

## The Proposal

The FAA is considering an amendment to part 73 of the Federal Aviation Regulations (14 CFR part 73) to amend R-2303A, R-2303B, and establish R-2303C at Fort Huachuca, AZ. The FAA published an earlier NPRM concerning these restricted areas on July 21, 1994 (59 FR 37188). As a result of comments received in response to the NPRM, the FAA is considering increasing the ceiling of the airport exclusion and VFR access corridor at the Libby AAF/Sierra Vista Municipal Airport. R-2303A would be amended to exclude from the restricted area the airspace from the surface to 7,000 feet MSL, within a 3-nautical-mile radius of the Fort Huachuca/Libby AAF/Sierra Vista Municipal Airport. The airspace from the surface to 7,000 feet MSL within 1-nautical-mile either side of U.S. Highway 90 would also be excluded. This would provide VFR access to the airport when R-2303A is in use. Comments received in response to the NPRM and this SNPRM will be addressed in the final disposition of the rule. The coordinates for this airspace docket are based on North American Datum 83. Section 73.23 of part 73 of the Federal Aviation Regulations was republished in FAA Order 7400.8B dated March 9, 1994.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(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) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

## Environmental Review

An environmental review of the proposal will be conducted by the U.S. Army and the FAA prior to an FAA final decision on the proposal. The results of the review will be addressed in any subsequent rulemaking action.

## List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

## The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 73 as proposed in the **Federal Register** on July 21, 1994, (59 FR 37188; July 21, 1994) as follows:

### PART 73—[AMENDED]

1. The authority citation for part 73 is revised to read as follows:

**Authority:** 49 U.S.C. 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

2. Section 73.23 is amended as follows:

#### § 73.23 [Amended]

##### R-2303A Fort Huachuca, AZ [Revised]

Boundaries. Beginning at lat. 31°40'40" N., long. 110°11'02" W.; to lat. 31°34'00" N., long. 110°08'32" W.; to lat. 31°34'00" N., long. 110°22'02" W.; to lat. 31°33'00" N., long. 110°23'02" W.; to lat. 31°29'00" N., long. 110°23'02" W.; to lat. 31°29'00" N., long. 110°41'32" W.; to lat. 31°34'00" N., long. 110°43'32" W.; to lat. 31°38'30" N., long. 110°42'02" W.; to lat. 31°38'30" N., long. 110°39'32" W.; to lat. 31°41'00" N., long. 110°33'32" W.; to lat. 31°41'00" N., long. 110°12'02" W.; to the point of beginning.

Altitudes. Surface to 15,000 feet MSL, excluding the airspace from the surface to 7,000 feet MSL within a 3-nautical-mile radius of the Fort Huachuca/Libby AAF/Sierra Vista Municipal Airport, AZ, and excluding the airspace from the surface to 7,000 feet MSL within 1-nautical-mile either side of U.S. Highway 90.

Time of designation. Monday–Friday, 0700–1600 local time; other times by NOTAM at least 24 hours in advance.

Controlling agency. FAA, Albuquerque ARTCC.

Using agency. U.S. Army Intelligence Center, Fort Huachuca, AZ.

##### R-2303B Fort Huachuca, AZ [Revised]

Boundaries. Beginning at lat. 31°45'00" N., long. 110°20'02" W.; to lat. 31°41'00" N., long. 110°12'02" W.; to lat. 31°40'40" N., long. 110°11'02" W.; to lat. 31°34'00" N., long. 110°08'32" W.; to lat. 31°34'00" N., long. 110°22'02" W.; to lat. 31°33'00" N., long. 110°23'02" W.; to lat. 31°29'00" N., long. 110°23'02" W.; to lat. 31°29'00" N., long. 110°25'02" W.; to lat. 31°24'00" N., long. 110°25'02" W.; to lat. 31°24'00" N., long. 110°45'02" W.; to lat. 31°45'00" N., long. 110°45'52" W.; to the point of beginning.

Altitudes. 8,000 feet MSL to FL 300, excluding that airspace within R-2303A when activated.

Time of designation. Monday–Friday, 0700–1600 local time; other times by NOTAM at least 24 hours in advance.

Controlling agency. FAA, Albuquerque ARTCC.

Using agency. U.S. Army Intelligence Center, Fort Huachuca, AZ.

