

products identified in this rulemaking action.

### Regulatory Findings

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that the regulation:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

### Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

### PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

■ 2. The Federal Aviation Administration (FAA) amends § 39.13 by adding the following new airworthiness directive (AD):

**2007-09-03 LEARJET:** Amendment 39-15033. Docket No. FAA-2007-27980; Directorate Identifier 2007-NM-066-AD.

#### Effective Date

(a) This AD becomes effective May 11, 2007.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to Learjet Model 45 airplanes, certificated in any category; serial numbers 45-005 through 45-321, equipped with an auxiliary power unit (APU).

### Unsafe Condition

(d) This AD results from reports of fuel leaking from the APU fuel shutoff valve into a flammable fluid fire protection area that is also interconnected with the main landing gear's wheel well bay. We are issuing this AD to prevent fuel leaking from the fuel shutoff valve of the APU, which could result in an uncontrollable fire and adversely affect the airplane's continued safe flight and landing.

### Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

### Deactivation of the APU and Removal of the APU Fuel Shutoff Valve

(f) Within 50 flight hours after the effective date of this AD, deactivate the APU, cap/plug the fuel lines to the APU, and remove the APU fuel shutoff valve, in accordance with the Accomplishment Instructions of Bombardier Alert Service Bulletin A45-49-11, dated March 26, 2007.

### Differences From the Service Information

(g) Although Bombardier Alert Service Bulletin A45-49-11, dated March 26, 2007, specifies to submit certain information to the manufacturer and send the APU fuel shutoff valve to Learjet, this AD does not include those requirements.

### Special Flight Permit

(h) 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, provided the APU is not used.

### Alternative Methods of Compliance (AMOCs)

(i)(1) The Manager, Wichita Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

### Material Incorporated by Reference

(j) You must use Bombardier Alert Service Bulletin A45-49-11, dated March 26, 2007, to perform the actions that are required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approved the incorporation by reference of this document in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Contact Learjet, Inc., One Learjet Way, Wichita, Kansas 67209-2942, for a copy of this service information. You may review copies at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the National Archives and Records Administration (NARA). For information on the availability

of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Renton, Washington, on April 16, 2007.

**Ali Bahrami,**

*Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. E7-7640 Filed 4-25-07; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2006-26690 Directorate Identifier 2006-CE-088-AD; Amendment 39-15032; AD 2007-09-02]

**RIN 2120-AA64**

### Airworthiness Directives; REIMS AVIATION S.A. Model F406 Airplanes

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) issued by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

During maintenance, cracks have been discovered about the left and right rib at the connection of the center wing and the fuselage localized at the fuselage station FS160.80. Cracks spread in the rib could result in structural failure.

We are issuing this AD to require actions to correct the unsafe condition on these products.

**DATES:** This AD becomes effective May 31, 2007.

On May 31, 2007 the Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://dms.dot.gov> or in person at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., Nassif Building, Room PL-401, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4144; fax: (816) 329-4090.

**SUPPLEMENTARY INFORMATION:****Streamlined Issuance of AD**

The FAA is implementing a new process for streamlining the issuance of ADs related to MCAI. The streamlined process will allow us to adopt MCAI safety requirements in a more efficient manner and will reduce safety risks to the public. This process continues to follow all FAA AD issuance processes to meet legal, economic, Administrative Procedure Act, and **Federal Register** requirements. We also continue to meet our technical decision-making responsibilities to identify and correct unsafe conditions on U.S.-certificated products.

This AD references the MCAI and related service information that we considered in forming the engineering basis to correct the unsafe condition. The AD contains text copied from the MCAI and for this reason might not follow our plain language principles.

**Discussion**

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the **Federal Register** on February 23, 2007 (72 FR 8134). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states that:

During maintenance, cracks have been discovered about the left and right rib at the connection of the center wing and the fuselage localized at the fuselage station FS160.80. Cracks spread in the rib could result in structural failure.

**Comments**

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM or on the determination of the cost to the public.

**Conclusion**

We reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed.

**Differences Between This AD and the MCAI or Service Information**

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have required different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a NOTE within the AD.

**Costs of Compliance**

We estimate that this AD will affect 7 products of U.S. registry. We also estimate that it will take about 70 work-hours per product to comply with basic requirements of this AD. The average labor rate is \$80 per work-hour. Required parts will cost about \$4,750 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these parts. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here.

Based on these figures, we estimate the cost of this AD to the U.S. operators to be \$72,450 or \$10,350 per product.

In addition, we estimate that any necessary follow-on actions would take about 10 work-hours and require parts costing \$1,000, for a cost of \$1,800 per product. We have no way of determining the number of products that may need these actions.

**Authority for This Rulemaking**

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs," describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

**Regulatory Findings**

We determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this AD:

- (1) Is not a "significant regulatory action" under Executive Order 12866;
- (2) Is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
- (3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD Docket.

**Examining the AD Docket**

You may examine the AD docket on the Internet at <http://dms.dot.gov>; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains the NPRM, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone (800) 647-5227) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

**Adoption of the Amendment**

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

**PART 39—AIRWORTHINESS DIRECTIVES**

■ 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

**§ 39.13 [Amended]**

■ 2. The FAA amends § 39.13 by adding the following new AD:

**2007-09-02 REIMS AVIATION S.A.:**  
Amendment 39-15032; Docket No. FAA-2006-26690; Directorate Identifier 2006-CE-088-AD.

