

a location where the requirements of this AD can be accomplished.

(e) 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, New York Aircraft Certification Office (ACO), FAA, 10 Fifth Street, 3rd Floor, Valley Stream, New York 11581. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, New York Aircraft ACO.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the New York ACO.

(f) All persons affected by this directive may obtain copies of the document referred to herein upon request to de Havilland, Inc., 123 Garratt Boulevard, Downsview, Ontario M3K 1Y5 Canada; or may examine this document at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

(g) This amendment supersedes AD 78-26-02, Amendment 39-3370.

Issued in Kansas City, Missouri, on August 7, 1995.

**Gerald W. Pierce,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

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BILLING CODE 4910-13-U

## PENSION BENEFIT GUARANTY CORPORATION

### 29 CFR Part 2615

RIN 1212-AA77

#### Reportable Events

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of intent to form a negotiated rulemaking advisory committee.

**SUMMARY:** The Pension Benefit Guaranty Corporation intends to form a negotiated rulemaking advisory committee under the Negotiated Rulemaking Act of 1990. The committee will develop proposed amendments to the PBGC's regulations governing reportable events, *i.e.*, events that may be indicative of a need to terminate a pension plan. These amendments will, among other things, implement recent amendments contained in the Retirement Protection Act of 1994.

**DATES:** Comments and applications or nominations for membership must be received on or before September 15, 1995.

**ADDRESSES:** Comments and nominations or applications for membership may be

mailed to the Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026, or delivered to Suite 340 at the above address. Comments, nominations, and applications will be available for public inspection at the PBGC's Communications and Public Affairs Department, Suite 240.

**FOR FURTHER INFORMATION CONTACT:** Harold J. Ashner, Assistant General Counsel, or James L. Beller, Attorney, Office of the General Counsel, PBGC, 1200 K Street, NW., Washington, DC 20005-4026, 202-326-4024 (202-326-4179 for TTY and TDD).

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 4043 of the Employee Retirement Income Security Act of 1974, as amended by the Retirement Protection Act of 1994, requires the reporting to the PBGC of certain events ("reportable events") that may be indicative of a need to terminate the plan. The PBGC's existing regulations on reportable events (29 CFR part 2615, subpart A) specify the events that must be reported, the circumstances under which reporting is waived, and the information that must be included in a reportable event filing.

RPA amended section 4043 of ERISA by (1) establishing the reporting obligation, which was previously placed solely on plan administrators, on contributing sponsors as well; (2) adding four new reportable events; (3) establishing a new obligation on contributing sponsors of certain underfunded plans to provide 30 days' advance notice of certain reportable events; and (4) protecting reportable event filings from public disclosure.

The PBGC intends to publish a proposed rule that would amend its existing regulations on reportable events to reflect RPA and to make other appropriate changes. Two major issues the PBGC intends to address in these regulations are: (1) The conditions under which the regulations should provide for waivers of reporting requirements (based on, *e.g.*, the size or funding status of the plan); and (2) the information the regulations should require as part of the reportable event filing (including, *e.g.*, plan actuarial and employer financial information). Other issues may be addressed as well.

The PBGC intends to use the negotiated rulemaking procedure in accordance with the Negotiated Rulemaking Act of 1990. The PBGC will form an advisory committee consisting of representatives of the affected

interests and the agency for the purpose of reaching a consensus on the text of a proposed rule.

A number of interests (including employers, service providers, and participants) are likely to be significantly affected by new regulations on reportable events. The effect of the regulations is likely to vary, depending primarily on the size and funding status of the plan and the size, corporate structure, and financial condition of the employer.

#### Regulatory Negotiation

Negotiated rulemaking is a consensus-based approach to the development of agency rules, in which representatives of affected interests work together to reach consensus on the content of a proposed rule. The PBGC believes that these proposed regulations are appropriate for regulatory negotiation because of the various interests likely to be significantly affected and the complexity of the subject matter.

Formation of the committee is in the public interest in connection with developing rules concerning reportable events. The PBGC hopes to be able to use the consensus of the committee as the basis for the proposed rule.

The PBGC invites comments on the appropriateness of regulatory negotiation for these proposed regulations.

#### Committee Membership

The PBGC tentatively has identified the following interests and list of possible committee members:

**Employer Representatives:**

Association of Private Pension and Welfare Plans  
Chamber of Commerce of the United States of America

The ERISA Industry Committee  
Financial Executives Institute

**Service Provider Representatives:**

American Academy of Actuaries  
American Bar Association  
American Institute of Certified Public Accountants

American Society of Pension Actuaries

**Participant Representatives:**

Air Line Pilots Association  
American Association of Retired Persons

American Federation of Labor-Council of Industrial Organizations  
International Union, United Automobile, Aerospace &

Implement Workers of America  
United Steelworkers of America

**Pension Benefit Guaranty Corporation:**  
Ellen A. Hennessy, Deputy Executive Director and Chief Negotiator  
William Posner, Deputy Executive

Director and Chief Operating Officer

Stuart A. Sirkin, Director, Corporate Policy and Research Department  
Andrea E. Schneider, Director, Corporate Finance and Negotiations Department

James J. Keightley, General Counsel

The PBGC will use a neutral facilitator for the committee. The facilitator's role is to chair negotiating sessions and to help committee members define and reach consensus. The PBGC will nominate for the committee's consideration Kate Blunt, Special Assistant to the Deputy Executive Director and Chief Management Officer, to serve as the facilitator of the committee. Ms. Blunt has extensive experience in facilitating meetings, conducting focus groups, and mediating disputes. She will perform her duties as facilitator in an impartial manner.

