

corrected, could result in loss of control of the glider, accomplish the following:

(a) Visually inspect the wing spar for wood rot in accordance with either Action Paragraphs 1.1 through 1.3 of Alexander Schleicher ASW-12 Technical Note (TN) No. 4, dated May 10, 1989; Action Paragraphs 1.1, 1.2, and 2.1 of Alexander Schleicher ASW-15 TN No. 23, dated April 21, 1988; or Action Paragraphs 1.1 and 1.2 of Alexander Schleicher ASW-17 TN No. 12, dated May 8, 1989, as applicable.

(b) Mark and send wood cores obtained through the inspection specified in paragraph (a) of this AD to a mycology laboratory for microscopical inspection to detect heavy wood destroying fungal infestation in accordance with either Action Paragraph 1.3 of Alexander Schleicher ASW-12 TN No. 4, dated May 10, 1989; Action Paragraph 2.1 of Alexander Schleicher ASW-15 TN No. 23, dated April 21, 1988; or Action Paragraph 1.2 of Alexander Schleicher ASW-17 TN No. 12, dated May 8, 1989, as applicable.

(c) If moisture damage, swelling, evidence that water has penetrated into the spar fork, or fungal infestation is found, prior to further flight after the inspection required by paragraph (a) of this AD, accomplish the following:

(1) Wait for the results of the microscopical examination and then obtain a repair scheme from the manufacturer through the Manager, Small Airplane Directorate, at the address specified in paragraph (g) of this AD, and incorporate this repair scheme.

(2) Apply preservative, strengthen the inspection hole area, and close the hole in accordance with either Action Paragraph 1.4 of Alexander Schleicher ASW-12 TN No. 4, dated May 10, 1989; Action Paragraph 2.2 of Alexander Schleicher ASW-15 TN No. 23, dated April 21, 1988; or Action Paragraph 1.3 of Alexander Schleicher ASW-17 TN No. 12, dated May 8, 1989, as applicable.

(d) If no moisture damage, swelling, evidence that water has penetrated into the spar fork, or fungal infestation is found, accomplish the following:

(1) Prior to further flight after the inspection required by paragraph (a) of this AD, apply preservative, strengthen the inspection hole area, and close the hole in accordance with either Action Paragraph 1.4 of Alexander Schleicher ASW-12 TN No. 4, dated May 10, 1989; Action Paragraph 2.2 of Alexander Schleicher ASW-15 TN No. 23, dated April 21, 1988; or Action Paragraph 1.3 of Alexander Schleicher ASW-17 TN No. 12, dated May 8, 1989, as applicable.

(2) Operation of the glider during the microscopical examination of the wood core is permitted. However, if these examination results reveal heavy wood destroying fungal infestation, prior to further flight after receiving the results, obtain a repair scheme from the manufacturer through the Manager, Small Airplane Directorate, at the address specified in paragraph (g) of this AD, and incorporate this repair scheme.

(e) The inspection requirements specified in paragraphs (a) through (c) of this AD, excluding the wood core microscopical examination requirements, shall be accomplished annually on or before the last day of the 12th calendar month after the last inspection.

(f) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the glider to a location where the requirements of this AD can be accomplished.

(g) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, Aircraft Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(h) The inspections required by this AD shall be done in accordance with either Alexander Schleicher ASW-12 Technical Note No. 4, dated May 10, 1989; Alexander Schleicher ASW-15 Technical Note No. 23, dated April 21, 1988; or Alexander Schleicher ASW-17 Technical Note No. 12, dated May 8, 1989, as applicable. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Alexander Schleicher GmbH & Company, D-36163, Poppenhausen-Wasserkuppe, Germany; or Eastern Sailplane, Heath Stage Route Shelburne Falls, Massachusetts 01370. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(i) This amendment (39-9216) supersedes AD 88-11-05, Amendment 39-5997.

(j) This amendment (39-9216) becomes effective on June 9, 1995.

Issued in Kansas City, Missouri, on April 26, 1995.

