

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION  
COOPERATIVE AGREEMENT

1. TO: 2. COOPERATIVE AGREEMENT NO.:  
3. SUPPLEMENT NO.:  
4. EFFECTIVE DATE:  
5. EXPIRATION DATE:

6. FOR RESEARCH ENTITLED:

7. AWARD HISTORY FUNDING HISTORY  
PREVIOUS AMOUNT: PREVIOUS OBLIGATION:  
THIS ACTION: THIS ACTION:  
TOTAL TO DATE: TOTAL TO DATE:

8. NASA PROCUREMENT REQUEST NO.:  
PPC CODE.: APPROPRIATION:

9. POINTS OF CONTACT:

TECHNICAL OFFICER:

GRANT ADMINISTRATOR:

PAYMENT:

10. This cooperative agreement is awarded under the authority of 42 U.S.C. 2473(c) (5), and is subject to all applicable laws and regulations of the United States in effect on the date this cooperative agreement is awarded, including but not limited to 14 CFR Part 1274 (Cooperative Agreements with Commercial Firms).

UNITED STATES OF AMERICA

Recipient

\_\_\_\_\_  
XXXX XXXXXXXXXXXX  
GRANTS OFFICER

\_\_\_\_\_  
XXXXXXXXXXXXXXXXXXXXXXXXXXXX  
AUTHORIZED REPRESENTATIVE

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

Enclosures  
(As Required)

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****18 CFR Parts 2, 153, 157, 201, 375 and 382**

[Docket No. RM96-9-000]

**Editorial Changes to Various Regulations To Conform References to Revised Part 154; Order No. 586; Final Rule**

Issued March 21, 1996.

**AGENCY:** Federal Energy Regulatory Commission.**ACTION:** Final Rule.

**SUMMARY:** The Federal Energy Regulatory Commission is amending various regulations under the Natural Gas Act to conform to revisions to part 154 of the Commission's regulations under the Natural Gas Act which reorganized the filing requirements for interstate natural gas pipelines.

**EFFECTIVE DATE:** This final rule is effective April 26, 1996.

**FOR FURTHER INFORMATION CONTACT:** Richard A. White, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, (202) 208-0491.

**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 at 888 First Street, NE., Washington, DC 20426.

The Commission Issuance Posting System (CIPS), an electronic bulletin board service, provides access to the texts of formal documents issued by the Commission. CIPS is available 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 1200bps, full duplex, no parity, 8 data bits, and 1 stop bit. The full text of this document will be available on CIPS indefinitely in ASCII and WordPerfect 5.1 format. The complete text on diskette in Wordperfect format may also be purchased from the Commission's copy contractor, La Dorn Systems Corporation, located in Room 2-A, 888 First Street NE., Washington, DC 20426.

Before Commissioners: Elizabeth Anne Moler, Chair; Vicky A. Bailey, James J.

Hoecker, William L. Massey, and Donald F. Santa, Jr.

**I. Introduction**

The Federal Energy Regulatory Commission (Commission) is amending parts 2, 153, 157, 201, and 382 of its regulations to conform to changes in part 154 promulgated by the final rule issued September 28, 1995, in Docket No. RM95-3-000 (60 FR 52960, October 11, 1995). The changes to the Commission regulations are to be effective April 26, 1996.

**II. The Revised Regulations**

The final rule in Docket No. RM95-3-000 completely reorganized the regulations governing the filing requirements for interstate natural gas pipelines. Therefore, other regulations that reference part 154 must be conformed to reference the appropriate section of the revised regulations. Accordingly, the Commission is adopting these conforming changes to its regulations.

Section 2.55 contains a reference to former § 154.91 which contained the definition of "independent producer." Since former § 154.91 has been removed, the definition will be incorporated into paragraph (d) of revised § 2.55. This modification does not represent a change in Commission policy.

Section 2.64 concerns producer certificates. Producers no longer have to file for certificates with the Commission. The entire section has been removed.

Section 153.8 references former §§ 154.31 through 154.41. This section is modified to refer to revised §§ 154.101 through 154.111, and 154.301 through 154.403.

Section 157.103(d)(8) refers to former § 154.63. This section is modified to refer to subpart D of part 154.

Section 157.301(d) concerns waiver of requirements formerly required by §§ 154.92 through 154.94. These sections have been removed from the Commission's regulations by Order No. 567.<sup>1</sup> Accordingly, § 157.301(d) is removed.