All committee meetings will be open to the public.

#### Requests for Representation

Persons who will be significantly affected by the planned proposed rule on reportable events and who believe that their interests will not be adequately represented by the persons identified above may apply, or nominate another person, for membership on the committee to represent their interests. Each application or nomination must include: (1) The name of the applicant or nominee and a description of the interests that person will represent; (2) evidence that the applicant or nominee is authorized to represent parties related to the interests the person proposes to represent; (3) a written commitment that the applicant or nominee will actively participate in good faith in the development of proposed regulations; and (4) the reasons that the persons identified above do not adequately represent the interests of the person submitting the application or nomination.

#### Committee Expenses and Administrative Support

In most cases, committee members are responsible for their own expenses of participation. The PBGC may pay for certain expenses, in accordance with section 7(d) of the Federal Advisory Committee Act, if (1) a member certifies a lack of adequate financial resources to participate in the committee; and (2) the PBGC determines that such member's participation in the committee is necessary to assure adequate representation of the member's interest.

The PBGC will provide logistical, administrative, and management

support to the committee. All meetings will be held at the PBGC's offices in Washington, D.C.

#### Proposed Agenda and Schedule

The proposed agenda and schedule for the committee's activities will be determined by the committee at the first meeting, which the PBGC anticipates will be held in October of 1995.

The PBGC's goal is to issue a proposed rule on reportable events by the spring of 1996. If it appears that the committee is unable to reach consensus in time to meet this goal, the PBGC may proceed with rulemaking based in part on information gained through the negotiated rulemaking process.

#### Notice of Establishment of Committee

After reviewing any comments on this Notice of Intent and any requests for representation, the PBGC will issue a notice announcing the establishment of a negotiated rulemaking advisory committee and the date of the first meeting, unless the PBGC decides, based on comments and other relevant considerations, that establishment of the committee is inappropriate. Notice of future meetings will be published in the **Federal Register**.

Issued in Washington, D.C., this 8th day of August, 1995.

**Martin Slate,**

*Executive Director, Pension Benefit Guaranty Corporation.*

[FR Doc. 95-19929 Filed 8-10-95; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### 30 CFR Parts 250 and 256

RIN 1010-AC04

#### Pipeline Right-of-Way Applications and Assignment Fees; Requirements for Filing of Transfers

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Proposed rule.

**SUMMARY:** The Minerals Management Service (MMS) proposes to amend its regulations governing the filing fees charged for processing pipeline right-of-way applications and assignments, and applications for approval of instruments of transfer of a lease or interest. This amendment proposes to increase the filing fees for these documents, which will allow MMS to recover the full processing costs. MMS further proposes to adjust the filing fees by indexing them to the Consumer Price Index "U"

which will enable MMS to continue to recover the processing costs of these documents. MMS will periodically publish these filing fee increases in the **Federal Register**.

**DATES:** Comments must be received or postmarked no later than October 10, 1995 to be considered in this rulemaking.

**ADDRESSES:** Comments should be mailed or hand-carried to the Department of the Interior; Minerals Management Service; Mail Stop 4700; 381 Elden Street; Herndon, Virginia 22070-4817; Attention: Chief, Engineering and Standards Branch.

**FOR FURTHER INFORMATION CONTACT:** Andy Radford, telephone (703) 787-1144 or Jo Ann Lauterbach, telephone (703) 787-1606.

#### SUPPLEMENTARY INFORMATION:

##### Background

MMS last increased the filing fees for pipeline right-of-way applications and assignments on April 1, 1988. At that time, the fee for a pipeline right-of-way application was increased to \$1,400, and the fee for a pipeline right-of-way assignment was increased to \$50. MMS has not changed the \$25 filing fee for instruments of transfer of a lease or interest since the administration of regulations concerning Outer Continental Shelf minerals and rights-of-way was transferred to MMS from the Bureau of Land Management under Amendment No. 1 to Secretarial Order No. 3071, dated May 10, 1982.

During the years since MMS last adjusted these filing fees, the costs to process these documents have increased. MMS conducted in-house cost analyses based on the costs of salaries and benefits, computer time, and overhead in each of the regional offices to determine the average processing cost for each of these documents. The results showed that MMS is undercharging for these services, and therefore, MMS is proposing to increase the fees.

This amendment proposes to increase the filing fee for a pipeline right-of-way application from \$1,400 to \$2,350; the filing fee for a pipeline right-of-way assignment from \$50 to \$60; and the filing fee for instruments of transfer of a lease or an interest from \$25 to \$185. Further, the amendment proposes to index the filing fees to the Consumer Price Index "U". The MMS will announce subsequent changes to the filing fee in the **Federal Register**.

Authors: The principal authors for this proposed rule are Andy Radford and Jo Ann Lauterbach, Engineering and Standards Branch, MMS.