

introductory text to paragraph (a), all of paragraph (b), the introductory text to paragraph (c), and the last sentence of paragraph (c)(2), to read as follows:

§ 301.89–15 Compensation for growers, handlers, and seed companies in the 1996–1997 and 1997–1998 crop seasons.

Growers, handlers, and seed companies are eligible to receive compensation from the United States Department of Agriculture (USDA) for the 1996–1997 and 1997–1998 crop seasons to mitigate losses or expenses incurred because of the Karnal bunt regulations and emergency actions, as follows:

(a) *Growers, handlers, and seed companies in areas under first regulated crop season.* Growers, handlers, and seed companies are eligible to receive compensation for the loss in value of their wheat in accordance with paragraphs (a)(1) and (a)(2) of this section if: the wheat was grown in a State where the Secretary has declared an extraordinary emergency; and, the wheat was grown in an area of that State that became regulated for Karnal bunt after the crop was planted, or for which an Emergency Action Notification (PPQ Form 523) was issued after the crop was planted; and, the wheat was grown in an area that remained regulated or under Emergency Action Notification at the time the wheat was sold. Growers, handlers, and seed companies in areas under the first regulated crop season are eligible for compensation for 1996–1997 crop season wheat or 1997–1998 crop season wheat (as appropriate) and for wheat inventories in their possession that were unsold at the time the area became regulated. The compensation provided in this section is for wheat grain, certified wheat seed, and wheat grown with the intention of producing certified wheat seed.

* * * * *

(b) *Growers, handlers, and seed companies in previously regulated areas.* Growers, handlers, and seed companies are eligible to receive compensation for the loss in value of their wheat in accordance with paragraphs (b)(1) and (b)(2) of this section if: the wheat was grown in a State where the Secretary has declared an extraordinary emergency; and, the wheat was grown in an area of that State that became regulated for Karnal bunt before the crop was planted, or for which an Emergency Action Notification (PPQ Form 523) was issued before the crop was planted; and, the wheat was grown in an area that remained regulated or under Emergency Action Notification at the time the wheat was sold. Growers, handlers, and

seed companies in previously regulated areas are eligible for compensation only for 1996–1997 or 1997–1998 crop season wheat. The compensation provided in this section is for wheat grain, certified wheat seed, and wheat grown with the intention of producing certified wheat seed.

(1) *Growers.* Growers of wheat in a previously regulated area who sell wheat that was tested by APHIS and found positive for Karnal bunt prior to sale, or that was tested by APHIS and found positive for Karnal bunt after sale and the price received by the grower is contingent on the test results, are eligible to receive compensation at the rate of \$.60 per bushel of positive testing wheat.

(2) *Handlers and seed companies.* Handlers and seed companies who sell wheat grown in a previously regulated area are eligible to receive compensation only if the wheat was not tested by APHIS prior to purchase by the handler, but was tested by APHIS and found positive for Karnal bunt after purchase by the handler or seed company, as long as the price to be paid by the handler or seed company is not contingent on the test results. Compensation will be at the rate of \$.60 per bushel of positive testing wheat.

(c) *To claim compensation.* Compensation payments to growers, handlers, and seed companies under paragraphs (a) and (b) of this section will be issued by the Farm Service Agency (FSA). Claims for compensation for the 1996–1997 crop season must be received by FSA on or before October 8, 1998. Claims for compensation for the 1997–1998 crop season must be received by FSA on or before October 25, 1999. The Administrator may extend the deadline, upon request in specific cases, when unusual and unforeseen circumstances occur which prevent or hinder a claimant from requesting compensation on or before these dates. To claim compensation, a grower, handler, or seed company must complete and submit to the local FSA county office the following documents:

* * * * *

(2) *Growers.* * * * Growers compensated under paragraph (b)(1) of this section (previously regulated areas) whose wheat was not tested prior to sale must submit documentation showing that the price paid to the grower was contingent on test results (such as a copy of the receipt for the final sale of the wheat or a copy of the contract the grower has for the wheat, if this information appears on those documents).

