

FDC date	State	City	Airport	FDC Number	SIAP
03/29/99 .....	SC.	COLUMBIA .....	COLUMBIA METROPOLITAN .....	9/2022	VOR/DME RNAV OR GPS RWY 5, ORIG-B...
03/29/99 .....	SC.	GREENVILLE .....	GREENVILLE DOWNTOWN .....	9/2052	ILS RWY 36 AMDT 27...
03/29/99 .....	SC.	GREENVILLE .....	GREENVILLE DOWNTOWN .....	9/2053	RADAR 1 ADMT 12...
03/31/99 .....	IL.	GREENWOOD/WONDER LAKE.	GALT .....	9/2105	VOR OR GPS-A, AMDT 9...

[FR Doc. 99-8919 Filed 4-8-99; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### 18 CFR Part 284

[Docket No. RM96-1-011; Order No. 587-K]

#### Standards For Business Practices Of Interstate Natural Gas Pipelines

Issued April 2, 1999.

**AGENCY:** Federal Energy Regulatory Commission.

**ACTION:** Final Rule.

**SUMMARY:** The Federal Energy Regulatory Commission is amending its regulations to incorporate by reference the most recent version of the standards, Version 1.3 promulgated July 31, 1998, by the Gas Industry Standards Board (GISB). These standards establish rules for conducting business practices and electronic communication with interstate natural gas pipelines.

**DATES:** Effective Date: The rule is effective May 10, 1999. The incorporation by reference of the publication listed in the rule is approved by the Director of the Federal Register of May 10, 1999.

Implementation Date: Pipelines must implement the regulations adopted in this rule by August 1, 1999.

**ADDRESSES:** Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

#### FOR FURTHER INFORMATION CONTACT:

Michael Goldenberg, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 208-2294.

Marvin Rosenberg, Office of Economic Policy, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 208-1283.

Kay Morice, Office of Pipeline Regulation, Federal Energy Regulatory Commission, 888 First Street, NE.,

Washington, DC 20426, (202) 208-0507.

#### 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, NE., Room 2A, Washington, DC 20426.

The Commission Issuance Posting System (CIPS) provides access to the texts of formal documents issued by the Commission. CIPS can be accessed via Internet through FERC's Homepage (<http://www.ferc.fed.us>) using the CIPS Link or the Energy Information Online icon. The full text of this document will be available on CIPS in ASCII and WordPerfect 6.1 format. CIPS is also available through the Commission's electronic bulletin board service at no charge to the user and may be accessed using a personal computer with a modem by dialing 202-208-1397, if dialing locally, or 1-800-856-3920, if dialing long distance. To access CIPS, set your communications software to 19200, 14400, 12000, 9600, 7200, 4800, 2400, or 1200 bps, full duplex, no parity, 8 data bits and 1 stop bit. User assistance is available at 202-208-2474 or by E-mail to [cipsmaster@ferc.fed.us](mailto: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 remotely via Internet through FERC's Homepage 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](mailto: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, NE., Washington, DC 20426.

Before Commissioners: James J. Hoecker, Chairman; William L. Massey, Linda Breathitt, and Curt Hébert, Jr.

The Federal Energy Regulatory Commission (Commission) is amending § 284.10 of its regulations to incorporate by reference the most recent version, Version 1.3, of the consensus industry standards, promulgated by the Gas Industry Standards Board (GISB). The GISB standards establish uniform principles for conducting business and electronic communications with interstate natural gas pipelines.

#### I. Background

In Order Nos. 587, 587-B, 587-C, 587-G, 587-H, and 587-I<sup>1</sup> the Commission adopted regulations to standardize the business practices and communication methodologies of interstate pipelines in order to create a more integrated and efficient pipeline grid. In those orders, the Commission incorporated by reference consensus standards developed by GISB, a private, consensus standards developer composed of members from all segments of the natural gas industry.

On November 9, 1998, GISB filed with the Commission Version 1.3 of its standards. On December 17, 1998, the Commission issued a Notice of Proposed Rulemaking (NOPR) proposing to incorporate by reference Version 1.3 of the GISB standards. Comments were due by January 22, 1999. Comments were filed by Williston Basin Interstate Pipeline Company (Williston Basin) and, collectively, Process Gas Consumers, American Iron and Steel Institute, and Georgia Industrial Group (PGC, *et al.*).