Part 201, General Instruction 16, refers to former §§ 2.66 and 154.42. Section 2.66 was removed by Order No. 542<sup>2</sup> and § 154.42 was removed by

<sup>1</sup> 68 FERC ¶ 61,135 (1994). Order No. 567 deleted certain regulations related to natural gas producer rate regulation that were either obsolete or nonessential in light of the deregulation of wellhead gas prices under the Natural Gas Wellhead Decontrol Act of 1989. Pub. L. No. 101-60; 103 Stat. 157 (1989).

<sup>2</sup> Deletion of Certain Outdated or Nonessential Regulations Pertaining to the Commission's Jurisdiction over Natural Gas, III FERC Stats. & Regs. ¶ 30,945 (1992).

Order No 567.<sup>3</sup> These sections were removed because the Natural Gas Wellhead Decontrol Act of 1989<sup>4</sup> made all "first sales" of natural gas no longer subject to Federal regulation. Because General Instruction 16 is predicated on the requirements of former §§ 2.66 and 154.42, General Instruction No. 16 is being removed.

Part 201, Gas Plant Instruction, 3.(17)(b) refers to former § 154.63. This reference will be changed to subpart D of revised part 154.

In part 375, the title of § 375.307 must be changed to reflect the renaming of the Office of Pipeline and Producer Regulation to the Office of Pipeline Regulation. The reference to §§ 154.303(e) and 154.63(a)(2) is changed to reference subpart D of part 154 in § 375.307(b)(1). In paragraph (b)(5), the reference to § 154.91 has been removed. Paragraph (f)(3), concerns applications for waiver of various fees. However, the fees are no longer required. Therefore, the references to §§ 381.201-206, 381.208, 381.209, 381.401, and 381.404 have been removed. Paragraph (f)(5) has been changed to refer to § 154.403.

The reference in § 382.103(c) to former § 154.67(c)(2)(iii) is modified to reflect that the subject of this section, interest calculations, is now found in revised § 154.501(d).

**III. Public Reporting Burden**

The Commission estimates the public reporting burden for the collection of information under the rule will not be affected.

Interested persons may send comments regarding this burden estimate or any other aspect of this information collection, including suggestions for reducing the burden by contacting the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426 [Attention: Michael Miller, Information Services Division, (202) 208-1415], and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington DC 20503 (Attention: Desk Officer for the Federal Energy Regulatory Commission), FAX: (202) 395-5167.

**IV. Regulatory Flexibility Act Certification**

<sup>3</sup> Removal of Outdated Regulations Pertaining to the Sales of Natural Gas Production, III FERC Stats. & Regs. ¶ 30,999 (1994).

<sup>4</sup> Pub. L. 101-60; 103 Stat. 157 (1989).

The Regulatory Flexibility Act (RFA)<sup>5</sup> requires agencies to prepare certain statements, descriptions and analyses of proposed rules that will have a "significant economic impact on a substantial number of small entities." The Commission is not required to make such analyses if a rule would not have such an effect.

The Commission believes that this rule will not have such an impact on small entities. Most filing companies regulated by the Commission do not fall within the RFA's definition of small entity.<sup>6</sup> Further, this rule merely changes the section number referenced within an existing regulation. Therefore, the Commission certifies that this rule will not have a significant economic impact on a substantial number of small entities.

#### V. Environmental Statement

The Commission has excluded certain actions not having a significant effect on the human environment from the requirement to prepare an environmental assessment or an environmental impact statement.<sup>7</sup> No environmental consideration is raised by 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.<sup>8</sup> The instant rule is purely procedural. Accordingly, no environmental consideration is necessary.

#### VI. Information Collection Statement

The Office of Management and Budget's (OMB) regulations<sup>9</sup> require that OMB approve certain information and recordkeeping requirements imposed by an agency. The following existing data collections are affected by this final rule but with no change in industry reporting burden: FERC-541, Gas Pipeline Certificates: Curtailment Plan (1902-0066); FERC-542, Gas Pipeline Rates: Initial Rates, Rate Change & Tracking Filing (1902-0070); FERC-544, Gas Pipeline Rates: Rate Change (formal) (1902-0153); FERC-545, Gas Pipeline Rates: Rate Change (NonFormal) (1902-0154); FERC-577, Environmental Impact Statement (1902-0128); FERC Form 2, Annual Report of Major Natural Gas Companies (1902-

0028); and, FERC Form 2A, Annual Report of Nonmajor Natural Gas Companies (1902-0030); and, FERC-582, Oil, Gas and Electric Annual Charges (1902-0132).

The Commission is issuing this final rule to change the section references in existing regulations to conform to the revised part 154. The Commission uses the information to carry out its regulatory responsibilities pursuant to the Natural Gas Act. The Commission's Office of Pipeline Regulation uses the information to review rate filings by natural gas pipelines for the transportation of gas.

