

which could result in the jamming of the rudder servo controls and consequent reduced controllability of the airplane, accomplish the following:

(a) For airplanes on which the spring rod assemblies of the rudder servo controls have not been modified in accordance with Airbus Service Bulletin A300-27-182, dated March 16, 1995, or Revision 1, dated November 21, 1996 (for Model A300 series airplanes); A310-27-2065, dated March 16, 1995, or Revision 1, dated March 10, 1997 (for Model A310 series airplanes); or A300-27-6023, dated March 16, 1995, or Revision 1, dated March 10, 1997 (for Model A300-600 series airplanes); as applicable; as of the effective date of this AD: Within 1 year after the effective date of this AD, accomplish the actions specified in either paragraph (a)(1) or (a)(2) in accordance with Airbus Service Bulletin A300-27-182, Revision 2 (for Model A300 series airplanes); or A310-27-2065, Revision 2 (for Model A310 series airplanes); or A300-27-6023, Revision 2 (for Model A300-600 series airplanes); each dated June 30, 1999; as applicable.

(1) Replace the spring rod assemblies with improved spring rod assemblies; or

(2) Modify the existing spring rod assemblies and re-identify all modified spring rod assemblies.

(b) For airplanes on which the spring rod assemblies of the rudder servo controls have been modified in accordance with Airbus Service Bulletin A300-27-182, dated March 16, 1995, or Revision 1, dated November 21, 1996 (for Model A300 series airplanes); or A310-27-2065, dated March 16, 1995, or Revision 1, dated March 10, 1997 (for Model A310 series airplanes); or A300-27-6023, dated March 16, 1995, or Revision 1, dated March 10, 1997 (for Model A300-600 series airplanes); as applicable; as of the effective date of this AD: Within 1 year after the effective date of this AD, perform a one-time visual inspection to verify that all spring rod assemblies of the rudder servo controls have the same part numbers, in accordance with Airbus Service Bulletin A300-27-182, Revision 2 (for Model A300 series airplanes); or A310-27-2065, Revision 2 (for Model A310 series airplanes); or A300-27-6023, Revision 2 (for Model A300-600 series airplanes); each dated June 30, 1999; as applicable.

(1) If all three spring rod assemblies have either P/N A2727086500400 or A2727086500600, no further action is required by this AD.

(2) If any spring rod assembly has a part number other than P/N A2727086500400 or A2727086500600, prior to further flight, re-identify all spring rod assemblies to the part number specified in the applicable service bulletin, in accordance with the applicable service bulletin.

(c) As of the effective date of this AD, no person shall install on any airplane a spring rod assembly having P/N A2727086500200.

Alternative Methods of Compliance

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, International Branch, ANM-116, FAA,

Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM-116.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

Special Flight Permits

(e) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Note 3: The subject of this AD is addressed in French airworthiness directive 1999-240-288(B), dated June 30, 1999.

Issued in Renton, Washington, on October 29, 1999.

D.L. Riggins,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-28847 Filed 11-3-99; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Parts 141 and 385

[Docket No. RM00-1-000]

Electronic Filing of FERC Form Nos. 423, 714 and 715; Notice of Proposed Rulemaking

October 28, 1999.

AGENCY: Federal Energy Regulatory Commission.

ACTIONS: Notice of proposed rulemaking.

SUMMARY: The Federal Energy Regulatory Commission (Commission) is proposing to amend its regulations under the Federal Power Act (FPA) to provide for the electronic filing of FERC Form Nos. 423, 714 and 715 (collectively, Forms). Commencing with filings for the year 2000, filings would be required to be made electronically over the Commission's web site thereby eliminating the need for paper copies. The Commission is developing the capacity to accept such filings electronically and will conduct tests of the software and related elements of the electronic filing mechanism for each of the forms prior to formal implementation. The automation of the Forms will yield significant benefits to the Commission, the respondents, and to the electric industry as a whole.

These benefits include more timely analysis and publication of data, increased data analysis capability, reduced cost of data entry and retrieval, simplification of form design and an eventual overall reduction in filing burden.

DATES: Comments on the Notice of Proposed Rulemaking are due December 6, 1999. Comments should be filed with the Office of the Secretary and should refer to Docket No. RM00-1-000.