##### R-2303C Fort Huachuca, AZ [New]

Boundaries. Beginning at lat. 31°35'00" N., long. 110°00'02" W.; to lat. 31°24'00" N., long. 110°00'02" W.; to lat. 31°24'00" N., long. 110°25'02" W.; to lat. 31°02'00" N., long. 110°25'02" W.; to lat. 31°29'00" N., long. 110°23'02" W.; to lat. 31°33'00" N., long. 110°23'02" W.; to lat. 31°34'00" N., long. 110°22'02" W.; to lat. 31°34'00" N., long. 110°08'32" W.; to lat. 31°40'40" N., long. 110°11'02" W.; to the point of beginning.

Altitudes. 15,000 feet MSL to FL 300.

Time of designation. Intermittent by NOTAM at least 24 hours in advance.

Controlling agency. FAA, Albuquerque ARTCC. Using agency. U.S. Army Intelligence Center, Fort Huachuca, AZ.

Issued in Washington, DC, on June 7, 1995.

#### Harold W. Becker,

Manager, Airspace—Rules and Aeronautical Information Division.

[FR Doc. 95–14653 Filed 6–14–95; 8:45 am]

BILLING CODE 4910–13–U

## 14 CFR Part 73

[Airspace Docket No. 94–ASO–18]

### Proposed Establishment of Restricted Areas, Camp Lejeune, NC

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes the establishment of restricted areas at Camp Lejeune, NC. The United States Marine Corps (USMC) has determined that the existing ranges at Camp Lejeune are inadequate to meet both current and projected Marine Corps training requirements. The proposed restricted areas would accommodate an expansion of the Camp Lejeune facilities to improve range training capabilities.

**DATES:** Comments must be received on or before July 31, 1995.

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager, Air Traffic Division, ASO–500, Docket No. 94–ASO–18, Federal Aviation Administration, P.O. Box 20636, Atlanta, GA 30320.

The official docket may be examined in the Rules Docket, Office of the Chief Counsel, Room 916, 800 Independence Avenue SW., Washington, DC, weekdays, except Federal holidays, between 8:30 a.m. and 5 p.m.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division.

**FOR FURTHER INFORMATION CONTACT:** Paul Gallant, Military Operations Program Office (ATM–420), Office of Air Traffic System Management, Federal Aviation

Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267-9361.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 94-ASO-18." The postcard will be date/time stamped and returned to the commenter. Send comments on environmental and land-use aspects to: Commanding General, Operations, MCAS, PSC Box 8011, Cherry Point, NC 28533, ATTN: Lt. Col. Clark. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

##### Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA-220, 800 Independence Avenue SW., Washington, DC 20591, or by calling (202) 267-3485. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A, which describes the application procedure.

##### The Proposal

The FAA is considering an amendment to part 73 of the Federal Aviation Regulations (14 CFR part 73) to establish restricted areas at Camp Lejeune, NC. The USMC requested that the FAA establish these restricted areas because the existing facilities at Camp Lejeune do not have adequate firing ranges, maneuver areas, and impact areas to accommodate the expanded, complex training requirements that have evolved over the years. These documented range shortfalls preclude Camp Lejeune from satisfying a number of basic Fleet Marine Force training requirements, forcing the USMC to conduct periodic, multi-million dollar deployments of personnel and equipment to other locations to complete essential training events. The proposed restricted areas are necessary to accommodate the training facilities at Camp Lejeune. The proposed restricted areas would be designated over a Government-purchased tract of land contiguous to Camp Lejeune, known as the Greater Sandy Run Area. The restricted areas, designated R-5303 and R-5304, would extend from the surface up to but not including Flight Level (FL) 180. R-5303 and R-5304 would each be subdivided vertically into three sections (A, B, and C) to facilitate the real-time activation of the restricted areas, and to enable release of the airspace to accommodate nonparticipating air traffic. These subdivisions would be configured as follows: R-5303A and R-5304A would extend from the surface to but not including 7,000 feet MSL; R-5303B and R-5304B would extend from 7,000 feet MSL to but not including 10,000 feet MSL; and R-5303C and R-5304C would extend from 10,000 feet MSL to but not including FL 180. The activities to be conducted in the restricted areas would include the firing of various surface weapons and air-delivered ordnance. Aerial ordnance delivery would be limited to helicopters only. Most training activities would be conducted in the lowest portion of the restricted areas (i.e., R-5303A and R-5304A, below 7,000 feet MSL). The proposed time of designation for R-5303A and R-5304A would be 0600 to 1800 local time, Monday through Friday; with a provision for activation at other times by a Notice To Airmen (NOTAM) at least 6 hours in advance. R-5303B, R-5303C, R-5304B, and R-5304C would be activated by NOTAM at least 6 hours in advance when required for training. It is estimated that the highest altitude strata of the restricted areas would be required approximately 10 percent of the time. An estimated 75