<sup>1</sup> Standards For Business Practices Of Interstate Natural Gas Pipelines, Order No. 587, 61 FR 39053 (Jul. 26, 1996), III FERC Stats. & Regs. Regulations Preambles ¶ 31,038 (Jul. 17, 1996), Order No. 587-B, 62 FR 5521 (Feb. 6, 1997), III FERC Stats. & Regs. Regulations Preambles ¶ 31,046 (Jan. 30, 1997), Order No. 587-C, 62 FR 10684 (Mar. 10, 1997), III FERC Stats. & Regs. Regulations Preambles ¶ 31,050 (Mar. 4, 1997), Order No. 587-G, 63 FR 20072 (Apr. 23, 1998), III FERC Stats. & Regs. Regulations Preambles ¶ 31,062 (Apr. 16, 1998), Order No. 587-H, 63 FR 39509 (July 23, 1998), III FERC Stats. & Regs. Regulations Preambles ¶ 31,063 (July 15, 1998); Order No. 587-I, 63 FR 53565 (Oct. 6, 1998), III FERC Stats. & Regs. Regulations Preambles ¶ 31,067 (Sept. 29, 1998).

## II. Discussion

The Commission is adopting Version 1.3 of GISB's consensus standards with an implementation date on the first day of the month occurring 90 days after publication of the final rule in the **Federal Register**. Version 1.3 of the GISB standards updates and improves the standards, with the principal changes occurring in the areas of confirmation practices, further standardization of the information provided on pipeline Internet web sites, and revisions to the data sets.<sup>2</sup> Commission adoption of these standards will keep the Commission regulations current.

GISB approved the standards under its consensus procedures.<sup>3</sup> As the Commission found in Order No. 587, adoption of consensus standards is appropriate because the consensus process helps ensure the reasonableness of the standards by requiring that the standards draw support from a broad spectrum of all segments of the industry. Moreover, since the industry itself has to conduct business under these standards, the Commission's regulations should reflect those standards that have the widest possible support. In § 12(d) of the National Technology Transfer and Advancement Act (NTT&AA) of 1995, Congress affirmatively requires federal agencies to use technical standards developed by voluntary consensus standards organizations, like GISB, as means to carry out policy objectives or activities.<sup>4</sup>

Because the Version 1.3 standards include the nomination and intra-day nomination standards adopted by the Commission in Order No. 587-H, separate reference to these standards in

the regulations is no longer necessary and will be removed. The Commission also is continuing its previous practice by not incorporating standards 2.3.29 dealing with operational balancing agreements (OBAs), 2.3.30 dealing with netting and trading of imbalances, and 4.3.4 dealing with retention of electronic data. The Commission has issued its own regulations in these areas,<sup>5</sup> so that incorporation of the GISB standards is unnecessary and may cause confusion as to the applicable Commission requirements.

In its comments, Williston Basin does not object to the adoption of Version 1.3 of the standards. It suggests, however, that the Commission defer implementation of any future GISB standards until three months following the completion of the pipelines' transition to Internet communication by June 1, 2000. Williston Basin states that, as a relatively small interstate pipeline, it would have difficulty implementing any additional standards at the same time as it completes its transition to Internet communication and resolves any Year 2000 computer problems.

The Commission cannot, at this time, anticipate when it will require pipelines to implement additional standards developed by GISB. That will depend in part on GISB's schedule for revising its standards and the importance to the industry of the additional standards. For example, GISB still has not completed development of standards necessary to implement imbalance trading, which the Commission required in Order No. 587-G.

PGC, *et al.* object to the Commission's policy of not making copies of the standards available to the public for copying, leaving the public to obtain copies from GISB. They contend that if the Commission is requiring adherence to the standards, the Commission must make those standards available to the public for copying. The Commission previously responded to this contention in Order No. 587-A, explaining that when dealing with copyrighted material, the appropriate, and required, method for adoption is to incorporate the material by reference with the material being available from the source.<sup>6</sup> When the NOPR was issued,

the standards were publicly available from GISB, and PGC, *et al.* do not contend that they encountered difficulty in obtaining them.

## III. Implementation Schedule

Pipelines are required to implement this rule August 1, 1999. Pipelines must file revised tariff sheets to conform their tariffs to Version 1.3 of the standards not more than 60 and not less than 30 days prior to the implementation date.