ADDRESS: File comments with the Office of the Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426

FOR FURTHER INFORMATION CONTACT:

Meesha M. Bond (Technical Information), Office of Electric Power Regulation, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, (202) 208-1414

Camilla Ng (Technical Information), Office of Electric Power Regulation, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, (202) 208-0706

S.L. Higginbottom (Legal Information), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, (202) 208-2168

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, DC 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 8.0. User assistance is available at (202) 208-2474 or by E-mail to cips.master@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 remotely via Internet through FERC's

Home Page using the RIMS link or the Energy Information Online icon. User assistance is available at (202) 208-2222, or by E-mail to rimsmaster@ferc.fed.us.

Finally, the complete text on diskette in WordPerfect format may be purchased from the Commission's copy contractor, RVJ International, Inc. RVJ International, Inc. is located in the Public Reference Room at 888 First Street, N.E., Washington, DC 20426.

I. Introduction

The Federal Energy Regulatory Commission (Commission) proposes to amend 18 CFR Parts 141 and 385 to provide for the electronic filing using web-based applications of FERC Form No. 423, "Monthly Report of Cost and Quality of Fuels for Electric Plants" (Form 423), FERC Form No. 714, "Annual Electric Control and Planning Area Report" (Form 714), and FERC Form No. 715, "Annual Transmission Planning and Evaluation Report" (Form 715), (collectively, Forms). This will eliminate the filing of paper copies of these Forms. Electronic filing of the Forms would be required commencing in the year 2000 as follows: the electronic filing of Form 423 will commence with the Form 423 for reporting month January 2000, which is due no later than March 16, 2000; the electronic filing of Form 714 will commence with the Form 714 for reporting calendar year 1999, which is due no later than June 1, 2000; and the electronic filing of Form 715 will commence with the Form 715 for reporting calendar year 1999, which is due no later than April 1, 2000.

II. Reporting Burden

The Commission anticipates a decrease in reporting burden for collection of information resulting from this proposed rule. For the last few years, most entities required to submit these Forms have been preparing their Forms' paper copies from computer-based systems. This proposed rule, requiring the filing of the Forms electronically using web-based applications, would avoid the need to prepare and submit paper copies.

The automation of the Forms will yield significant benefits to the Commission, the respondents, and to the electric industry as a whole. These benefits include more timely analysis and publication of data, increased data analysis capability, reduced cost of data entry and retrieval, simplification of form design and an eventual overall reduction in filing burden. These benefits conform to the Commission's

plan for efficient information collection and communication.

Interested persons may obtain information on the reporting requirements by contacting the following: Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426 [Attention: Michael Miller, Office of Chief Information Officer, phone: (202) 208-1415, fax: (202) 208-2425, e-mail: mike.miller@ferc.fed.us].

For submitting comments concerning the collection of information and the associated burden estimate, please send your comments to the contact listed above and to the Office of Management and Budget, Office of Information and Regulatory Affairs, Washington, DC 20503 [Attention: Desk Officer for the Federal Energy Regulatory Commission, phone: (202) 395-3087, fax: (202) 395-7285].

III. Background

The Commission, in the exercise of its authority under the Federal Power Act, collects data pertaining to the electric industry in the United States.¹ Forms 423, 714 and 715 are some of the forms used for the collection of this information.

The Form 423 data are, at present, submitted monthly in hard copy form by approximately 227 entities for 702 electric generation plants. Currently, Form 423 respondents must file an original and 3 copies, no later than forty-five (45) days after the end of the report month. The Form 423 data are used by Commission staff for ratemaking purposes, by other government agencies for market oversight and other assessments and by the public for various fuel-related studies and analyses.

The Form 714 data are submitted annually by approximately 237 electric utilities and/or control areas having a load greater than 200 MW. Portions of the data are filed in hard copy form, with the remainder of the data filed electronically. The Form 714 data are used by Commission staff to evaluate utility operations related to proposed mergers, interconnections, wholesale rate investigations, and wholesale market changes and trends under emerging competitive forces. Such evaluations also are made to assess reliability, costs and other operating attributes.

The Form 715 data are submitted annually by 117 respondents for approximately 283 transmitting utilities. Portions of the data are filed in hard copy form, with the remainder of the

data filed electronically. The Form 715 data are used by Commission staff and others to evaluate transmission capacity availability and constraints.