* * * * *

§ 301.89–16 [Amended]

3. Section 301.89–16 is amended as follows:

a. In the heading, by removing the words “1996–1997 crop season” and adding the words “1996–1997 and 1997–1998 crop seasons” in their place.

b. In the introductory text, by removing the words “1996–1997 crop season” and adding the words “1996–1997 and 1997–1998 crop seasons” in their place.

c. In paragraphs (a), (b), (c)(1), and (c)(2), by removing the last two sentences in each paragraph and by adding three sentences in their place to read as follows: “Claims for compensation for the 1996–1997 crop season must be received by APHIS on or before October 8, 1998. Claims for compensation for the 1997–1998 crop season must be received by APHIS on or before October 25, 1999. The Administrator may extend these deadlines upon written request in specific cases, when unusual and unforeseen circumstances occur which prevent or hinder a claimant from requesting compensation on or before these dates.”

Done in Washington, DC, this 18th day of June 1999.

Craig A. Reed,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 99–16167 Filed 6–24–99; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 947

[Docket No. FV99–947–1 IFR]

Irish Potatoes Grown in Modoc and Siskiyou Counties, California, and in all Counties in Oregon, Except Malheur County; Temporary Suspension of Handling Regulations and Establishment of Reporting Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Interim final rule with request for comments.

SUMMARY: This rule suspends, for the 1999–2000 season only, the minimum grade, size, quality, maturity, pack, inspection, and other related requirements currently prescribed under the Oregon-California potato marketing order. The marketing order regulates the handling of Irish potatoes grown in Modoc and Siskiyou Counties, California, and in all Counties in

Oregon, except Malheur County, and is administered locally by the Oregon-California Potato Committee (Committee). During this suspension of the handling regulations, reports from handlers will be required to obtain information necessary to administer the marketing order. This rule is expected to reduce industry expenses.

DATES: Effective July 1, 1999, through June 30, 2000; comments received by August 24, 1999 will be considered prior to issuance of a final rule.

ADDRESSES: Interested persons are invited to submit written comments concerning this rule. Comments must be sent to the Docket Clerk, Fruit and Vegetable Programs, AMS, USDA, Room 2525-S, P.O. Box 96456, Washington, DC 20090-6456; Fax: (202) 720-5698; or E-mail: moab.docketclerk@usda.gov. All comments should reference the docket number and the date and page number of this issue of the **Federal Register** and will be made available for public inspection in the Office of the Docket Clerk during regular business hours.

FOR FURTHER INFORMATION CONTACT: Teresa L. Hutchinson, Northwest Marketing Field Office, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1220 SW Third Avenue, Room 369, Portland, Oregon 97204-2807; telephone: (503) 326-2724, Fax: (503) 326-7440 or George Kelhart, Technical Advisor, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, Room 2525-S, P.O. Box 96456, Washington, DC 20090-6456; telephone: (202) 720-2491, Fax: (202) 720-5698. Small businesses may request information on complying with this regulation, or obtain a guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders by contacting Jay Guerber, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, P.O. Box 96456, Room 2525-S, Washington, DC 20090-6456; telephone (202) 720-2491, Fax: (202) 720-5698, or E-mail: Jay.Guerber@usda.gov. You may view the marketing agreement and order small business compliance guide at the following web site: <http://www.ams.usda.gov/fv/moab.html>.

SUPPLEMENTARY INFORMATION: This rule is issued under Marketing Agreement No. 114 and Marketing Order No. 947, both as amended (7 CFR part 947), regulating the handling of Irish potatoes grown in Modoc and Siskiyou Counties in California, and in all counties in Oregon, except Malheur County, hereinafter referred to as the "order." The marketing agreement and order are

effective under the Agricultural Marketing Agreement Act of 1937, as amended, (7 U.S.C. 601-674), hereinafter referred to as the "Act."

