

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

### § 39.13 [Amended]

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

**2006-04-15 Turbomeca:** Amendment 39-14497. Docket No. FAA-2006-23594; Directorate Identifier 2005-NE-54-AD.

#### Effective Date

(a) This airworthiness directive (AD) becomes effective March 14, 2006.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to Turbomeca Artouste III B, Artouste III B1, and Artouste III D turboshaft engines. These engines are installed on, but not limited to, Eurocopter France Alouette III SE.3160, SA.316B, SA.315B, and SA.316C helicopters.

#### Unsafe Condition

(d) This AD results from a report that an acceptance test facility used test equipment that was out of calibration, on certain fuel pumps, and those fuel pumps might have been accepted with a limitation in the maximum available fuel flow. We are issuing this AD to prevent reduced helicopter performance, subsequent loss of control of the helicopter, or accident.

#### Compliance

(e) You are responsible for having the actions required by this AD performed within 30 days or 80 operating hours after the receipt of a serviceable fuel pump, whichever occurs first, but no later than March 15, 2006, unless the actions have already been done.

(f) Remove from service the fuel pumps listed by serial number (SN) in the following Table 1, and install a serviceable fuel pump.

TABLE 1.—AFFECTED FUEL PUMP SNS—Continued

F357B	2512	3792
F368B	2620	3826
F420B	2729	3858
F464B	2759	3888
F466B	2763	3894
F477B	2786	3979
F47B	2787	4066

#### Definition

(g) For the purpose of this AD, a serviceable fuel pump is:

(1) A fuel pump that is not listed in Table 1 of this AD; or

(2) A fuel pump that is listed in Table 1 of this AD that has passed a repeat of the original production acceptance test.

#### Alternative Methods of Compliance

(h) The Manager, Engine Certification Office, has the authority to approve alternative methods of compliance for this AD if requested using the procedures found in 14 CFR 39.19.

#### Related Information

(i) Direction Generale de L'Aviation Civile AD No. F-2005-201, dated December 7, 2005, also addresses the subject of this AD.

(j) Turbomeca Mandatory Service Bulletin No. 218 73 0802, dated November 17, 2005, pertains to the subject of this AD.

Issued in Burlington, Massachusetts, on February 17, 2006.

**Peter A. White,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 06-1728 Filed 2-24-06; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2005-22398; Airspace Docket No. 05-ASO-7]

RIN 2120-AA66

#### Establishment of High Altitude Area Navigation Routes; South Central United States

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

**ACTION:** Final rule; withdrawal.

**SUMMARY:** This action withdraws a final rule published in the **Federal Register** on February 15, 2006 (71 FR 7845), Docket No. FAA-2005-22398; Airspace Docket No. 05-ASO-7. This was an incorrect copy inadvertently sent to the **Federal Register**. The incorrect final rule is being withdrawn as a result of this error. The correct final rule was published February 13, 2006 (71 FR 7409), establishing 16 high altitude area

navigation routes in the South Central United States.

**DATES:** *Effective Date:* 0901 UTC, February 27, 2006.

**FOR FURTHER INFORMATION CONTACT:** Paul Gallant, Airspace and Rules, Office of System Operations and Safety, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:** On February 13, 2006, the FAA published in the **Federal Register** (71 FR 7409) a final rule establishing 16 high altitude area navigation routes in the South Central United States. On February 15, 2006, the FAA inadvertently published in the **Federal Register** an obsolete version of the final rule, which contained outdated fix names (71 FR 7845). This action withdraws the incorrect final rule published in error on February 15, 2006. The rule published on February 13, 2006 (71 FR 7409) contains the correct information.

#### Withdrawal of Final Rule

Accordingly, pursuant to the authority delegated to me, Docket No. FAA-2005-22398; Airspace Docket No. 05-ASO-7; as published in the **Federal Register** February 15, 2006 (71 FR 7845), is hereby withdrawn.

