

No. CP95-233-000, where Williston Basin proposes to replace approximately 13.4 miles of its Billy Creek Sheridan transmission line in Johnson and Sheridan Counties, Wyoming. It is stated that the facilities will be abandoned in place and are located entirely on existing right-of-way.

Comment date: June 29, 1995, in accordance with Standard Paragraph F at the end of this notice.

Standard Paragraphs

F. Any person desiring to be heard or to make any protest with reference to said application should on or before the comment date, file with the Federal Energy Regulatory Commission, Washington, D.C. 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 or 385.211) 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 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.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory 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 application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and/or permission and approval for the proposed abandonment are required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion 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 applicant to appear or be represented at the hearing.

G. 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 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 Natural Gas Act.

Linwood A. Watson, Jr.,

Acting Secretary.

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[Docket No. CP95-547-000, et al.]

Highlands Gathering and Processing Company, et al.; Natural Gas Certificate Filings

June 9, 1995.

Take notice that the following filings have been made with the Commission:

1. Highlands Gathering and Processing Company

[Docket No. CP95-547-000]

Take notice that on June 6, 1995, Highlands Gathering and Processing Company (Highlands), Highland Place I, 8085 S Chester Street, Suite 114, Englewood, Colorado 80112, filed a petition in Docket No. CP95-547-000, requesting that the Commission declare that certain West Texas facilities to be acquired by Highlands from Northern Natural Gas Company (Northern) are gathering facilities within the meaning of Section 1(b) of the Natural Gas Act (NGA) and therefore, exempt from Commission jurisdiction, all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

Highlands relates that it currently owns and operates extensive facilities for the gathering, treating, and processing of natural gas in the Permian Production Area of West Texas, and that all of its current operations are exempt from Commission jurisdiction pursuant to NGA Section 1(b). Highlands states that it does not perform any jurisdictional transportation services.

It is stated that on April 21, 1995, Highlands, Northern, and Highlands Gas Corp. entered into an Asset Purchase Agreement pursuant to which Highlands will acquire from Northern approximately 127 miles of four inch to sixteen inch pipeline, in addition to seven compression stations, all of which are upstream of Northern's transmission facilities which commence at the El Dorado compressor station. Upon

completion of the acquisition of the facilities, Highlands asserts that it will use them in combination with its existing gathering system to gather and process gas and to offer a full range of services on terms dictated by market conditions to producers and gas purchasers.

Highlands notes that Northern has filed in Docket No. CP95-543-000, a companion abandonment application pursuant to Section 7(b) of the NGA, for permission to abandon, by sale to Highlands, the subject facilities, with appurtenances, located in Crockett, Schleicher, Sutton, and Val Verde Counties, Texas.

Highlands states that the facilities consist of three interconnected pipeline segments: the Hunt-Baggett Segment, the Vinegarone Segment and the Huldale Segment, which intersect at the El Dorado compression station. Highlands says it intends to operate the segments as an integrated single system for the purpose of gathering. Highlands indicates that the seven compressor stations are rated at between 75 and 2313 horsepower with five of them operating at 195 horsepower or less, and that although certain pipeline segments may realize pressures up to 500 psig, most of the facilities are operated at pressures of 300 psig or less.

Highlands submits that the subject facilities described in its petition meet the criteria of "gathering facilities" under Section 1(b) of the NGA as interpreted by the Commission using the "primary function" test, as set forth in *Farmland Industries, Inc.*, 23 FERC ¶ 61,063 (1983). Highlands asserts that the following facilities, described in more detail in the petition, meet the Commission's standards for gathering: the length and diameter of the pipelines; the El Dorado compressor station considered as the central point in the field where the three pipeline segments converge before discharging gas into Northern's transmission system; the pipelines which transport gas from field gathering systems to the transmission facilities of an interstate pipeline company or to a gas processing plant prior to delivery into such transmission facilities; the size and operating pressure of the facilities; and the amount and use of compression capacity.

Comment date: June 30, 1995, in accordance with the first paragraph of Standard Paragraph F at the end of this notice.

2. Overthrust Pipeline Company

[Docket No. CP95-545-000]

Take notice that on June 5, 1995, Overthrust Pipeline Company