The Department of Agriculture (Department) is issuing this rule in conformance with Executive Order 12866.

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is not intended to have retroactive effect. This rule will not preempt any State or local laws, regulations, or policies, unless they present an irreconcilable conflict with this rule.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with the Secretary a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with law and request a modification of the order or to be exempted therefrom. A handler is afforded the opportunity for a hearing on the petition. After the hearing the Secretary would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has his or her principal place of business, has jurisdiction to review the Secretary's ruling on the petition, provided an action is filed not later than 20 days after date of the entry of the ruling.

This rule suspends the handling and related regulations currently prescribed under the order from July 1, 1999, to June 30, 2000. This rule allows the Oregon-California potato industry to market potatoes without minimum grade, size, quality, maturity, pack, and inspection requirements. These regulations will resume July 1, 2000, for the 2000-2001 season and future seasons. This rule also establishes handler reporting requirements during the same time period. Reporting requirements will allow the Committee to obtain information from handlers necessary to administer the order.

Section 947.52 of the order authorizes the issuance of regulations for grade, size, quality, maturity, and pack for any variety of potatoes grown in the production area during any period. Section 947.51 authorizes the modification, suspension, or termination of regulations issued under § 947.52.

Section 947.60 provides that whenever potatoes are regulated pursuant to § 947.52, such potatoes must be inspected by the Federal-State Inspection Service, and certified as

meeting the applicable requirements of such regulations. The cost of inspection and certification is borne by handlers.

Section 947.80 authorizes the Committee, with the approval of the Secretary, to require reports and other information from handlers that are necessary for the Committee to perform its duties.

Minimum grade, size, quality, maturity, and pack requirements for potatoes regulated under the order are specified in § 947.340 *Handling Regulation* [7 CFR 947.340]. This regulation, with modifications and exemptions for different varieties and types of shipments, provides that all potatoes grade at least U.S. No. 2; be at least 2 inches in diameter or weigh at least 4 ounces; and be not more than moderately skinned. Additionally, potatoes packed in cartons must be U.S. No. 1 grade or better, with an additional tolerance allowed for internal defects, or U.S. No. 2 grade weighing at least 10 ounces. Section 947.340 also includes waivers of inspection procedures, reporting and safeguard requirements for special purpose shipments, and a minimum quantity exemption of 19 hundredweight per day. Related provisions appear in the regulations at § 947.130, *Special Purpose Certificates—application and issuance*; § 947.132 *Reports*; § 947.133 *Denial and appeals*; and § 947.134 *Establishment of list of manufacturers of potato products*.

The Committee meets prior to and during each season to consider recommendations for modification, suspension, or termination of the regulatory requirements for Oregon-California potatoes which have been issued on a continuing basis. Committee meetings are open to the public and interested persons may express their views at these meetings. The Department reviews Committee recommendations and information submitted by the Committee and other available information, and determines whether modification, suspension, or termination of the regulatory requirements would tend to effectuate the declared policy of the Act.

At its February 23, 1999, meeting, the Committee unanimously recommended suspending the handling regulations and related sections and establishing handler reporting requirements for the 1999-2000 season. The Committee met again on May 14, 1999, to review the recommendation made at the earlier meeting. After extensive discussion, the Committee decided not to rescind or modify their earlier recommendation to suspend handling regulations and related sections. The Committee requested that this rule be effective at

the beginning of the next fiscal period, July 1, 1999, which is also the date shipments of the 1999 Oregon-California potato crop are expected to begin.

The objective of the handling and inspection requirements is to ensure that only acceptable quality potatoes enter fresh market channels, thereby ensuring consumer satisfaction, increasing sales, and improving returns to producers. While the industry continues to believe that quality is an important factor in maintaining sales, the Committee believes the cost of inspection and certification (mandated when minimum requirements are in effect) may exceed the benefits derived.