Issued in Washington, DC, on February 17, 2006.

**Edith V. Parish,**

*Manager, Airspace and Rules.*

[FR Doc. 06-1760 Filed 2-24-06; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2005-22509; Airspace Docket No. 03-AWA-2]

RIN 2120-AA66

#### Modification of the St. Louis Class B Airspace Area; MO

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

**ACTION:** Final rule; correction.

**SUMMARY:** This action corrects a final rule published in the **Federal Register** on February 15, 2006 (71 FR 7848), Airspace Docket No. 03-AWA-2, FAA Docket No. FAA-2005-22509. In that rule, inadvertent errors were made in the airport description of the St. Louis Class B airspace area. This action corrects those errors.

TABLE 1.—AFFECTED FUEL PUMP SNS

A59B	F504B	2827
A82B	F506B	2828
A91B	F537B	2830
B14B	F561B	2838
B29B	F589B	2854
B42B	F596B	2867
C27B	F607B	2868
C6B	F630B	2884
C92B	F643B	2944
D16B	F706B	3078
D18B	F724B	3175
D20B	F743B	3230
D80B	F745B	3259
D99B	F748B	3282
E49B	F759B	3343
E77B	F760B	3376
E90B	F762B	3383
F112B	F957B	3385
F131B	808	3397
F176B	1725	3458
F220B	1766	3515
F243B	1770	3548
F253B	1897	3660
F262B	1941	3746
F293B	2154	3756
F317B	2155	3757
F320B	2233	3783

**DATES:** *Effective Date:* 0901 UTC, April 13, 2006.

**FOR FURTHER INFORMATION CONTACT:**

Steve Rohring, Airspace and Rules, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:**

**History**

On February 15, 2006, a final rule was published in the **Federal Register** modifying the St. Louis, MO Class B airspace area (71 FR 7848), Airspace Docket No. 03-AWA-2, FAA Docket No. FAA-2005-22509. In that final rule, inadvertent errors were made in the primary airport description. Specifically, the coordinates for the Lambert-St. Louis Airport were inadvertently listed as lat. 38°44'52" N., long. 90°21'36" W. This action corrects those coordinates to lat. 38°44'50" N., long. 90°21'41" W.

**Correction to Final Rule**

■ Accordingly, pursuant to the authority delegated to me, the legal description for the St. Louis Class B Airspace Area, as published in the **Federal Register** on February 15, 2006 (71 FR 7848), Airspace Docket No. 03-AWA-2, FAA Docket No. FAA-2005-22509, and incorporated by reference in 14 CFR 71.1, are corrected as follows:

**§ 71.1 [Amended]**

■ On page 7850, on the fourth line, correct the airport description of the Lambert-St. Louis International Airport, to read as follows:

**Paragraph 3000—Class B Airspace**

\* \* \* \* \*

**ACE MO B St. Louis, MO [Corrected]**

Lambert-St. Louis International Airport  
(Primary Airport)  
(Lat. 38°44'50" N., long. 90°21'41" W.)

\* \* \* \* \*

Issued in Washington, DC, on February 17, 2006.

**Edith V. Parish,**

*Manager, Airspace and Rules.*

[FR Doc. 06-1758 Filed 2-24-06; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

**18 CFR Part 35**

[Docket No. RM06-13-000; Order No. 674]

**Conditions for Public Utility Market-Based Rate Authorization Holders**

Issued February 16, 2006.

**AGENCY:** Federal Energy Regulatory Commission.

**ACTION:** Final rule.

**SUMMARY:** The Federal Energy Regulatory Commission (Commission) is amending its regulations to include certain rules governing the conduct of entities authorized to make sales of electricity and related products under market-based rate authorizations. This amendment is a codification of certain rules that were formerly incorporated in market-based rate sellers' tariffs.

