

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

7 CFR Part 1485

Agreements for the Development of Foreign Markets for Agricultural Commodities

AGENCY: Commodity Credit Corporation (CCC).

ACTION: Proposed rule.

SUMMARY: The Commodity Credit Corporation (CCC) is proposing to amend its regulations implementing the Market Promotion Program (MPP) authorized by Section 203 of the Agricultural Trade Act of 1978, 7 U.S.C. 5623. Specifically, the proposed rule would extend the period of time following the expiration of the marketing year during which participants may pay for approved market development activities and still be entitled to receive reimbursement from CCC. This period would be extended from 30 days to 4 months. The proposed rule is part of an effort by CCC to increase program flexibility and ease administrative requirements on program participants.

DATES: Comments on the proposed rule should be submitted in writing to the address below by February 9, 1996 to be assured of consideration.

FOR FURTHER INFORMATION CONTACT: Sharon L. McClure, Director, Marketing Operations Staff, Foreign Agricultural Service, United States Department of Agriculture, 14th and Independence Avenue, SW., Washington, DC 20250-1042, (202) 720-5521.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This proposed rule is issued in conformance with Executive Order 12866. Based on information compiled by the Department, it has been determined that this proposed rule:

(1) Would have an annual effect on the economy of less than \$100 million;

(2) Would not adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(3) Would not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(4) Would not alter the budgetary impact of entitlements, grants, user fees, or loan programs or rights and obligations of recipients thereof; and

(5) Would not raise novel legal or policy issues arising out of legal mandates, the President's priorities, or principles set forth in Executive Order 12866.

The Department of Agriculture is committed to carrying out its statutory and regulatory mandates in a manner that best serves the public interest. Therefore, where legal discretion permits, the Department actively seeks to promulgate regulations that promote economic growth, create jobs, are minimally burdensome and are easy for the public to understand, use or comply with. In short, the Department is committed to issuing regulations that maximize net benefits to society and minimize costs imposed by those regulations.

Regulatory Flexibility Act

It has been determined that the Regulatory Flexibility Act is not applicable to this proposed rule since CCC is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of rulemaking with respect to the subject matter of this rule.

Paperwork Reduction Act

The proposed rule does not impose any new reporting or recordkeeping requirements. The information collection requirements of participating in the MPP were approved for use by the Office of Management and Budget under OMB control number 0551-0027.

Executive Order 12372

This proposed rule is not subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with state and local officials. See the Notice related to 7 CFR part 3015, subpart V, published at 46 FR 29115 (June 24, 1983).

Executive Order 12778

This proposed rule has been reviewed under the Executive Order 12778, Civil Justice Reform. The proposed rule would have pre-emptive effect with respect to any state or local laws, regulations, or policies which conflict with such provisions or which otherwise impede their full implementation. The proposed rule would not have retroactive effect. Administrative proceedings are not required before parties may seek judicial review.

Background

On February 1, 1995, the CCC published final rules at 60 FR 6352 governing the MPP. These new rules were applicable beginning with a participant's 1995 marketing year. Following publication, CCC participated with interested parties in five information sessions designed to familiarize participants with the new regulations and offer participants an additional opportunity to identify any problem areas. At these sessions, there was considerable discussion concerning the requirement that participants must have completely paid for approved activities not later than 30 days following the end of a participant's activity plan in order to receive reimbursement, 7 CFR 1485.16(h)(3). As a result of these discussions, CCC recognized that this requirement is too restrictive and does not allow sufficient time for a participant to receive and pay an invoice submitted by a third party, particularly for those activities that are conducted near the end of an activity plan year. In addition, the current requirement may, inadvertently, impose a requirement on participants to prepay invoices. This is not a practice CCC wishes to endorse since it is not a common business practice and may also jeopardize the financial integrity of the program. This proposed rule would amend the current requirement in 7 CFR 1485.16(h) by allowing participants to transfer funds to pay for activities not later than 4 months following the end of the activity plan year and still be entitled to receive reimbursement from CCC.

List of Subjects in 7 CFR Part 1485

Agricultural commodities, Exports.

For the reasons set forth in the preamble, CCC proposes to amend 7 CFR part 1485 as follows:

PART 1485—AGREEMENTS FOR THE DEVELOPMENT OF FOREIGN MARKETS FOR AGRICULTURAL COMMODITIES

1. The authority citation for Part 1485 continues to read as follows:

Authority: 7 U.S.C. 5623, 5662–5664 and sec. 1302, Pub. L. 103–66, 107 Stat. 330.