Potato prices have been at low levels in recent seasons, and many producers have faced difficulty covering their production costs. Therefore, the Committee has been discussing the possibility of reducing costs through the elimination of mandatory inspection. The Committee is concerned, however, that the elimination of current requirements could possibly result in lower quality potatoes being shipped to fresh markets. Also, there is some concern that the Oregon-California potato industry could lose sales to other potato producing areas that are covered by quality and inspection requirements. For these reasons, the Committee recommended that the suspension of the requirements be effective for the 1999–2000 season only. This will enable the Committee to study the impacts of the suspension and consider appropriate actions for ensuing seasons.

This rule will enable handlers to ship potatoes without regard to the minimum grade, size, quality, maturity, pack, and inspection requirements for the 1999–2000 season only. This rule will allow handlers to decrease costs by eliminating the costs associated with inspection. This rule will not restrict handlers from seeking inspection on a voluntary basis. The Committee will evaluate the effects of removing the minimum requirements on marketing and on producer returns at its meeting next spring.

The suspension action also will result in the elimination of the monthly inspection report from the Federal-State Inspection Service which the Committee used as a basis for the collection of assessments from handlers. This inspection report was compiled by the Federal-State Inspection Service from inspection certificates. During the suspension of the regulations, reports from handlers will be needed for the Committee to obtain information on which to collect assessments. Therefore, a new § 947.180 *Reports* is established which requires each handler to submit

a monthly assessment report to the Committee containing the following information: (a) The date and quantity of fresh potatoes sold including identification numbers; (b) the name and address of the producers; (c) the assessment payment due; and (d) the name and address of the handler. Authorization to assess handlers enables the Committee to incur expenses that are reasonable and necessary to administer the program. Although adding reporting requirements, this rule through the elimination of inspection and certification and other related requirements is expected to reduce industry expenses.

Consistent with the suspension of § 947.340, this rule also suspends §§ 947.120, 947.123, 947.130, 947.132, 947.133, and 947.134 of the rules and regulations in effect under the order. Sections 947.120 and 947.123 provide authority for hardship exemptions from inspection and certification, and establish reporting and recordkeeping requirements when such exemptions are in place. Sections 947.130, 947.132, 947.133, and 947.134 are safeguard and reporting provisions of the order that are applicable to special purpose shipments when inspection and certification requirements are in place.

Contained within § 947.340(i) of the current handling regulations is a minimum quantity exemption under which a handler may ship not more than 19 hundredweight of potatoes on any day without regard to the inspection and assessment requirements issued under the order. The suspension of the handling regulations removes all inspection requirements. To continue the current minimum quantity exemption for assessments, a new § 947.125 *Minimum quantity exemption* is established. This section simply continues the current minimum quantity exemption under which a handler may ship not more than 19 hundredweight of potatoes on any day without regard to the assessment requirements issued under the order.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Agricultural Marketing Service (AMS) has considered the economic impact of this action on small entities. Accordingly, AMS has prepared this initial regulatory flexibility analysis.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and the rules issued thereunder, are unique in that they are brought about through group action of essentially

small entities acting on their own behalf. Thus, both statutes have small entity orientation and compatibility.

There are approximately 30 handlers of Oregon-California potatoes who are subject to regulation under the marketing order and approximately 450 potato producers in the regulated area. Small agricultural service firms have been defined by the Small Business Administration (13 CFR 121.601) as those having annual receipts of less than \$5,000,000, and small agricultural producers are defined as those having annual receipts of less than \$500,000.

Currently, about 83 percent of the Oregon-California potato handlers ship less than \$5,000,000 worth of potatoes and 17 percent ship more than \$5,000,000 worth on an annual basis. In addition, based on acreage, production, and producer prices reported by the National Agricultural Statistics Service, and the total number of Oregon-California potato producers, average annual producer receipts are approximately \$285,000. In view of the foregoing, it can be concluded that the majority of handlers and producers of Oregon-California potatoes may be classified as small entities.