percent of the total training activities would take place during daylight hours. On a yearly basis, it is projected that the restricted areas would be used on 30- to 40-week nights. Training would also be conducted on 30- to 40-weekend days, which may include additional nighttime operations. Peak firing periods are expected to occur between the hours of 0800-1600, Tuesday, Wednesday, and Thursday; with March through October projected as the peak firing months. The proposed restricted areas were configured to maximize training flexibility, and to facilitate the activation of only those portions of the restricted areas actually needed for training operations. The proposed restricted areas would affect the utilization of the segment of V-139 between Wilmington, NC (ILM) and New Bern, NC (EWN). In order to minimize the affect on air traffic utilizing V-139, the restricted areas would be subject to real-time activation procedures. The lowest subareas (R-5303A and R-5304A, extending from the surface to but not including 7,000 feet MSL) would be the most frequently used portions of the restricted areas. Normally, V-139 above 7,000 feet MSL would remain available for transit by nonparticipating aircraft. Procedures for real-time use of the restricted areas would be specified in a joint-use letter of procedure (LOP) between the using agency and the appropriate ATC facilities. The LOP also would include provisions to give ATC priority for use of the areas when necessary during periods of severe weather, or other emergency situations. The coordinates for this airspace docket are based on North American Datum 83. Section 73.53 of part 73 of the Federal Aviation Regulations was republished in FAA Order 7400.8B dated March 9, 1994.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(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) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities

under the criteria of the Regulatory Flexibility Act.

### Environmental Review

This proposal will be subjected to appropriate environmental impact analysis by the proponent and the FAA prior to any FAA final regulatory action.

### List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 73 as follows:

#### PART 73—[AMENDED]

1. The authority citation for 14 CFR part 73 continues to read as follows:

**Authority:** 49 U.S.C. 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

#### § 73.53 [Amended]

2. Section 73.53 is amended as follows:

##### R-5303A Camp Lejeune, NC [New]

Boundaries. Beginning at lat. 34°41'40" N., long. 77°33'09" W.; to lat. 34°39'16" N., long. 77°28'31" W.; to lat. 34°36'51" N., long. 77°29'01" W.; to lat. 34°36'13" N., long. 77°31'51" W.; to lat. 34°37'03" N., long. 77°35'25" W.; to lat. 34°38'49" N., long. 77°37'31" W.; to point of beginning.

Designated altitudes. Surface to but not including 7,000 feet MSL, excluding the airspace 1,500 feet AGL and below within a 3NM radius of Sky Manor Airport.

Time of designation. 0600–1800 Monday–Friday; other times by NOTAM at least 6 hours in advance.

Controlling agency. USMC, Cherry Point Approach Control.

Using agency. USMC, Commanding General, U.S. Marine Corps Air Station, Cherry Point, NC.

##### R-5303B Camp Lejeune, NC [New]

Boundaries. Beginning at lat. 34°41'40" N., long. 77°33'09" W.; to lat. 34°39'16" N., long. 77°28'31" W.; to lat. 34°36'51" N., long. 77°29'01" W.; to lat. 34°36'13" N., long. 77°31'51" W.; to lat. 34°37'03" N., long. 77°35'25" W.; to lat. 34°38'49" N., long. 77°37'31" W.; to point of beginning.

Designated altitudes. 7,000 feet MSL to but not including 10,000 feet MSL.

Time of designation. By NOTAM at least 6 hours in advance.

Controlling agency. USMC, Cherry Point Approach Control.

Using agency. USMC, Commanding General, U.S. Marine Corps Air Station, Cherry Point, NC.

##### R-5303C Camp Lejeune, NC [New]

Boundaries. Beginning at lat. 34°41'40" N., long. 77°33'09" W.; to lat. 34°39'16" N., long. 77°28'31" W.; to lat. 34°36'51" N., long. 77°29'01" W.; to lat. 34°36'13" N., long. 77°31'51" W.; to lat. 34°37'03" N., long. 77°35'25" W.; to lat. 34°38'49" N., long. 77°37'31" W.; to point of beginning.