Subpart B—Market Promotion Program

2. In § 1485.16, paragraph (h) is revised to read as follows:

§ 1485.16 Reimbursement rules.

* * * * *

(h) CCC will reimburse for expenditures made after the conclusion of participant's activity plan year provided:

- (1) The activity was approved prior to the end of the activity plan year;
- (2) The activity was completed within 30 calendar days following the end of the activity plan year; and
- (3) all funds transferred to pay for the activity within 4 months following the end of the activity plan year.

Signed at Washington, D.C. on December 19, 1995.

Timothy J. Galvin,

Acting Administrator, Foreign Agricultural Service and Vice President, Commodity Credit Corporation.

[FR Doc. 95–326 Filed 1–9–95; 8:45 am]

BILLING CODE 3410–05–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Chapter I

[Docket No. RM95–16–000]

Regulations for the Relicensing of Hydroelectric Projects

January 4, 1996.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Petition for rulemaking; extension of time.

SUMMARY: On October 31, 1995, the Commission issued a notice of National Hydropower Association's (NHA) petition for rulemaking in the above-captioned docket (60 FR 56278, November 8, 1995). Certain departments and agencies of the Federal Government are presently closed for all but emergency matters due to a lack of appropriated funds. The Commission

anticipates that a number of these agencies may wish to file comments on the petition. In order to accommodate this unusual circumstance, notice is hereby given that an extension of time is granted.

DATES: Initial comments by all parties shall be filed on or before February 5, 1996. Reply comments shall be due on or before March 4, 1996.

ADDRESSES: Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426.

FOR FURTHER INFORMATION CONTACT: Barry Smoler, Office of the General Counsel, (202) 208–1269.

Lois D. Cashell,

Secretary.

[FR Doc. 96–303 Filed 1–9–96; 8:45 am]

BILLING CODE 6717–01–M

18 CFR Part 35

[Docket Nos. RM95–8–000 and RM94–7–001]

Promoting Wholesale Competition Through Open Access Nondiscriminatory Transmission Services by Public Utilities; Recovery of Stranded Costs by Public Utilities and Transmitting Utilities; Notice of Technical Conference and Potential Broadcast of Technical Conference Concerning Independent System Operators and Reform of Power Pools Under the Federal Power Act

January 4, 1996.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Notice of Technical Conference and Potential Broadcast of Technical Conference.

SUMMARY: The Federal Energy Regulatory Commission (Commission) notifies interested persons that it will hold a technical conference regarding independent system operators (ISOs) and power pools on January 24, 1996, at 9:30 A.M. The Commission has invited specific persons with technical expertise to participate in the conference. Their names, and an agenda for the conference, are attached. This notice also provides interested persons with the necessary information by which they may seek to receive the broadcast of the conference.

DATES: Persons interested in receiving the broadcast of the conference for a fee must notify Shirley Al-Jarani or Julia Morelli at the Capitol Connection (703–993–3100) by January 10, 1996. The conference will be held on January 24, 1996, at 9:30 A.M.

ADDRESSES: The conference will be held at the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426.

FOR FURTHER INFORMATION CONTACT: Karen A. Tomcala (Legal Issues), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, (202) 208–0464
Carolyn A. Berry (Technical Issues), Office of Economic Policy, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, (202) 208–2227

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., Washington, D.C. 20426.

The Commission Issuance Posting System (CIPS), an electronic bulletin board service, provides access to the text 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 (800) 856–3920 or (202) 208–1397 if dialing locally. 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. The full text of this document will be available on CIPS 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, also located in the Public Reference Room at 888 First Street, N.E., Washington, D.C. 20426.

At the Commission's technical conference on comparability for power pools held December 5 and 6, 1995, several speakers described proposals for developing independent system operators (ISOs) as one method to address full competition and comply with the Commission's open access and comparability requirements.¹ Power pools considering the formation of ISOs include PJM, NEPOOL and NYPP.

To follow up on the issues raised during the December technical conference, the Commission will hold a

¹ See Promoting Wholesale Competition Through Open Access Non-discriminatory Transmission Services by Public Utilities; Recovery of Stranded Costs by Public Utilities and Transmitting Utilities, Notice of Proposed Rulemaking and Supplemental Notice of Proposed Rulemaking, 60 FR 17662 (April 7, 1995), IV FERC Stats. & Regs. ¶ 32,514 (1995) (Open Access Proceeding).