

requirements that are inappropriate for these products. Additionally, UCA will suffer economic hardship and be at a competitive disadvantage if it must wait to rate these basic models pending a determination on the petition for waiver. DOE approval of UCA's interim waiver application is also supported by sound public policy. As noted above, these products offer property owners and developers the ability to install new efficient central air conditioning in old buildings.

## VII. Conclusion

UCA respectfully requests that DOE grant its Petition for Waiver of the applicable test procedure for specified basic models, and also grant its Application for Interim Waiver. UCA also requests expedited treatment of the Petition and Application.

Respectfully submitted,  
/s/

Scott Blake Harris John Hodges, Harris,  
Wiltshire & Grannis LLP, 1919 M Street  
NW Washington, DC 20036, (202) 730-  
1313

November 19, 2018

## Appendix

The waiver and interim waiver requested herein should apply to testing and rating of the following basic models that are manufactured by UCA:

C-Series commercial indoor horizontal double-duct air conditioner models C...T..., H...T..., E...T..., B...T..., and BC...T..., with nominally rated capacities of 72000, 96000, 120000, 144000 and 180000 Btu/h.

C13-Series commercial indoor horizontal double-duct air conditioner models C...H..., H...H..., E...H..., B...H..., and BC...H..., with nominally rated capacities of 72000, 96000 and 120000 Btu/h.

VertiCool Classic commercial indoor vertical double-duct air conditioner models VA...T..., VAR...T..., VARC...T..., BVA...T..., BCVA...T..., and EVA...T..., with nominally rated capacities of 72000, 96000, 120000, 144000, 180000, 240000 and 300000 Btu/h.

VertiCool Aurora commercial indoor vertical double-duct air conditioner models VA...H..., VAR...H..., VARC...H..., BVA...H..., BCVA...H..., and EVA...H..., with nominally rated capacities of 72000, 96000, 120000, 144000, 180000, 240000 and 300000 Btu/h.

[FR Doc. 2023-25872 Filed 11-21-23; 8:45 am]

BILLING CODE 6450-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP24-14-000]

### Total Peaking Services, LLC; Notice of Amendment of Authorization and Establishing Intervention Deadline

Take notice that on November 6, 2023 Total Peaking Services, LLC (TPS), 775 Oronoque Road, Milford, CT 06460, filed an application under section 7(b) of the Natural Gas Act (NGA), and Part 157 of the Commission's regulations requesting authorization to abandon by sale to its affiliate, the Southern Connecticut Gas Company (SCG), its liquefied natural gas (LNG) storage tank and associated liquefaction and revaporization facilities located in Milford, Connecticut (Milford Facility). TPS also requests authorization to cancel its FERC Gas Tariff in its entirety. Post-abandonment, the Milford Facility will be operated by SCG, the sole existing customer for the Milford Facility's output, and will remain in service under State of Connecticut jurisdiction. TPS states that the proposed abandonment by sale will not harm existing or prospective shippers and will not have any effect on the environment, all as more fully set forth in the application which is on file with the Commission and open for public inspection.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page ([www.ferc.gov](http://www.ferc.gov)) using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room. For assistance, contact the Federal Energy Regulatory Commission at [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov) or call toll-free, (886) 208-3676 or TTY (202) 502-8659.

Any questions regarding the proposed project should be directed to Danielle Mechling, Networks FERC Legal Director, Avangrid (UIL), 180 Marsh Hill Road, Orange, CT 06477, by phone at (203) 836-7464 or by email at [Danielle.mechling@avangrid.com](mailto:Danielle.mechling@avangrid.com).

Pursuant to Section 157.9 of the Commission's Rules of Practice and Procedure,<sup>1</sup> within 90 days of this Notice the Commission staff will either:

complete its environmental review and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or environmental assessment (EA) for this proposal. The filing of an EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

### Public Participation

There are three ways to become involved in the Commission's review of this project: you can file comments on the project, you can protest the filing, and you can file a motion to intervene in the proceeding. There is no fee or cost for filing comments or intervening. The deadline for filing a motion to intervene is 5:00 p.m. Eastern Time on December 6, 2023. How to file protests, motions to intervene, and comments is explained below.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or [OPP@ferc.gov](mailto:OPP@ferc.gov).