Designated altitudes. 10,000 feet MSL to but not including FL 180.

Time of designation. By NOTAM at least 6 hours in advance.

Controlling agency. FAA, Washington ARTCC.

Using agency. USMC, Commanding General, U.S. Marine Corps Air Station, Cherry Point, NC.

##### R-5304A Camp Lejeune, NC [New]

Boundaries. Beginning at lat. 34°37'03" N., long. 77°35'25" W.; to lat. 34°36'13" N., long. 77°31'51" W.; to lat. 34°36'51" N., long. 77°29'01" W.; to lat. 34°32'16" N., long. 77°30'13" W.; to lat. 34°29'43" N., long. 77°33'15" W.; to lat. 34°32'42" N., long. 77°34'54" W.; to point of beginning.

Designated altitudes. Surface to but not including 7,000 feet MSL, excluding the airspace 1,500 feet AGL and below within a 3NM radius of Holly Ridge airport.

Time of designation. 0600–1800, Monday–Friday; other times by NOTAM at least 6 hours in advance.

Controlling agency. USMC, Cherry Point Approach Control.

Using agency. USMC, Commanding General, U.S. Marine Corps Air Station, Cherry Point, NC.

##### R-5304B Camp Lejeune, NC [New]

Boundaries. Beginning at lat. 34°37'03" N., long. 77°35'25" W.; to lat. 34°36'13" N., long. 77°31'51" W.; to lat. 34°36'51" N., long. 77°29'01" W.; to lat. 34°32'16" N., long. 77°30'13" W.; to lat. 34°29'43" N., long. 77°33'15" W.; to lat. 34°32'42" N., long. 77°34'54" W.; to point of beginning.

Designated altitudes. 7,000 feet MSL to but not including 10,000 feet MSL.

Time of designation. By NOTAM at least 6 hours in advance.

Controlling agency. USMC, Cherry Point Approach Control.

Using agency. USMC, Commanding General, U.S. Marine Corps Air Station, Cherry Point, NC.

##### R-5304C Camp Lejeune, NC [New]

Boundaries. Beginning at lat. 34°37'03" N., long. 77°35'25" W.; to lat. 34°36'13" N., long. 77°31'51" W.; to lat. 34°36'51" N., long. 77°29'01" W.; to lat. 34°32'16" N., long. 77°30'13" W.; to lat. 34°29'43" N., long. 77°33'15" W.; to lat. 34°32'42" N., long. 77°34'54" W.; to point of beginning.

Designated altitudes. 10,000 feet MSL to but not including FL 180.

Time of designation. By NOTAM at least 6 hours in advance.

Controlling agency. FAA, Washington ARTCC.

Using agency. USMC, Commanding General, U.S. Marine Corps Air Station, Cherry Point, NC.

Issued in Washington, DC, on June 7, 1995.

### Harold W. Becker,

Manager, Airspace-Rules and Aeronautical Information Division.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### 18 CFR Parts 141 and 388

[Docket No. RM95–9–000]

#### Real-Time Information Networks; Order on Motions for Extension of Time for Filing Preliminary Comments

May 26, 1995.

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

**ACTION:** Order on motions for extension of time for filing preliminary comments.

**SUMMARY:** On March 29, 1995, the Federal Energy Regulatory Commission issued a notice of technical conference and request for comments (60 FR 17726, Apr. 7, 1995) to announce a technical conference to be scheduled at a later date, and, in preparation for that conference, to request comments on: Whether real-time information networks (RINS) or some other option is the best method to ensure that potential purchasers of transmission services receive access to information to enable them to obtain open access transmission service on a non-discriminatory basis from public utilities that own and/or control facilities used for the transmission of electric energy in interstate commerce; and what standards should be adopted if the Commission requires such public utilities to institute RINS systems. By this order, the Commission grants an extension of time for filing preliminary comments.

**DATES:** The time for filing preliminary comments is extended to July 6, 1995.

**ADDRESSES:** Office of the Secretary, 825 North Capitol Street NE., Washington, D.C. 20426.

**FOR FURTHER INFORMATION CONTACT:** Gary D. Cohen, Office of the General Counsel, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, (202) 208–0321.

#### SUPPLEMENTARY INFORMATION:

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