

Counsel v. F.E.R.C., 761 F.2d 780 (D.C. Cir. 1985).

Second, we do not believe that staying the effectiveness of Order No. 436 is in the public interest. As we noted in the order, the purpose of the regulations is to assure that commodity and transmission price signals are transmitted between the wellhead and burner-tip in a manner that is clear and accurate and consistent with the Natural Gas Act requirement that rates and practices be just and reasonable and not unduly discriminatory or preferential. The final rule will secure to consumers the benefits of competition in natural gas markets consistent with both the NGA and NGPA. It will achieve these goals by establishing a framework for setting just and reasonable rates and practices for the sale and transportation of gas in interstate commerce and by reasonably conditioning self-implementing interstate transportation services under the NGA and NGPA.

As the petitioners note, we have requested further comments on the revised proposed regulations governing the billing of natural gas costs. We have requested further comments by November 18, 1985, and will hold a public hearing on the subject on December 11, 1985. This action however, does not justify staying the effectiveness of the transportation regulations. To grant the stay would deny to consumers this winter the benefits of market-priced gas supplies on a non-discriminatory basis under the Commission's revised transportation regulations.

In light of the foregoing, we do not find that justice requires postponing the effective date of our Order No. 436 regulations, and the petitions for a stay are denied.

By the Commission,
Kenneth F. Plumb,
Secretary.

[FR Doc. 85-28539 Filed 11-29-85; 8:45 am]
BILLING CODE 6717-01-M

18 CFR Part 284

[Docket No. RM85-1-000 (Parts A-D)]

Regulation of Natural Gas Pipelines After Partial Decontrol

Issued November 13, 1985.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Order Granting Exemption and Denying Request For Emergency Waiver of Order No. 436.

SUMMARY: On October 9, 1985, the

Commission issued Order No. 436, a Final Rule amending its regulations in, among others, Part 284, 50 FR 42408 (Oct. 18, 1985). In amending its regulations in this Part, the Commission adopted a simplified transportation program, including blanket certificates under section 7 of the Natural Gas Act, and transportation programs under section 311 of the Natural Gas Policy Act of 1978. In response to a petition filed by Dresser Industries, Inc. the Commission issues this order clarifying Order No. 436.

EFFECTIVE DATE: The amendments to Part 284 were effective October 9, 1985.

FOR FURTHER INFORMATION CONTACT: Marc G. Denkinger, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, (202) 357-9176.

SUPPLEMENTARY INFORMATION:

Order Granting Exemption and Denying Request for Emergency Waiver of Order No. 436

Before Commissioners: Raymond J. O'Connor, Chairman; A. G. Sousa, Charles G. Stalon, Charles A. Trabandt and C. M. Naeve.

Regulation of Natural Gas Pipelines After Partial Wellhead Decontrol (Dresser Industries, Inc.); Docket No. RM85-1-000. (Parts A-D)

Issued November 13, 1985.

On November 7, 1985, Dresser Industries, Inc. (Dresser), requested waiver of § 284.105(b) of the Commission Regulations to permit the continuation of transportation under section 311 of the Natural Gas Policy Act of 1978. The transportation service in question did not commence on or prior to October 9, 1985.

In its request for waiver, Dresser states that Tennessee Gas Pipeline Company (Tennessee) agreed to transport gas under a section 311 arrangement with an intrastate pipeline, Corpus Christi Gas Gathering, to a facility owned by Baker Marine Corporation (Baker).¹ Baker, a subcontractor of Dresser, is constructing a compressor station pursuant to a contract between Dresser and the Egyptian government. Dresser states that up to 640 Mcf of gas per day is needed over a period of four weeks to test the gas compressors prior to shipment to Egypt. All contractual arrangements and construction facilities

¹ On November 7, 1985, Dresser also supplemented its request for waiver with a letter clarifying that the gas in question will be delivered to Sunburst Energies, Inc., a Texas intrastate pipeline, for its system supply, from which the gas will be resold to Baker.

involving the transportation agreement were completed before October 9, 1985, but gas did not flow under this agreement until October 30, 1985. Transportation has been halted. Dresser states that Tennessee will resume transportation only if the requirements of Order No. 436 are waived.

The requested waiver, however, is unnecessary. The transportation in question could be performed under a traditional certificate issued under section 7(c) of the Natural Gas Act. Under section 7(c)(1)(B) of the Act, the Commission can grant an exemption from the requirements of section 7(c) of the Act for the temporary operation of facilities necessary to render direct natural gas service for use in the testing of new natural gas pipeline facilities. The service in question involves a small amount of gas needed for testing equipment over a short, well defined period of time. Accordingly, we will grant such an exemption, which is consistent with approval of a similar exemption in Caterpillar Tractor Company, 11 FERC ¶ 61,076 (1980).

The exemption provided in this order shall be immediately effective and shall terminate December 15, 1985.

By the Commission,
Kenneth F. Plumb,
Secretary,
[FR Doc. 85-28522 Filed 11-29-85; 8:45 am]
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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 310

[Docket No. 76N-052C]

Cold, Cough, Allergy, Bronchodilator, and Antiasthmatic Drug Products for Over-the-Counter Human Use; Anticholinergic Drug Products for Over-the-Counter Human Use

Correction

In FR Doc. 85-26688, beginning on page 46582 in the issue of Friday, November 8, 1985, make the following correction:

On page 46585, first column, the third line should read: "After considering the testimony presented at the hearing and the written comments submitted to the record, in the".

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