## IV. Notice of Proposed Use of Standards

Office of Management and Budget Circular A-119 (§ 11) (February 10, 1998) provides that, when a federal agency is issuing or revising a regulation that contains a standard, the agency must publish a statement in the preamble of a final rule identifying whether a voluntary consensus standard or a government-unique standard is being proposed. In this rule, the Commission is adopting Version 1.3 (July 31, 1998) of the voluntary consensus standards developed by GISB.

## V. Information Collection Statement

OMB's regulations in 5 CFR 1320.11 require that it approve certain reporting and recordkeeping requirements (collections of information) imposed by an agency. Upon approval of a collection of information, OMB shall assign an OMB control number and an expiration date. Respondents subject to the filing requirements of this Rule shall not be penalized for failing to respond to these collections of information unless the collections of information display valid OMB control numbers.

The collections of information related to the subject Final Rule fall under the existing reporting requirements of: FERC-545, Gas Pipeline Rates: Rate Change (Non-Formal) (OMB Control No. 1902-0154) and FERC-549C, Standards for Business Practices of Interstate Natural Gas Pipelines (OMB Control No. 1902-0174). The following burden estimates are related only to this rule and include the costs of complying with GISB's version 1.3 standards. The burden estimates are primarily related to start-up for implementing the latest version of the standards and data sets and will not be on-going costs.

### Public Reporting Burden:

the **Federal Register** or provided by the agency); 1 CFR 51 (1998) (standards for approval of incorporation by reference).

<sup>2</sup>The following reflects the changes from the Version 1.2 standards previously adopted by the Commission. The list does not include the intra-day nomination standards that already were adopted in Order No. 587-H. Revised standards are: 1.3.3, 1.3.14, 1.3.24, 1.3.27, 2.3.9, 2.3.16, 2.3.20, and 4.3.16. New standards are: 1.3.35 through 1.3.38, 1.3.45, 1.3.46, 3.3.22, 4.1.16 through 4.1.21, 4.2.1 through 4.2.8, and 4.3.17 through 4.3.35. Revised data sets are: 1.4.1 through 1.4.6, 2.4.1 through 2.4.6, 3.4.1 through 3.4.3, 5.4.1 through 5.4.9, 5.4.11 through 5.4.13, 5.4.16, and 5.4.17. New data sets are: 1.4.7 and 3.4.4.

<sup>3</sup>This process first requires a super-majority vote of 17 out of 25 members of GISB's Executive Committee with support from at least two members from each of the five industry segments—interstate pipelines, local distribution companies, gas producers, end-users, and services (including marketers and computer service providers). For final approval, 67% of GISB's general membership must ratify the standards.

<sup>4</sup>Pub L. No. 104-113, § 12(d), 110 Stat. 775 (1996), 15 U.S.C. 272 note (1997).

<sup>5</sup>18 CFR 284.10(c)(2)(i) (OBAs), (c)(2)(ii) (netting and trading of imbalances), and (c)(3)(v) (record retention).

<sup>6</sup>Order No. 587-A, 61 FR 55208, 55212-13 (Oct. 25, 1996), 77 FERC ¶ 61,061, at 61,232-33 (Oct. 21, 1996). See 5 U.S.C. 552 (a)(1) and (a)(3) (documents incorporated by reference need not be published in

## ESTIMATED ANNUAL BURDEN

Data collection	No. of respondents	No. of responses per respondent	Hrs. per response	Total no. of hrs.
FERC-545 .....	93	1	38	3,534
FERC-549C .....	93	1	2,610	242,730

The total annual hours for collection (including recordkeeping) are estimated to be 246,264. The average annualized cost per respondent is projected to be the following:

	FERC-545	FERC-549C
Annualized Capital/Startup Costs .....	\$2,008	\$137,888
Annualized Costs (Operations & Maintenance) .....	0	0
Total Annualized Costs .....	2,008	137,888

The Commission received no comments on the burden estimates and is submitting a copy of this Final Rule to OMB for information purposes because the Final Rule is not significantly different from the NOPR and OMB has not provided any comments on the NOPR.

The Commission regulations adopted in this order are necessary to further the process begun in Order No. 587 of standardizing business practices and electronic communications with interstate pipelines. Adoption of these regulations will update the Commission's regulations relating to business practices and communication protocols to conform to the latest version, Version 1.3, approved by GISB.