The Commission is submitting to the Office of Management and Budget a notification of these collections of information. Interested persons may obtain information on these reporting requirements by contacting the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426 [Attention: Michael Miller, Information Services Division, (202) 208-1415]. Comments on the requirements of this rule can be sent to the Office of Information and Regulatory Affairs of OMB, Washington, DC 20503, (Attention: Desk Officer for Federal Energy Regulatory Commission) FAX: (202) 395-5167.

#### VII. Administrative Findings and Effective Date

The Administrative Procedure Act (APA) exempts certain rules from notice and comment requirements.<sup>10</sup> Specifically, the APA exempts "rules of agency organization, procedure, or practice" from the requirements for notice and comment.<sup>11</sup> This change to referenced sections of part 154 to conform to changes in part 154 qualifies for exemption as a procedural rule because it does not affect the substantive rights of a party.

This order is effective April 26, 1996.

#### List of Subjects

##### 18 CFR Part 2

Administrative practice and procedure, Electric power, Natural gas, Pipelines, Reporting and recordkeeping requirements.

##### 18 CFR Part 153

Exports, Imports, Natural Gas, Reporting and recordkeeping requirements.

##### 18 CFR Part 157

Administrative practice and procedure, Natural gas, Reporting and recordkeeping requirements.

##### 18 CFR Part 201

Natural gas, Reporting and recordkeeping requirements, Uniform System of Accounts.

##### 18 CFR Part 375

Authority delegations (Government agencies), Seals and insignia, Sunshine Act.

##### 18 CFR Part 382

Administrative practice and procedure, Electric utilities Pipelines, Reporting and recordkeeping requirements.

By the Commission.

Lois D. Cashell,  
Secretary.

In consideration of the foregoing, the Commission is amending parts 2, 153, 157, 201, 375 and 382, Chapter I, Title 18, Code of Federal Regulations, as set forth below.

## PART 2—GENERAL POLICY AND INTERPRETATIONS

1. The authority citation for part 2 continues to read as follows:

Authority: 15 U.S.C. 717-717w, 3301-3432; 16 U.S.C. 791a-825r, 2601-2645; 42 U.S.C. 4321-4361, 7101-7352.

2. Section 2.55 is amended by revising paragraph (d) to read as follows:

#### § 2.55 Definition of terms used in section 7(c).

\* \* \* \* \*

(d) Taps. Taps on existing transmission pipelines which are installed solely for the purpose of enabling a purchaser or transporter to take delivery of gas from an independent producer. An independent producer means any person as defined in the Natural Gas Act who is engaged in the production or gathering of natural gas and who sells natural gas in interstate commerce for resale, but who is not engaged in the transportation of natural gas (other than gathering) by pipeline in interstate commerce.

#### § 2.64 [Removed]

3. Section 2.64 is removed.

## PART 153—APPLICATION FOR AUTHORIZATION TO EXPORT OR IMPORT NATURAL GAS

4. The authority citation for part 153 is revised to read as follows:

Authority: 15 U.S.C. 717b, 717o; E.O. 10485, 3 CFR, 1949-1953 Comp., p. 970, as amended by E.O. 12038, 3 CFR, 1978 Comp., p. 136.

5. Section 153.8 is revised to read as follows:

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

<sup>6</sup> 5 U.S.C. 601(3), citing to section 3 of the Small Business Act, 15 U.S.C. 632. Section 3 of the Small Business Act defines a "small-business concern" as a business which is independently owned and operated and which is not dominant in its field of operation.

<sup>7</sup> 18 CFR 380.4.

<sup>8</sup> 18 CFR 380.4(a)(2)(ii).

<sup>9</sup> 5 CFR 1320.12.

<sup>10</sup> 5 U.S.C. 553(b)(3).

<sup>11</sup> 5 U.S.C. 553(b)(3)(A).

**§ 153.8 Filing of contracts, rate schedules, etc.**

Persons authorized to export natural gas from the United States to a foreign country or to import natural gas from a foreign country must file two full and complete copies of every contract and the amendments thereto, presently or hereafter effective, for such export or import, together with all rate schedules, agreements, leases or other writings, tariffs, classifications, rules and regulations relative to such export or import in the manner specified in part 154 of this chapter, except that the requirements of § 154.101 through § 154.111 and § 154.301 through 154.403 shall not be applicable.