**EFFECTIVE DATE:** The rule will become effective March 29, 2006.

**FOR FURTHER INFORMATION CONTACT:**

Mark D. Higgins, Office of the Market Oversight and Investigations, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-8273, [Mark.Higgins@ferc.gov](mailto:Mark.Higgins@ferc.gov).

Frank Karabetsos, Office of General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-8133, [Frank.Karabetsos@ferc.gov](mailto:Frank.Karabetsos@ferc.gov).

**SUPPLEMENTARY INFORMATION:** Before Commissioners: Joseph T. Kelliher, Chairman; Nora Mead Brownell, and Suede G. Kelly.

**I. Introduction**

1. The Federal Energy Regulatory Commission (Commission) is amending 18 CFR part 35 to codify Market Behavior Rules 1, 3, 4, and 5, rules that previously have been incorporated in market-based rate sellers' tariffs. By this order, the Commission is not substantively changing Market Behavior Rules 1, 3, 4, and 5, but merely relocating them to the Code of Federal Regulations.

2. The Commission is issuing this order as a Final Rule without a period for further public comment or a delay in the effective date. Under 5 U.S.C. 553(b), notice and comment procedures are unnecessary when the agency for good cause finds that notice and public procedure thereon is unnecessary.

3. This Final Rule makes no substantive changes in existing regulatory requirements, and, as such, it

will not change the effect these regulatory provisions have on regulated entities or the general public. Moreover, the Market Behavior Rules were subject to notice and comment in June 2003<sup>1</sup> and again in November 2005.<sup>2</sup> Additional notice and comment is unnecessary because this Final Rule is procedural, that is, it merely transplants Market Behavior Rules 1, 3, 4, and 5 from sellers' market-based rate tariffs to the Commission's regulations. This Final Rule does not make any substantive change in scope or application of the Market Behavior Rules 1, 3, 4 or 5, and it does not impose any new burden or regulatory requirement on market-based rate sellers. Based on the foregoing, the Commission has good cause to find that notice and comment procedures are unnecessary in this rulemaking.

**II. Background**

4. On November 17, 2003, acting pursuant to section 206 of the FPA, the Commission amended all market-based rate tariffs and authorizations to include the Market Behavior Rules.<sup>3</sup> The Commission determined that sellers' market-based rate tariffs and authorizations to make sales at market rates would be unjust and unreasonable unless they included clearly-delineated rules governing market participant conduct, and that the Market Behavior Rules fairly apprised market participants of their obligations in competitive power markets and were just and reasonable.<sup>4</sup>

5. Market Behavior Rule 1 requires sellers to follow Commission-approved rules and regulations in organized power markets. These rules and regulations are part of the ISO or RTO tariffs, and sellers' agreements to operate within ISOs and RTOs bind them to follow the applicable rules and regulations of the organized market.

6. Market Behavior Rule 2 prohibits "actions or transactions that are without a legitimate business purpose and that are intended to or foreseeably could

<sup>1</sup> *Investigation of Terms and Conditions of Public Utility Market-Based Rate Authorizations*, "Order Seeking Comments on Proposed Revisions to Market-Based Rate Tariffs and Authorizations," 103 FERC ¶ 61,349 (2003).

<sup>2</sup> *Investigation of Terms and Conditions of Public Utility Market-Based Rate Authorizations*, "Order Proposing Revisions to Market-Based Rate Tariffs and Authorizations," 113 FERC ¶ 61,190 (2005).

<sup>3</sup> *Investigation of Terms and Conditions of Public Utility Market-Based Rate Authorizations*, 105 FERC ¶ 61,218 (2003), *reh'g denied*, 107 FERC ¶ 61,175 (2004) (Market Behavior Rules Order). The Market Behavior Rules are currently on appeal. *See Cinergy Marketing & Trading, L.P. v. FERC*, Nos. 04-1168 *et al.* (D.C. Cir., filed April 28, 2004).

<sup>4</sup> Market Behavior Rules Order, 105 FERC ¶ 61,218 at P 3 and 158-74.