In recent years, the Commission and its staff have been approached by individual electric utilities and energy information research groups inquiring whether the Commission either had or planned to develop automated data filing systems for the Forms. These parties suggested that such procedures could yield significant benefits in terms of process simplification and savings of time and expense.

The Commission has given careful consideration to this matter and believes it is now appropriate to implement electronic filing using web-based applications for the Forms. The Commission believes this automation of the Forms will yield significant benefits to the Commission, the respondents, and to the electric industry as a whole. These benefits include more timely analysis and publication of data, increased data analysis capability, reduced cost of data entry and retrieval, simplification of form design, and overall reduction of filing burden.

IV. Summary of Proposal

The Commission proposes to use a web-based, electronic-filing application for each of the Forms. The applications for filing each of these Forms will be available over the Commission's web site sufficiently in advance to allow respondents to meet the filing deadlines for data submitted for (Form 423) or in (Forms 714 and 715) the year 2000. Each of these applications will display the respective form's format and provide the capability for respondents to file on-line. The applications will also permit a respondent the option either to "import" the required data from its computer directly into the software package or to manually enter the data. When the data entry is completed, the filing will be officially submitted electronically to the Commission through the Commission's web site.

V. Procedure for Implementation

The Commission has already initiated the process of developing the necessary web-based, electronic-filing applications for each of the Forms. The Commission will conduct field tests of the applications with volunteer Form respondents. It is anticipated that during the field tests the volunteer respondents will be in contact with the Commission staff. The results of the testing process will be evaluated and, if necessary, the applications will be modified.

¹ 16 U.S.C. 825, 825c.

The Commission expects the applications to be completed for each Form sufficiently in advance to allow respondents to meet the deadlines for data submitted for (Form 423) or in (Forms 714 and 715) the year 2000.

VI. Regulatory Flexibility Act Certification

The Regulatory Flexibility Act² requires rulemakings to contain either a description and analysis of the effect that a rule will have on small entities or to certify that the rule will not have a significant economic effect on a substantial number of small entities. Because most respondents do not fall within the definition of "small entity,"³ the Commission certifies that this rule will not have a significant economic impact on a substantial number of small entities.

VII. Information Collection Statement

The regulations of the Office of Management and Budget (OMB)⁴ require that OMB approve certain information and record keeping requirements imposed by an agency. The information collection requirements in this proposed rule are contained in Form 423, "Monthly Report of Cost and Quality of Fuels for Electric Plants" (OMB approval No. 1902-0024); in Form 714, "Annual Electric Control and Planning Area Report" (OMB approval No. 1902-0140); and in Form 715, "Annual Transmission Planning and Evaluation Report" (OMB approval No. 1902-0171). OMB recertifications are coincidentally occurring with this NOPR.

The Commission uses the data collected in the Form 423 reports to carry out its regulatory responsibilities, including comparing delivered fuel costs for utilities receiving like fuels of similar quality; detecting consistently high cost patterns or irregularities indicative of possible uneconomic fuel purchase practices; evaluating the economic effect of unusual fuel purchase practices (such as buying fuel from affiliate fuel sources, as opposed to selecting suppliers by competitive bids); and investigating a broad range of fuel cost and fuel purchase practice issues raised in contested rate proceedings. Such data are also used by other government agencies and the public for similar purposes.

Form 714 gathers utility operating and planning information, primarily on a control area basis, for the purpose of evaluating utility operations related to proposed mergers, interconnections,

wholesale rate investigations, and wholesale market changes and trends under emerging competitive forces. Such evaluations also are made to assess reliability, costs and other operating attributes.

The information reported on Form 715 is used to inform Commission staff, potential transmission customers, state regulatory authorities, and the public of, among other things, potentially available transmission capacity and transmission constraints on electric transmission systems. Potential transmission system customers will use the information to determine transmission availability. Transmission dependent utilities will use the information to determine transmission availability to access alternative wholesale suppliers.

The automation of the Forms will yield significant benefits to the Commission, the respondents, and to the electric industry as a whole. These benefits include more timely analysis and publication of data, increased data analysis capability, reduced cost of data entry and retrieval, simplification of form design, and an eventual overall reduction in filing burden.