**PART 157—APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY AND FOR ORDERS PERMITTING AND APPROVING ABANDONMENT UNDER SECTION 7 OF THE NATURAL GAS ACT**

6. The authority citation for part 157 continues to read as follows:

Authority: 15 U.S.C. 717-717w, 3301-3432; 42 U.S.C. 7101-7352.

7. Section 157.103 is amended by revising paragraph (d)(8) to read as follows:

**§ 157.103 Terms and conditions; other requirements.**

\* \* \* \* \*

(d) \* \* \*

(8) Prohibitions against cost shifting. No costs originally allocated to a new service may subsequently be allocated to any other services without a filing under Subpart D of Part 154 and a determination by the Commission that the costs sought to be reallocated are in fact being incurred for the benefit of the other services.

\* \* \* \* \*

**§ 157.301 [Removed]**

8. Section 157.301 is removed.

**PART 201—UNIFORM SYSTEM OF ACCOUNTS PRESCRIBED FOR NATURAL GAS COMPANIES SUBJECT TO THE PROVISIONS OF THE NATURAL GAS ACT**

9. The authority citation for Part 201 continues to read as follows:

Authority: 15 U.S.C. 717-717w, 3301-3432; 42 U.S.C. 7101-7352, 7651-7651o.

10. In Part 201, General Instructions, paragraph 16 is removed and reserved.

11. In Part 201, Gas Plant Instructions, paragraph 3(17)(b) remove the words “§ 154.63” and add, in their place, the words “subpart D of part 154”.

**PART 375—THE COMMISSION**

12. The authority citation for Part 375 continues to read as follows:

Authority: 5 U.S.C. 551-557; 15 U.S.C. 717-717w, 3301-3432; 16 U.S.C. 791-825r, 2601-2645; 42 U.S.C. 7101-7352.

13. In section 375.307, the section heading and paragraphs (b)(1), (b)(5), (f)(3) and (f)(5) are revised to read as follows:

**§ 375.307 Delegations to the Director of the Office of Pipeline Regulation.**

\* \* \* \* \*

(b) \* \* \*

(1) Accept a tariff or rate schedule filing, except a major pipeline rate increase under section 4(e) of the Natural Gas Act and under subpart D of part 154, if it complies with all applicable statutory requirements, and with all applicable Commission rules, regulations, and orders for which a waiver has not been granted, or if a waiver has been granted by the Commission, if it complies with the terms of such waiver;

\* \* \* \* \*

(5) Accept statements of eligibility filed under § 2.56(p) of this chapter by producers of natural gas, as defined in § 157.40 of this chapter.

\* \* \* \* \*

(f) \* \* \*

(3) Fees prescribed in §§ 381.207, 381.402, and 381.403 of this chapter in accordance with § 381.106(b) of this chapter;

\* \* \* \* \*

(5) Section 154.403 of this chapter, as necessary, in order to rule on out-of-cycle purchased gas adjustment filings.

\* \* \* \* \*

**PART 382—ANNUAL CHARGES**

14. The authority citation for part 382 continues to read as follows:

Authority: 5 U.S.C. 551-557; 15 U.S.C. 717-717w, 3301-3432; 16 U.S.C. 791a-825r,

2601-2645; 42 U.S.C. 7101-7352; 49 U.S.C. 60502; 49 App. U.S.C. 1-85.

**§ 382.103 [Amended]**

15. In § 382.103(c), the words “§ 154.67(c)(2)(iii)” are removed and the words “§ 154.501(d)” are added in their place.

[FR Doc. 96-7430 Filed 3-26-96; 8:45 am]

BILLING CODE 6717-01-P

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**21 CFR Parts 1000 and 1002**

[Docket No. 82N-0273]

RIN 0910-AA15

**Records and Reports Regulations for Radiation Emitting Electronic Products; Correction**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule; correction.

**SUMMARY:** The Food and Drug Administration (FDA) is correcting a final rule that appeared in the Federal Register of September 19, 1995 (60 FR 48374). The document amended FDA regulations regarding the requirements for recordkeeping and reporting of adverse experiences and other information relating to radiation emitting electronic products. The document was published with inadvertent typographical errors. This document corrects those errors.

**EFFECTIVE DATE:** October 19, 1995.

**FOR FURTHER INFORMATION CONTACT:** Joanne Barron, Center for Devices and Radiological Health (HFZ-300), Food and Drug Administration, 2094 Gaither Rd., Rockville, MD 20850, 301-594-4654.

In FR Doc. 95-23130, appearing on page 48374 in the Federal Register of Tuesday, September 19, 1995, the following corrections are made:

1. On page 48381, “Figure 1” is republished to correct some inadvertent errors, as follows:

BILLING CODE 4160-01-F