The Commission has assured itself, by means of its internal review, that there is specific, objective support for the burden estimates associated with the information requirements. The information required in this Final Rule will be reported directly to the industry users and later be subject to audit by the Commission. This information also will be retained for a three year period. The implementation of these data requirements will help the Commission carry out its responsibilities under the Natural Gas Act and conforms to the Commission's plan for efficient information collection, communication, and management within the natural gas industry.

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

Regulatory Commission, phone 202-395-3087, fax (202) 395-7285].

#### VI. Environmental Analysis

The Commission is required to prepare an Environmental Assessment or an Environmental Impact Statement for any action that may have a significant adverse effect on the human environment.<sup>7</sup> The Commission has categorically excluded certain actions from these requirements as not having a significant effect on the human environment.<sup>8</sup> The actions proposed to be taken here fall within categorical exclusions in the Commission's regulations for rules that are clarifying, corrective, or procedural, for information gathering, analysis, and dissemination, and for sales, exchange, and transportation of natural gas that requires no construction of facilities.<sup>9</sup> Therefore, an environmental assessment is unnecessary and has not been prepared in this rulemaking.

#### VII. Regulatory Flexibility Act Certification

The Regulatory Flexibility Act of 1980 (RFA)<sup>10</sup> generally requires a description and analysis of final rules that will have significant economic impact on a substantial number of small entities. The regulations adopted in this rule would impose requirements only on interstate pipelines, which are not small businesses, and, these requirements are, in fact, designed to reduce the difficulty of dealing with pipelines by all customers, including small businesses. Accordingly, pursuant to § 605(b) of the RFA, the Commission hereby certifies

<sup>7</sup> Order No. 486, Regulations Implementing the National Environmental Policy Act, 52 FR 47897 (Dec. 17, 1987), FERC Stats. & Regs. Preambles 1986-1990 ¶ 30,783 (1987).

<sup>8</sup> 18 CFR 380.4.

<sup>9</sup> See 18 CFR 380.4(a)(2)(ii), 380.4(a)(5), 380.4(a)(27).

<sup>10</sup> 5 U.S.C. 601-612.

that the regulations adopted herein will not have a significant adverse impact on a substantial number of small entities.

#### VIII. Effective Date

These regulations will become effective May 10, 1999. The Commission has concluded, with the concurrence of the Administrator of the Office of Information and Regulatory Affairs of OMB, that this rule is not a "major rule" as defined in section 251 of the Small Business Regulatory Enforcement Fairness Act of 1996.

#### List of Subjects in 18 CFR Part 284

Continental shelf, Incorporation by reference, Natural gas, Reporting and recordkeeping requirements.

By the Commission.

**Linwood A. Watson, Jr.,**  
*Acting Secretary.*

In consideration of the foregoing, the Commission amends Part 284, Chapter I, Title 18, Code of Federal Regulations, as set forth below.

#### PART 284—CERTAIN SALES AND TRANSPORTATION OF NATURAL GAS UNDER THE NATURAL GAS POLICY ACT OF 1978 AND RELATED AUTHORITIES

1. The authority citation for Part 284 continues to read as follows:

**Authority:** 15 U.S.C. 717-717w, 3301-3432; 42 U.S.C. 7101-7532; 43 U.S.C. 1331-1356.

2. In section 284.10, paragraphs (b)(1)(i) through (v) are revised to read as follows:

#### § 284.10 Standards for pipeline business operations and communications.

\* \* \* \* \*

(b) \* \* \*

(1) \* \* \*

(i) Nominations Related Standards (Version 1.3, July 31, 1998);

(ii) Flowing Gas Related Standards (Version 1.3, July 31, 1998) with the exception of Standards 2.3.29 and 2.3.30;

(iii) Invoicing Related Standards (Version 1.3, July 31, 1998);

(iv) Electronic Delivery Mechanism Related Standards (Version 1.3, July 31, 1998) with the exception of Standard 4.3.4; and

(v) Capacity Release Related Standards (Version 1.3, July 31, 1998).

\* \* \* \* \*

[FR Doc. 99-8691 Filed 4-8-99; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

### 26 CFR Parts 301 and 602

[TD 8818]

RIN 1545-AV13

### Public Disclosure of Material Relating to Tax-Exempt Organizations

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Final regulations.