This rule suspends the handling and related regulations and establishes reporting requirements from July 1, 1999, through June 30, 2000. This rule will allow the Oregon-California potato industry to market potatoes without minimum grade, size, quality, maturity, pack, and inspection requirements. The handling regulations currently specified in § 947.340 and in other related sections will resume July 1, 2000, for the 2000–2001 season and future seasons. New reporting requirements will allow the Committee to obtain information from handlers necessary to collect assessments during the period of suspension.

At its February 23, 1999, meeting, the Committee unanimously recommended suspending the handling and related regulations and establishing reporting requirements for the 1999–2000 season. The Committee met again on May 14, 1999, to review the recommendation made at the earlier meeting. After extensive discussion, the Committee decided not to rescind or modify their earlier recommendation to suspend the regulations. The Committee requested that this rule be effective at the beginning of the next fiscal period, July 1, 1999, which is also the date shipments of the 1999 Oregon-California potato crop are expected to begin.

The objective of the handling requirements is to ensure that only acceptable quality potatoes enter fresh market channels, thereby ensuring

consumer satisfaction, increasing sales, and improving returns to producers. While the industry continues to believe that quality is an important factor in maintaining sales, the Committee believes the cost of inspection and certification (mandated when minimum requirements are in effect) may exceed the benefits derived.

Potato prices have been at low levels in recent seasons, and many producers have faced difficulty covering their production costs. Therefore, the Committee has been discussing the possibility of reducing costs through the elimination of mandatory inspection. The Committee is concerned, however, that the elimination of current requirements could possibly result in lower quality potatoes being shipped to fresh markets. Also, there is some concern that the Oregon-California potato industry could lose sales to other potato producing areas that are covered by quality and inspection requirements. For these reasons, the Committee recommended that the suspension of the requirements be effective for the 1999–2000 season only. This will enable the Committee to study the impacts of the suspension and consider appropriate actions for ensuing seasons.

This rule will enable handlers to ship potatoes without regard to the minimum grade, size, quality, maturity, pack, inspection, and related requirements for the 1999–2000 season only. This rule will allow handlers to decrease costs by eliminating the costs associated with inspection. This rule will not restrict handlers from seeking inspection on a voluntary basis. The Committee will evaluate the effects of removing the minimum requirements on marketing and on producer returns at its meeting next spring.

The suspension action also will result in the elimination of the monthly inspection report from the Federal-State Inspection Service which the Committee used for billing purposes. This inspection report was compiled by the Federal-State Inspection Service from inspection certificates. During this suspension of the regulations, reports from handlers will be necessary for the Committee to obtain information on which to collect assessments. This rule establishes a new § 947.180 *Reports* which requires each handler to submit a monthly assessment report to the Committee containing the following information: (a) The date and quantity of fresh potatoes sold including identification numbers; (b) the name and address of the producers; (c) the assessment payment due; and (d) the name and address of the handler.

Authorization to assess handlers enables

the Committee to incur expenses that are reasonable and necessary to administer the program. Although adding reporting requirements, this rule through the elimination of inspection and certification and other related requirements is expected to reduce industry expenses.

Contained within § 947.340(i) of the current handling regulations is a minimum quantity exemption under which a handler may ship not more than 19 hundredweight of potatoes on any day without regard to the inspection and assessment requirements issued under the order. The suspension of the handling regulations removes all inspection requirements. To continue the current minimum quantity exemption for assessments, a new § 947.125 *Minimum quantity exemption* is established. This section simply continues the current minimum quantity exemption under which a handler may ship not more than 19 hundredweight of potatoes on any day without regard to the assessment requirements issued under the order.

