales of power and water.

**Description of Proposed Work to be Performed by Reclamation**

To ensure CVP system reliability, increase operational flexibility, and increase the nameplate rating of Shasta main generator units 3, 4, and 5, Reclamation will install new cores, windings, and excitation systems in addition to reinsulating or replacing the field windings. Reclamation will also install new thrust bearings to enable a faster unit start-up response time after emergency shutdowns.

**Energy and Capacity Gains**

As a result of uprating main generator units 3, 4, and 5, there will be an estimated total gain of approximately 47 MW of capacity available when Shasta Lake storage level is above 3.6 million acre-feet (MAF). Below 3.6 MAF, the total peaking capability decreases and is reduced to 0 MW when the level falls below 2.3 MAF. Under high water conditions and maximum operational capability, some additional energy may be produced. This could amount to an estimated average annual increase of 12 gigawatt-hours. All additional energy and capacity resulting from the uprates will be incorporated into the CVP system to support project use and CVP power sales. CVP capacity may be sold as excess, when available.

**Treatment of Excess Capacity**

If and when Western determines excess capacity is available for sale, the Funding Entities will be given first right of refusal for the purchase of excess capacity from the CVP system. Such right shall terminate on December 31, 2004. Such right of first refusal shall be limited to excess capacity purchases for a period of months in the year and to an amount of excess capacity equivalent to the amount resulting from the uprates of main generator units 3, 4, and 5, and only if Shasta Lake storage level is above 3.0 MAF at the time of the offer for sale. The determination of the amount of excess capacity available, period of availability, and terms of an offer will be at Western's discretion.

Funding Entities must meet the marketing criteria for the excess capacity sale at the time of the offer.

**Selection Criteria for Funding Entities**

Western determined that the following criteria must be met by entities financing the rewinds with uprates at Shasta Dam Powerplant.

1. Funding must be advanced on behalf of an existing CVP firm power contractor who is a "preference entity" under Reclamation law and pertinent statutes, particularly section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)).
2. Entities must voluntarily agree to fund the proposal under the terms and conditions offered by Western and be able to receive reimbursement of funds advanced on their CVP power bills.
3. Entities must demonstrate their ability to provide funds for the proposed work.
4. Entities must be willing to advance the funding in a manner acceptable to Reclamation.

**Environmental Compliance:** The National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 *et seq.*) and implementing regulations issued by the Council on Environmental Quality (40 CFR 1500-1508) require that the environmental effects of agency decisions be studied and considered by decision makers. For the construction work to be performed by Reclamation, Reclamation completed a Categorical Exclusion on August 5, 1994. This work will not change the operating parameters at Shasta Dam Powerplant.

In addition, the environmental effects associated with the marketing of power generated at various facilities, including the Shasta Dam Powerplant, were examined under Western's 1994 Power Marketing Plan Environmental Assessment, as revised in August 1992 and for which a FONSI was issued on September 21, 1992; therefore, no further environmental review under NEPA will be required.

Issued in Golden, Colorado, March 6, 1995.

J. M. Shafer,

Administrator.

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