**Effective Date**

(a) This airworthiness directive (AD) becomes effective May 31, 2007.

**Affected ADs**

(b) None.

**Applicability**

(c) This AD applies to REIMS AVIATION S.A. Model F406 airplanes, serial numbers F406-0001 through F406-0089 and serial number F406-0091, certificated in any category.

**Subject**

(d) Air Transport Association of America (ATA) Code 57: Wings.

**Reason**

(e) The mandatory continuing airworthiness information (MCAI) states: During maintenance, cracks have been discovered about the left and right rib at the connection of the center wing and the fuselage localized at the fuselage station FS160.80. Cracks spread in the rib could result in structural failure.

**Actions and Compliance**

(f) Unless already done, do the following actions:

(1) Within the next 600 hours time-in-service or the next 12 months after the effective date of this AD, whichever occurs first, and thereafter repetitively during a period not to exceed 12 months, inspect the ribs in accordance with REIMS AVIATION INDUSTRIES Service Bulletin No. F406-54 REV 1, dated November 9, 2004.

(2) If cracks are found during any inspection required by this AD, before further flight, do the actions prescribed in chapters 1D and 2E of the REIMS AVIATION INDUSTRIES Service Bulletin No. F406-54 REV 1, dated November 9, 2004.

**Note 1:** We have established the repetitive inspection times of this AD so that they may coincide with annual inspections.

**FAA AD Differences**

**Note 2:** This AD differs from the MCAI and/or service information as follows: No differences.

**Other FAA AD Provisions**

(g) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Staff, FAA, ATTN: Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4144; fax: (816) 329-4090, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

**Related Information**

(h) Refer to MCAI Direction générale de l'aviation civile (DGAC), which is the aviation authority for France, AD No. F-2004-114 R1, dated January 5, 2005; and REIMS AVIATION INDUSTRIES Service

Bulletin No. F406-54 REV 1, dated November 9, 2004, for related information.

**Material Incorporated by Reference**

You must use REIMS AVIATION INDUSTRIES Service Bulletin No. F406-54 REV 1, dated November 9, 2004, to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact REIMS AVIATION INDUSTRIES, 51360 PRUNAY-FRANCE.

(3) You may review copies at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Kansas City, Missouri, on April 13, 2007.

**Charles L. Smalley,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. E7-7641 Filed 4-25-07; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****18 CFR Parts 101 and 141**

**[Docket No. RM07-2-000; Order No. 694]**

**Accounting and Reporting Requirements for Nonoperating Public Utilities and Licensees 2007.**

**AGENCY:** Federal Energy Regulatory Commission, DOE.

**ACTION:** Final rule.

**SUMMARY:** In this Final Rule, the Federal Energy Regulatory Commission (Commission) is amending its accounting and reporting regulations to require public utilities and licensees to continue to follow the Commission's Uniform System of Accounts (USofA) and to file annual and quarterly financial reports when they have ceased making jurisdictional sales of electric energy, or providing jurisdictional transmission service, but continue collecting amounts pursuant to a Commission-accepted tariff or rate schedule, or a Commission order. The Final Rule will close a gap in the Commission's regulations which apply now only to operating public utilities and licensees, and which provide information necessary to the

Commission's regulatory responsibilities.

**DATES: Effective Date:** The rule will become effective May 29, 2007.

**FOR FURTHER INFORMATION CONTACT:** Jane Stelck, Office of Enforcement, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-6648, [jane.stelck@ferc.gov](mailto:jane.stelck@ferc.gov).

**SUPPLEMENTARY INFORMATION:**

*Before Commissioners:* Joseph T.

Kelliher, Chairman; Suedeen G. Kelly; Marc Spitzer; Philip D. Moeller; and Jon Wellinghoff.

**I. Introduction**

1. On December 21, 2006, the Commission issued a Notice of Proposed Rulemaking (NOPR) that proposed to amend its accounting and reporting regulations, in Parts 101 and 141, to require public utilities and licensees to continue to follow the Commission's Uniform System of Accounts (USofA) and to file annual and quarterly financial reports when they have ceased making jurisdictional sales of electric energy, or providing jurisdictional transmission service, but continue collecting amounts pursuant to a Commission-accepted tariff or rate schedule, or a Commission order.<sup>1</sup> The NOPR also sought comments regarding the applicability of Part 125, Preservation of Records of Public Utilities and Licensees, to public utilities or licensees which have ceased operations, but continue to collect amounts pursuant to a Commission-approved tariff or rate schedule, or a Commission order.

2. The Final Rule adopts the proposed revisions to Parts 101 and 141 contained in the NOPR. The Final Rule requires that companies who cease operating but continue collecting amounts pursuant to a Commission-accepted tariff or rate schedule, or a Commission order, continue to comply with Parts 101 and 141. The Final Rule finds that there is no need to adopt changes to Part 125 of the Commission's regulations.

**II. Discussion**

3. Parts 101 and 141 of the Commission's regulations require public utilities and licensees whose sales or transmission service exceed certain prescribed levels to follow the USofA and to file annual and quarterly financial reports, Forms No. 1, 1-F, and 3-Q, respectively. Under the Commission's existing regulations, public utilities and licensees are

<sup>1</sup> *Accounting and Reporting Requirements For Nonoperating Public Utilities and Licensees*, 72 FR 922 (Jan. 9, 2007), FERC Stats. & Regs. ¶ 32,610 (2006).