Henry Armstrong,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-10831 Filed 5-5-95; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 95-NM-73-AD; Amendment 39-9218; AD 95-10-01]

Airworthiness Directives; Raytheon Model Hawker 1000 and BAe 125-1000A Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain Raytheon Model

Hawker 1000 and BAe 125-1000A series airplanes. This action requires inspections to detect various discrepancies of the fuel hose assemblies on the auxiliary power unit (APU), and correction of any discrepancy found. This amendment is prompted by several reports of heat damage to the fuel hose assembly on the APU. The actions specified in this AD are intended to prevent failure of a fuel hose due to heat damage caused by incorrect routing or bleed air leakage; such failure could result in a malfunction of the APU, a fuel fire in the fuselage rear equipment bay, and reduced structural integrity of the surrounding structure.

DATES: Effective May 23, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 23, 1995.

Comments for inclusion in the Rules Docket must be received on or before July 7, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-73-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Raytheon Corporate Jets, Inc., Customer Support Department, Adams Field, P.O. Box 3356, Little Rock, Arkansas 72203. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: William Schroeder, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2148; fax (206) 227-1320.

SUPPLEMENTARY INFORMATION: The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, recently notified the FAA that an unsafe condition may exist on certain Raytheon Model Hawker 1000 and BAe 125-1000A series airplanes. The CAA advises that it has received recent reports of heat damage to the fuel feed hose assemblies on the auxiliary power unit (APU) installed on several Model BAe 125-1000A airplanes. In one case, the outer sheath was charred due to a suspected leak of the bleed air. In another case, while performing a pre-flight inspection, the flight crew found

a fuel hose that was damaged by heat. Subsequently, an inspection of ten more airplanes revealed five airplanes with hoses damaged by heat. These airplanes had accumulated between 540 and 1,054 total hours time-in-service. Failure of a fuel hose, if not corrected, could result in a malfunction of the APU, a potential fuel fire in the fuselage rear equipment bay, and reduced structural integrity of the surrounding structure.

The subject assemblies installed on Model BAe 125-1000A series airplanes are similar to those installed on Model Hawker 1000 series airplanes.

Therefore, both airplane models are subject to this same unsafe condition.

Raytheon has issued Service Bulletin SB 49-44, dated January 20, 1995, which describes procedures for a visual inspection of both fuel hose assemblies (inlet and outlet from the fuel pump box) on the APU to detect certain discrepancies, as follows:

1. Signs of overheating of hose assemblies (scorching or discoloration);
2. Correct routing of the fuel feed hose assembly on the APU;
3. Minimum clearance of 0.5 inch between the hose assembly and the left-hand mixer valve/left-hand main air valve assemblies and associated hot air ducting;
4. Signs of leakage of bleed air from the left-hand mixer valve and/or left-hand main air valve and bellows; and
5. Correct positioning of the air leak detection system elements adjacent to the left-hand main air valve and mixer valve flange (including the auxiliary air supply branch).

These airplane models are manufactured in the United Kingdom and is type certificated for operation in the United States under the provisions of § 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, this AD is being issued to prevent failure of a fuel feed hose assembly on the APU, which could result in a malfunction of the APU, a potential fuel fire the fuselage rear equipment by, and reduced structural

integrity of the surrounding structure. This AD requires inspections to detect discrepancies of the fuel feed hose assemblies on the APU; inspection for proper positioning of the rear equipment bay air leak detection system; inspection of the bleed air system for signs of leakage; and, under certain conditions, repetitive inspections of one hose assembly to detect discoloration of that assembly. This AD also requires the correction of any discrepancies found during the inspections. The actions are required to be accomplished in accordance with the service bulletin described previously.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption ADDRESSES. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 95-NM-73-AD." The

postcard will be date stamped and returned to the commenter.

The regulations adopted herein will not have substantial direct effects 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. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (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. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

95-10-01 Raytheon Corporate Jets, Inc. (Formerly de Havilland; Hawker Siddeley; British Aerospace, plc):
Amendment 39-9218. Docket 95-NM-73-AD.