### Comments

Any person wishing to comment on the project may do so. Comments may include statements of support or objections, to the project as a whole or specific aspects of the project. The more specific your comments, the more useful they will be.

### Protests

Pursuant to sections 157.10(a)(4)<sup>2</sup> and 385.211<sup>3</sup> of the Commission's

<sup>1</sup> 18 CFR (Code of Federal Regulations) § 157.9.

<sup>2</sup> 18 CFR 157.10(a)(4)

<sup>3</sup> 18 CFR 385.211

regulations under the NGA, any person<sup>4</sup> may file a protest to the application. Protests must comply with the requirements specified in section 385.2001<sup>5</sup> of the Commission's regulations. A protest may also serve as a motion to intervene so long as the protestor states it also seeks to be an intervenor.

To ensure that your comments or protests are timely and properly recorded, please submit your comments on or before December 7, 2023.

There are three methods you can use to submit your comments or protests to the Commission. In all instances, please reference the Project docket number CP24–14–000 in your submission.

(1) You may file your comments electronically by using the eComment feature, which is located on the Commission's website at [www.ferc.gov](http://www.ferc.gov) under the link to Documents and Filings. Using eComment is an easy method for interested persons to submit brief, text-only comments on a project;

(2) You may file your comments or protests electronically by using the eFiling feature, which is located on the Commission's website ([www.ferc.gov](http://www.ferc.gov)) under the link to Documents and Filings. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making; first select "General" and then select "Comment on a Filing"; or

(3) You can file a paper copy of your comments or protests by mailing them to the following address below. Your written comments must reference the Project docket number CP24–14–000.

To file via USPS: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

To file via any other courier: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission encourages electronic filing of comments (options 1 and 2 above) and has eFiling staff available to assist you at (202) 502–8258 or [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov).

Persons who comment on the environmental review of this project will be placed on the Commission's environmental mailing list, and will receive notification when the environmental documents (EA or EIS)

are issued for this project and will be notified of meetings associated with the Commission's environmental review process.

The Commission considers all comments received about the project in determining the appropriate action to be taken. However, the filing of a comment alone will not serve to make the filer a party to the proceeding. To become a party, you must intervene in the proceeding. For instructions on how to intervene, see below.

### Interventions

Any person, which includes individuals, organizations, businesses, municipalities, and other entities,<sup>6</sup> has the option to file a motion to intervene in this proceeding. Only intervenors have the right to request rehearing of Commission orders issued in this proceeding and to subsequently challenge the Commission's orders in the U.S. Circuit Courts of Appeal.

To intervene, you must submit a motion to intervene to the Commission in accordance with Rule 214 of the Commission's Rules of Practice and Procedure<sup>7</sup> and the regulations under the NGA<sup>8</sup> by the intervention deadline for the project, which is December 7, 2023. As described further in Rule 214, your motion to intervene must state, to the extent known, your position regarding the proceeding, as well as your interest in the proceeding. For an individual, this could include your status as a landowner, ratepayer, resident of an impacted community, or recreationist. You do not need to have property directly impacted by the project in order to intervene. For more information about motions to intervene, refer to the FERC website at <https://www.ferc.gov/resources/guides/how-to-intervene.asp>.

There are two ways to submit your motion to intervene. In both instances, please reference the Project docket number CP24–14–000 in your submission.

(1) You may file your motion to intervene by using the Commission's eFiling feature, which is located on the Commission's website ([www.ferc.gov](http://www.ferc.gov)) under the link to Documents and Filings. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making; first select "General" and then select "Intervention." The eFiling feature includes a document-less intervention option; for more information, visit

<https://www.ferc.gov/docs-filing/efiling/document-less-intervention.pdf>; or

(2) You can file a paper copy of your motion to intervene, along with three copies, by mailing the documents to the address below. Your motion to intervene must reference the Project docket number CP24–14–000.

To file via USPS: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

To file via any other courier: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission encourages electronic filing of motions to intervene (option 1 above) and has eFiling staff available to assist you at (202) 502–8258 or [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov).