**SUMMARY:** This document contains final regulations relating to the public disclosure requirements of section 6104(d) of the Internal Revenue Code (Code), as amended by the Tax and Trade Relief Extension Act of 1998. These final regulations apply only to tax-exempt organizations (organizations described in sections 501(c) or (d) and exempt under section 501(a)) other than private foundations. These final regulations provide guidance for tax-exempt organizations (other than private foundations) required to make their applications for tax exemption and annual information returns available for public inspection. In particular, these regulations provide guidance for tax-exempt organizations required to comply with requests made in person or in writing from individuals who seek a copy of those documents. These regulations describe how a tax-exempt organization can make those documents widely available and, therefore, not be required to provide copies in response to individual requests. These regulations also address the standards that apply in determining whether a tax-exempt organization is the subject of a harassment campaign and provide guidance on the applicable procedures for obtaining relief from the requirement that copies of documents be provided in response to requests.

**DATES:** These regulations are effective June 8, 1999.

**FOR FURTHER INFORMATION CONTACT:** Michael B. Blumenfeld, (202) 622-6070 (not toll-free number).

### SUPPLEMENTARY INFORMATION:

#### Paperwork Reduction Act

The collections of information contained in these final regulations have been reviewed and approved by the Office of Management and Budget in accordance with the Paperwork Reduction Act (44 U.S.C. 3507) under control number 1545-1560. Responses to these collections of information are mandatory.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid control number.

The estimated annual burden per respondent/recordkeeper varies from 0 hours to 55 hours, depending on individual circumstances with an estimated average of 30 minutes.

Comments on the accuracy of this burden estimate and suggestions for reducing the burden should be sent to the Internal Revenue Service, Attn: IRS Reports Clearance Officer, OP:FS:FP, Washington, DC 20224, and to the Office of Management and Budget, Attn: Desk Officer for the Department of the Treasury, Office of Information and Regulatory Affairs, Washington, DC 20503.

Books or records relating to this collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

#### Background

This document contains amendments to the Procedure and Administration Regulations (26 CFR part 301) relating to the section 6104(d) public disclosure requirements applicable to tax-exempt organizations (organizations described in sections 501(c) or (d) and exempt from taxation under section 501(a)). Section 6104(d), as amended by section 14(b) of the Tax and Trade Relief Extension Act of 1998 (Division J of H.R. 4328, the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999) (Public Law 105-277, 112 Stat. 2681) (Tax and Trade Relief Extension Act of 1998), will apply to requests made to all tax-exempt organizations (other than private foundations) after June 8, 1999. Until such date, all tax-exempt organizations

continue to be subject to the requirements of section 6104(e) as currently in effect, without regard to the Tax and Trade Relief Extension Act of 1998.

Although the Tax and Trade Relief Extension Act of 1998 extended fully to private foundations the public disclosure requirements that apply to other tax-exempt organizations, those requirements do not go into effect with respect to private foundations until the 60th day after the Secretary of the Treasury issues final regulations under section 6104(d) that apply to private foundations. In the meantime, private foundations continue to be subject to the public disclosure requirements under sections 6104(d) and (e) of the Internal Revenue Code, as in effect prior to the Tax and Trade Relief Extension Act of 1998.

#### Description of Current Law Section 6104(e)

Section 10702 of the Omnibus Budget Reconciliation Act of 1987 (OBRA '87) added subsection (e) to section 6104. Section 6104(e) requires each tax-exempt organization, including one that is a private foundation, to allow public inspection of the organization's application for recognition of tax exemption. Section 6104(e) also requires each tax-exempt organization, other than one that is a private foundation, to allow public inspection at the organization's principal office (and certain regional or district offices) of its three most recent annual information returns. (Section 6104(e) does not apply to private foundation annual information returns, which are subject to public disclosure under section 6104(d), as in effect prior to the Tax and Trade Relief Extension Act of 1998.) Under section 6104(e), each annual information return must be made available for a 3-year period beginning on the date the return is required to be filed or is actually filed, whichever is later. In Notice 88-120 (1988-2 C.B. 454), the IRS provided tax-exempt organizations with guidance for complying with the public inspection requirements.

The Taxpayer Bill of Rights 2 (TBOR2), enacted on July 30, 1996, amended section 6104(e) by adding additional public disclosure requirements. As amended, section 6104(e) requires each tax-exempt organization, including one that is a private foundation, to comply with requests, made either in person or in writing, for copies of the organization's application for recognition of tax exemption. Section 6104(e) also requires each tax-exempt organization, other