The Committee anticipates that this rule will not negatively impact small businesses. This rule will suspend minimum grade, size, quality, maturity, pack, and inspection requirements. Further, this rule will allow handlers and producers the choice to obtain inspection for potatoes, as needed, thereby reducing costs for producers and handlers. The total cost of inspection and certification for fresh shipments of Oregon-California potatoes during the 1998–99 marketing season is estimated at \$600,000. This is approximately \$20,000 per handler. The Committee expects, however, that most handlers will continue to have some of their potatoes inspected and certified by the Federal-State Inspection Service.

The Committee investigated the use of other types of inspection programs as another option to reduce the cost of inspection, but believed they were not viable at this time. With the suspension of handling regulations, there are no alternatives to reporting requirements to ensure the collection of assessments needed to administer the order.

This rule will require monthly reports from handlers to obtain information necessary to collect assessments. Although this rule establishes new reporting requirements, the suspension of the handling regulations eliminates the more frequent reporting requirements that were included under the safeguard provisions of the order.

Therefore, any additional reporting or recordkeeping requirements on either small or large potato handlers are expected to be offset by the elimination

of reporting requirements currently in effect. In addition, the elimination of inspection and certification requirements is expected to further reduce industry expenses. Finally, as with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sectors.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the information collection requirements that are contained in this rule have been approved by the Office of Management and Budget (OMB) and have been assigned OMB No. 0581–0178. It is estimated that it will take a handler 20 minutes to complete a monthly assessment report, and that each handler will fill out 12 monthly assessment reports each year. This creates an estimated total industry burden of approximately 120 hours. It is estimated that it currently takes a handler 5 minutes to complete a safeguard reporting form. With an estimated 2,000 safeguard reports completed each year, the estimated decrease in burden because of the suspension of safeguard reporting requirements is estimated to be 167 hours. Five other miscellaneous forms are also being suspended. With an estimated 31 responses each year, the estimated decrease in burden because of the suspension of these forms is estimated to be 6.5 hours.

The Department has not identified any relevant Federal rules that duplicate, overlap or conflict with this rule. Further, the Committee's meetings were widely publicized throughout the Oregon-California potato industry and all interested persons were invited to attend the meetings and participate in Committee deliberations. Like all Committee meetings, the February 23, 1999, and May 14, 1999, meetings were public meetings and all entities, both large and small, were able to express their views on this issue. The Committee itself is composed of 14 members, of which 5 are handlers and 9 are producers. Finally, interested persons are invited to submit information on the regulatory and informational impacts of this action on small businesses.

After consideration of all relevant material presented, including the Committee's recommendation, and other information, it is found that (1) The regulations suspended by this action for a specified period no longer tend to effectuate the declared policy of the Act and (2) the addition of new regulations, as hereinafter set forth, will

tend to effectuate the declared policy of the Act.

This rule invites comments on suspension of the handling regulations and establishment of reporting requirements under the Oregon-California potato marketing order. Any comments received will be considered prior to finalization of this rule.

Pursuant to 5 U.S.C. 553, it is also found and determined upon good cause that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice prior to putting this rule into effect and that good cause exists for not postponing the effective date of this rule until 30 days after publication in the **Federal Register** because: (1) This rule suspends the current handling and related regulations and establishes reporting requirements for Oregon-California potatoes for the 1999–2000 marketing year which begins July 1, 1999; (2) this rule was unanimously recommended by the Committee at open public meetings and all interested persons had an opportunity to express their views and provide input; (3) Oregon-California potato handlers are aware of this rule and need no additional time to comply with the relaxed requirements; (4) this rule should be in effect by July 1, 1999, the date 1999–2000 season shipments of the Oregon-California potato crop are expected to begin, and this action should apply to the entire season's shipments; and (5) this rule provides a 60-day comment period, and any comments received will be considered prior to finalization of this rule.