Protests and motions to intervene must be served on the applicant either by mail or email at: Danielle Mechling, Networks FERC Legal Director, Avangrid (UIL), 180 Marsh Hill Road Orange, CT 06477, or by email at [Danielle.mechling@avangrid.com](mailto:Danielle.mechling@avangrid.com). Any subsequent submissions by an intervenor must be served on the applicant and all other parties to the proceeding. Contact information for parties can be downloaded from the service list at the eService link on FERC Online. Service can be via email with a link to the document.

All timely, unopposed<sup>9</sup> motions to intervene are automatically granted by operation of Rule 214(c)(1).<sup>10</sup> Motions to intervene that are filed after the intervention deadline are untimely, and may be denied. Any late-filed motion to intervene must show good cause for being late and must explain why the time limitation should be waived and provide justification by reference to factors set forth in Rule 214(d) of the Commission's Rules and Regulations.<sup>11</sup> A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies (paper or electronic) of all documents filed by the applicant and by all other parties.

### Tracking the Proceeding

Throughout the proceeding, additional information about the project will be available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website at [www.ferc.gov](http://www.ferc.gov) using the "eLibrary" link as described above. The eLibrary link

<sup>9</sup> The applicant has 15 days from the submittal of a motion to intervene to file a written objection to the intervention.

<sup>10</sup> 18 CFR 385.214(c)(1).

<sup>11</sup> 18 CFR 385.214(b)(3) and (d).

<sup>4</sup> Persons include individuals, organizations, businesses, municipalities, and other entities. 18 CFR 385.102(d).

<sup>5</sup> 18 CFR 385.2001

<sup>6</sup> 18 CFR 385.102(d).

<sup>7</sup> 18 CFR 385.214.

<sup>8</sup> 18 CFR 157.10.

also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. For more information and to register, go to [www.ferc.gov/docs-filing/esubscription.asp](http://www.ferc.gov/docs-filing/esubscription.asp).

**Intervention Deadline:** 5:00 p.m. Eastern Time on December 7, 2023.

Dated: November 16, 2023.

**Debbie-Anne A. Reese,**

*Deputy Secretary.*

[FR Doc. 2023–25824 Filed 11–21–23; 8:45 am]

**BILLING CODE 6717–01–P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER20–1041–003]

#### Wabash Valley Power Association, Inc.; Order Establishing Additional Briefing Procedures

Before Commissioners: Willie L. Phillips, Acting Chairman; James P. Danly, Allison Clements, and Mark C. Christie.

1. This order establishes additional briefing procedures following the issuance of an Initial Decision on January 28, 2022,<sup>1</sup> involving Wabash Valley Power Association's (Wabash) proposed, unexecuted agreement for early termination of two wholesale power supply contracts between Wabash (as seller) and Tipmont Rural Electric Membership Cooperative (Tipmont) (as buyer). In this order, we establish a briefing schedule to develop a more comprehensive record on which to make a determination, as discussed below.

#### I. Background

2. This proceeding concerns Tipmont's desired early termination of its membership with Wabash and two of its contracts that are on file with the Commission: the 1977 Contract that governs all-requirements service from 1977 through until 2028, and the 2006 Contract that governs such service from 2006 through 2050 (each a Contract, and collectively, Contracts). At issue also in

this proceeding is an unexecuted 2020 Agreement For Early Termination of Wholesale Power Supply Contracts (Termination Agreement).

3. On October 1, 2018, Tipmont filed a complaint (Complaint) against Wabash requesting that the Commission: (1) find that Tipmont may terminate its Contracts early, and (2) initiate a proceeding to establish the just and reasonable level of stranded costs resulting from Tipmont's early departure.<sup>2</sup> On February 20, 2020, Wabash filed the Termination Agreement pursuant to section 205 of the Federal Power Act. On April 20, 2020, the Commission concurrently: (1) issued an order granting, denying, and dismissing various aspects of the Complaint;<sup>3</sup> and (2) issued an order accepting and suspending Wabash's proposed Termination Agreement and established hearing and settlement judge procedures.<sup>4</sup>

4. On July 30, 2020, after the Settlement Judge declared an impasse, the Chief Judge issued an order terminating settlement judge procedures and designated Administrative Law Judge Andrea McBarnette as the Presiding Judge. The hearing commenced on May 20, 2021, and concluded on June 8, 2021. The Presiding Judge issued the Initial Decision on January 28, 2022. Subsequently, the participants filed Briefs on Exceptions and Briefs Opposing Exceptions on March 31, 2022, and April 20, 2022, respectively.