VIII. Environmental Statement

Commission regulations require that an environmental assessment or an environmental impact statement be prepared for any Commission action that may have a significant adverse effect on the human environment.⁵ No environmental consideration is necessary for the promulgation of a rule that is clarifying, corrective, or procedural or that does not substantially change the effect of legislation or regulations being amended,⁶ and also for information gathering, analysis, and dissemination.⁷ The proposed rule changes do not substantially change the effect of the underlying legislation or change the Forms, and also involve information gathering. Accordingly, no environmental considerations are necessary.

IX. Public Comment Procedure

The Commission invites all interested persons to submit written comments on this proposal. An original and 14 copies of such comments should be received by the Commission before 5:00 p.m. December 6, 1999. Comments should be submitted to the Office of the Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC

20426, and should refer to Docket No. RM00-1-000.

In addition to filing paper copies, the Commission encourages the filing of comments either on computer diskette or via Internet e-mail. Comments may be filed in the following formats: WordPerfect 8.0 or lower version, Microsoft Word 97 or lower version, or ASCII format.

For diskette filing, include the following information on the diskette label: Docket No. RM00-1-000; the name of the filing entity; the software and version used to create the file; and the name and telephone number of the contact person.

For Internet E-Mail submittal, comments should be submitted to "comment.rm@ferc.fed.us" in the following format. On the subject line, specify Docket No. RM00-1-000. In the body of the E-Mail message, include the name of the filing entity; the software and version used to create the file, and the name and telephone number of the contact person. Attach the comment to the E-Mail in one of the formats specified above. The Commission will send an automatic acknowledgment to the sender's E-Mail address upon receipt. Questions on electronic filing should be directed to Brooks Carter at (202) 501-8145, E-Mail address brooks.carter@ferc.fed.us.

Commenters should take note that, until the Commission amends its rules and regulations, the paper copy of the filing remains the official copy of the document submitted. Therefore, any discrepancies between the paper filing and the electronic filing or the diskette will be resolved by reference to the paper filing.

All written comments will be placed in the Commission's public files and will be available for inspection in the Commission's Public Reference room at 888 First Street, N.E., Washington, DC 20426, during regular business hours. Additionally, comments may be viewed, printed, or downloaded remotely via the Internet through FERC's Homepage using the RIMS or CIPS links. RIMS contains all comments but only those comments submitted in electronic format are available on CIPS. User assistance is available at (202) 208-2222, or by E-Mail to rimsmaster@ferc.fed.us.

List of Subjects

18 CFR Part 141

Electric power, Reporting and recordkeeping requirements.

18 CFR Part 385

Administrative practice and procedure, Electric power, Penalties,

² 5 U.S.C. 601-612.

³ See 5 U.S.C. 601(3).

⁴ 5 CFR 1320.13.

⁵ Regulations Implementing National Environmental Policy Act, 52 FR 47897 (Dec. 17, 1987); FERC Stats. & Regs. 30,783 (1987).

⁶ 18 CFR 380.4(a)(2)(ii).

⁷ 18 CFR 380.4(a)(5).

Pipelines, Reporting and recordkeeping requirements.

By direction of the Commission.

David P. Boergers,
Secretary.

In consideration of the foregoing, the Commission proposes to amend Parts 141 and 385, Chapter I, Title 18, of the Code of Federal Regulations, as follows:

PART 141—STATEMENTS AND REPORTS (SCHEDULES)

1. The authority citation for Part 141 continues to read as follows:

Authority: 15 U.S.C. 79; 16 U.S.C. 791a–828c, 2601–2645; 31 U.S.C. 9701; 42 U.S.C. 7101–7352.

2. Section 141.51 is amended by revising paragraph (c) to read as follows:

§ 141.51 FERC Form No. 714, Annual Electric Control and Planning Area Report.

* * * * *

(c) *What to file.* FERC Form No. 714, “Annual Electric Control and Planning Area Report,” must be filed with the Commission as prescribed in § 385.2011 and as indicated in the general instructions set out in this report form, and must be properly completed and verified. Filing on electronic media pursuant to § 385.2011 will be required commencing with the report required to be submitted for the reporting year 1999, to be submitted on or before June 1, 2000.