List of Subjects in 7 CFR Part 947

Marketing agreements, Potatoes, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR Part 947 is amended as follows:

PART 947—IRISH POTATOES GROWN IN MODOC AND SISKIYOU COUNTIES, CALIFORNIA, AND IN ALL COUNTIES IN OREGON, EXCEPT MALHEUR COUNTY

1. The authority citation for 7 CFR Part 947 continues to read as follows:

Authority: 7 U.S.C. 601–674.

2. In Part 947, §§ 947.120, 947.123, 947.130, 947.132, 947.133, 947.134 and 947.340 are suspended in their entirety effective July 1, 1999, through June 30, 2000.

3. In Subpart—Rules and Regulations, under the undesignated center heading “Exemptions”, a new § 947.125 is added, and a new undesignated center

heading and § 947.180 are added to read as follows:

§ 947.125 Minimum quantity exemption.

From July 1, 1999, through June 30, 2000, any person may handle not more than 19 hundredweight of potatoes on any day without regard to the assessment requirements of § 947.41 of this part. This exemption shall not apply to any part of a shipment which exceeds 19 hundredweight.

Reports

§ 947.180 Reports.

From July 1, 1999, through June 30, 2000, each person handling potatoes shall submit a Monthly Assessment Report to the Committee containing the following information:

- (a) The date and quantity of fresh potatoes sold including identification numbers;
- (b) the name and address of the producers;
- (c) the assessment payment due; and
- (d) the name and address of such handler.

Dated: June 18, 1999.

Robert C. Keeney,

Deputy Administrator, Fruit and Vegetable Programs.

[FR Doc. 99–16056 Filed 6–24–99; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 37

[Docket No. RM98–3–000; Order No. 605]

Open Access Same-Time Information System

Issued May 27, 1999.

AGENCY: Federal Energy Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Federal Energy Regulatory Commission (Commission) is amending its regulations to: Extend the retention period and availability of information on curtailments and interruptions; allow the Commission staff and the public to access the supporting information on curtailments and interruptions, upon request; codify that OASIS users are allowed to make file transfers and queries as defined in the Standards and Communications Protocols (S&CP) Document; clarify that Responsible Parties are required to provide access to their OASIS sites for OASIS users making automated queries

for extensive amounts of data; add a provision to allow Responsible Parties, under certain circumstances, to limit a user's access to an OASIS node; and add a provision to require OASIS users to notify Responsible Parties one month in advance of initiating a significant amount, or significantly increasing the use, of automated queries. The Commission believes that additional information about the state of the transmission system will enable customers to make better decisions about the quality of the transmission service they intend to purchase.

EFFECTIVE DATE: This final rule is effective on July 26, 1999.

FOR FURTHER INFORMATION CONTACT:

Marvin Rosenberg (Technical Information), Office of Economic Policy, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, D.C. 20426, (202) 208–1283

Paul Robb (Technical Information), Office of Electric Power Regulation, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, D.C. 20426, (202) 219–2702

Andrea Weinstein (Legal Information), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, D.C. 20426, (202) 208–1017

SUPPLEMENTARY INFORMATION: In addition to publishing the full text of this document in the **Federal Register**, the Commission also provides all interested persons an opportunity to inspect or copy the contents of this document during normal business hours in the Public Reference Room at 888 First Street, N.E., Room 2A, Washington, D.C. 20426.

The Commission Issuance Posting System (CIPS) provides access to the texts of formal documents issued by the Commission from November 14, 1994, to the present. CIPS can be accessed via Internet through FERC's Home page (<http://www.ferc.fed.us>) using the CIPS Link or the Energy Information Online icon. Documents will be available on CIPS in ASCII and WordPerfect 6.1. User assistance is available at 202–208–2474 or by E-mail to cipsmaster@ferc.fed.us.

This document is also available through the Commission's Records and Information Management System (RIMS), an electronic storage and retrieval system of documents submitted to and issued by the Commission after November 16, 1981. Documents from November 1995 to the present can be viewed and printed. RIMS is available in the Public Reference Room or