#### II. Discussion

5. We establish a briefing schedule to allow the participants to address the issues set forth in Appendices A and B. Further briefing on these issues will help develop a more comprehensive record for the Commission to evaluate the justness and reasonableness of the Termination Agreement. Accordingly, we provide questions directed at Wabash in Appendix A and one question directed at Tipmont in Appendix B. Wabash and Tipmont are required to submit initial briefs within 45 days of the date of this order. At the initial briefing stage, Wabash may address only questions in Appendix A of this order, and Tipmont may address only the question in Appendix B of this order. Further, participants are permitted to file reply briefs within 30 days of the date of filing of initial

briefs.<sup>5</sup> At the reply briefing stage, participants may address questions directed at the other party. Briefs making any factual assertions must be accompanied by a sworn affidavit of one or more witnesses.

#### The Commission orders:

(A) Wabash and Tipmont are hereby required to submit initial briefs within 45 days of the date of this order, as discussed in the body of this order.

(B) Participants are hereby permitted to file reply briefs within 30 days of the date of filing of initial briefs.<sup>6</sup>

(C) The Secretary is hereby directed to publish this order in the **Federal Register**.

By the Commission.

Issued: November 16, 2023.

**Debbie-Anne A. Reese,**

*Deputy Secretary.*

#### Appendix A

##### Questions Directed at Wabash

##### A. Transmission

1. Section 3 of the 1977 Contract and section 5 of the 2006 Contract allow Wabash to own transmission in limited circumstances.<sup>7</sup>

a. For each transmission asset reflected in the Black & Veatch Study, please identify the agreements (*i.e.*, Transmission Participation Agreements and Transmission, Operation and Maintenance Agreements)<sup>8</sup> that allow(s) Wabash to own said transmission assets and explain in each instance how such ownership right is consistent with the exception criteria in the Contracts.

b. For each of the agreements identified in response to part a., please state the corresponding amounts of transmission plant and transmission capital expenditure balances reflected in the Black & Veatch Study for years 2019–2021.

c. In addition, please identify any transmission assets that were excluded from the proposed buyout amount due to limitations set forth in the Contracts.

<sup>5</sup> As participants in the hearing proceeding, Trial Staff and United Power, Inc. may submit reply briefs. This Commission, however, is generally less likely to allow new participants to intervene after issuance of a merits order. *See, e.g., Conn. Yankee Atomic Power Co.*, 92 FERC ¶ 61,269, at 61,899 (2000) (denying the subsidiaries of the Northeast Utilities system's (NU) out-of-time motion to intervene because "[t]o permit NU's late intervention after the issuance of the Initial Decision . . . would result in undue burden on the active parties to the hearing.").

<sup>6</sup> *See supra* note 5.

<sup>7</sup> *See e.g., Ex. TIP–0003* at 3 ("It is understood by and between the Parties that the express intent of Wabash Valley is to not own, operate or maintain any transmission facilities and/or substations except as such ownership, operation and maintenance may inure to Wabash Valley by reason of Transmission Participation Agreements and Transmission, Operation and Maintenance Agreements with other suppliers which own and operate bulk transmission systems.").

<sup>8</sup> *See supra* n.7.

<sup>2</sup> Tipmont Rural Electric Member Cooperative, Complaint, Docket No. EL19–2–000, at 1–2 (filed Oct. 1, 2018) (Complaint).

<sup>3</sup> *Tipmont Rural Elec. Member Coop. v. Wabash Valley Power Ass'n, Inc.*, 171 FERC ¶ 61,059 (2020).

<sup>4</sup> *Wabash Valley Power Ass'n, Inc.*, 171 FERC ¶ 61,053 (2020).

<sup>1</sup> *Wabash Valley Power Ass'n, Inc.*, 178 FERC ¶ 63,005 (2022).