3. Section 141.61 is revised to read as follows:

§ 141.61 FERC Form No. 423, Monthly Report of Cost and Quality of Fuels for Electric Plants.

(a) *Who must file.* Every electric power producer having electric generating plants with a rated steam-electric generating capacity of 50 megawatts or greater during the reporting month must file with the Federal Energy Regulatory Commission for each such plant the FERC Form No. 423, “Monthly Report of Cost and Quality of Fuels for Electric Plants,” pursuant to the General Instructions set out in that form.

(b) *When to file and what to file.* This report form must be filed on or before the 45th day after the end of each reporting month. This report form must be filed with the Federal Energy Regulatory Commission as prescribed in § 385.2011 and as indicated in the general instructions set out in this report form, and must be properly completed and verified. Filing on electronic media pursuant to § 385.2011 will be required commencing with the report required to be submitted for the reporting period of January 2000.

4. Section 141.300 is amended by revising paragraphs (b) and (c) to read as follows:

§ 141.300 FERC Form No. 715, Annual Transmission Planning and Evaluation Report.

* * * * *

(b) *When to file.* FERC Form No. 715 must be filed on or before April 1 for the preceding calendar year.

(c) *What to file.* FERC Form No. 715 must be filed with the Federal Energy Regulatory Commission as prescribed in § 385.2011 and as indicated in the general instructions set out in this report form, and must be properly completed and verified. Filing on electronic media pursuant to § 385.2011 of this chapter will be required commencing with the report required to be submitted for the reporting year of 1999, to be submitted on or before April 1, 2000.

PART 385—RULES OF PRACTICE AND PROCEDURE

5. The authority citation for Part 385 continues to read as follows:

Authority: 5 U.S.C. 551–557; 15 U.S.C. 717–717z, 3301–3432; 16 U.S.C. 791a–825r, 2601–2645; 31 U.S.C. 9701; 42 U.S.C. 7101–7352; 49 U.S.C. 60502; 49 App. U.S.C. 1–85.

6. Section 385.2011 is amended by adding paragraphs (a)(7), (a)(8), and (a)(9) and by revising paragraph (c)(3) to read as follows:

§ 385.2011 Procedures for filing on electronic media (Rule 2011).

(a) * * *

(7) FERC Form No. 423, Monthly report of cost and quality of fuels for electric plants (No paper copies required).

(8) FERC Form No. 714, Annual electric control and planning area report (No paper copies required).

(9) FERC Form No. 715, Annual transmission planning and evaluation report (No paper copies required).

* * * * *

(c) * * *

(3) The electronic media must be accompanied by the traditional prescribed numbers of paper copies, unless otherwise provided in paragraph (a) of this section.

* * * * *

[FR Doc. 99–28821 Filed 11–3–99; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 20

[Docket No. 99N–2637]

Public Information Regulations

AGENCY: Food and Drug Administration, HHS.

ACTION: Proposed rule.

SUMMARY: The Food and Drug Administration (FDA) is proposing to amend its public information regulations to comply with the requirements of the Electronic Freedom of Information Act Amendments of 1996 (EFOIA). EFOIA is designed to broaden public access to government documents by making them more accessible in electronic form and by streamlining the process by which agencies generally disclose information.

DATES: Written comments by February 2, 2000.

ADDRESSES: Submit written comments to the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Betty B. Dorsey, Freedom of Information Staff (HFI–35), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–6567.

SUPPLEMENTARY INFORMATION:

I. Background

On October 2, 1996, the President signed into law the EFOIA (Public Law 104–231). EFOIA authorizes, and in some instances requires, agencies to issue regulations implementing certain of its provisions, including provisions regarding the aggregation of Freedom of Information Act (FOIA) requests, the expedited processing of FOIA requests, and the establishment of separate queues for the processing of FOIA requests. In addition, EFOIA amends the time limits for responding to a FOIA request from 10 to 20 working days, the process by which an agency may extend the time for responding to an FOIA request, and the requirements for reporting on FOIA activities. EFOIA also includes provisions regarding the availability of records in electronic form and the establishment of “electronic reading rooms,” as well as provisions requiring agencies to inform requesters about the amount of information not being released to them. FDA is proposing to amend its Public Information Regulations (part 20 (21 CFR part 20)) to implement EFOIA and