Applicability: Model Hawker 1000 and BAe 125-1000A series airplanes, post modification 259722C, certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (b) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent failure of a fuel hose assembly on the auxiliary power unit (APU), which could result in a malfunction of the APU, a potential fuel fire in the fuselage rear bay, and reduced structural integrity of the surrounding structure, accomplish the following:

(a) Within 30 days after the effective date of this AD, perform inspections to detect discrepancies of the fuel feed hose assemblies on the APU; an inspection to assure proper positioning of the air leak detection system; and an inspection of the bleed air system for signs of leakage; in accordance with paragraph 2.B. of the Accomplishment Instructions of Raytheon Service Bulletin SB 49-44, dated January 20, 1995.

(1) If no discrepancy is found: Thereafter, following the last flight of each day, perform an inspection to detect discoloration of the fuel hose assembly (outlet from the fuel pump box) on the APU, in accordance with paragraph 2.B.(2) and 2.C. of the Accomplishment Instructions of the service bulletin.

(2) If any discrepancy is found, prior to further flight, correct the discrepancy in accordance with paragraph 2.B. of the Accomplishment Instructions of the service bulletin.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM-113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(c) Special flight permits may be issued in accordance with §§ 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.

(d) The actions shall be done in accordance with Raytheon Service Bulletin SB 49-44, dated January 20, 1995. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Raytheon Corporate Jets, Inc., Customer Support Department, Adams Field, P.O. Box 3356, Little Rock, Arkansas 72203. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on May 23, 1995.

Issued in Renton, Washington, on April 27, 1995.

James V. Devany,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-10835 Filed 5-5-95; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Parts 2, 34, 35, 41, 131, 292, 294, 382, and 385

[Docket No. RM92-12-001; Order No. 575-A]

Streamlining of Regulations Pertaining to Parts II and III of the Federal Power Act and the Public Utility Regulatory Policies Act of 1978

Issued May 2, 1995.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule; Order Granting and Dismissing Requests for Clarification and Dismissing Requests for Rehearing.

SUMMARY: The Federal Energy Regulatory Commission (Commission) is granting and dismissing certain requests for clarification of its final rule in this proceeding and dismissing requests for rehearing. The requests for clarification and for rehearing relate to the Commission's description of petroleum coke and to codification of Commission precedent regarding the power production capacity of qualifying facilities.

EFFECTIVE DATE: This order is effective May 2, 1995.

FOR FURTHER INFORMATION CONTACT: Andre Goodson, Office of the General Counsel, Federal Energy Regulatory Commission, 825 North Capitol St., NE., Washington, DC 20426, Telephone: (202) 208-2167. Joseph C. Lynch, Federal Energy Regulatory Commission, Office of the

General Counsel, 825 North Capitol Street, NE., Washington, DC 20426, Telephone: (202) 208-2128.

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 Room 3401, at 941 North Capitol 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. To access CIPS, set your communications software to 19200, 14400, 12000, 9600, 7200, 4800, 2400, 1200 or 300bps, full duplex, no parity, 8 data bits and 1 stop bit. The full text of this document will be available on CIPS for 60 days from the date of issuance in ASCII and WordPerfect 5.1 format. After 60 days the document will be archived, but still accessible. 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 Room 3104, 941 North Capitol Street, NE., Washington, DC 20426.

Order Granting and Dismissing Requests for Clarification and Dismissing Requests for Rehearing

On January 13, 1995, the Commission issued a Final Rule in this proceeding.¹ The Final Rule revised and clarified the Commission's policies regarding: rate filings by public utilities under the Federal Power Act (FPA); issuances of securities and assumptions of liabilities by public utilities, licensees and others; and procedural and technical rules governing qualifying facilities (QFs).

On February 13, 1995: (a) The American Petroleum Institute (American Petroleum) filed a petition for clarification or, in the alternative, a request for rehearing; (b) Texaco Cogeneration Development (Texaco Cogen) filed a petition for clarification, or, in the alternative, a request for rehearing; and (c) Granite State Hydropower Association (Granite State) filed a petition for clarification, or, in the alternative, a request for rehearing.

¹ Streamlining of Regulations Pertaining to Parts II and III of the Federal Power Act and the Public Utility Regulatory Policies Act of 1978, Order No. 575, 60 FR 4831 (Jan. 25, 1995); III FERC Stats. & Regs., Regulations Preambles ¶ 31,014 (1995).