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Any person may obtain a copy of this NPRM by submitting a request to the Operations Branch, AAL-530, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587. Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should contact the individual(s) identified in the **FOR FURTHER INFORMATION CONTACT** section.

The Proposal

The FAA proposes to amend 14 CFR part 71 by revising Class E airspace at Point Hope, AK. The intended effect of this proposal is to extend that Class E controlled airspace above 1,200 feet to enable IFR operations at Point Hope, AK to be contained within controlled airspace.

The FAA Instrument Flight Procedures Production and Maintenance Branch has developed two new SIAPs for the Point Hope Airport. The new approaches are (1) Area Navigation (Global Positioning System) (RNAV GPS) Runway 1, original; and (2) RNAV (GPS) Runway 19, original. In addition, two SIAPs are being amended: (1) The Non-directional Radio Beacon/Distance Measuring Equipment (NDB) or GPS Runway 1 approach will become the NDB Runway 1 approach, and (2) the NDB or GPS Runway 19 approach will become the NDB Runway 19 approach. Navigation intersections on existing airways have also been created to initiate transitions to the new SIAPs. The transitions require more airspace than currently exists to contain Instrument Flight Rules (IFR) aircraft.

That airspace currently extending upward from 700 feet above the surface within a 6.4 mile radius (with extensions) of the Point Hope Airport will not be affected by this action. That airspace extending upward from 1,200 feet above the surface will be revised and expanded if this action is taken.

The area would be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 in FAA Order 7400.9J, *Airspace Designations and Reporting Points*, dated August 31, 2001, and effective September 16, 2001, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document would be published subsequently in the Order.

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.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

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

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9J, *Airspace Designations and Reporting Points*, dated August 31, 2001, and effective September 16, 2001, is amended as follows:

* * * * *

Paragraph 6005 Class E airspace extending upward from 700 feet or more above the surface of the earth.

* * * * *

AAL AK E5 Point Hope, AK—[REVISED]

Point Hope Airport, AK

(Lat. 68°20'56" N., long. 166°47'58" W.)

Point Hope NDB

(Lat. 68°20'41" N., long. 166°47'51" W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Point Hope Airport and within 3 miles each side of the 207° bearing of the Point Hope NDB extending from the 6.4-mile radius to 10.3 miles southwest of the airport and within 3 miles either side of the Point Hope NDB 017° bearing extending from the 6.4-mile radius to 9.9 miles northeast of the airport; and that airspace extending upward from 1,200 feet above the surface within lat. 68°45'00" N, long. 166°00'00" W; to lat. 68°15'00" N, long. 165°53'00" W; to lat. 67°55'00" N, long. 166°03'00" W; to lat. 68°01'30" N, long. 167°25'00" W; to lat. 68°45'00" N, long. 166°52'30" W, to the point of beginning.

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Issued in Anchorage, AK, on September 18, 2002.

Stephen P. Creamer,

Assistant Manager, Air Traffic Division, Alaskan Region.

[FR Doc. 02-24452 Filed 9-26-02; 8:45 am]

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Chapter VII

[Docket No. 020725178-2178-01]

Effects of Foreign Policy-Based Export Controls

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Request for comments on foreign policy-based export controls.

SUMMARY: The Bureau of Industry and Security is reviewing the foreign policy-based export controls in the Export Administration Regulations to determine whether they should be modified, rescinded, or extended. To help make these determinations, BIS is seeking public comments on how existing foreign policy-based export controls have affected exporters and the general public.

DATES: Comments must be received by November 29, 2002.

ADDRESSES: Written comments (three copies) should be sent to Sheila Quarterman, Regulatory Policy Division, Office of Exporter Services, Bureau of

Industry and Security, Department of Commerce, P.O. Box 273, Washington, DC 20044. Comments may also be e-mailed to Brian Nilsson, Office of Strategic Trade and Foreign Policy Controls, at BNilsson@bis.doc.gov.

FOR FURTHER INFORMATION CONTACT: Joan Roberts, Director, Foreign Policy Controls Division, Office of Strategic Trade and Foreign Policy Controls, Bureau of Industry and Security; Telephone: (202) 482-5400. Copies of the current Annual Foreign Policy Report to the Congress are available at www.bxa.doc.gov/press/2002/ForeignPolicyReport02/Default.htm.

Copies may also be requested by calling the Office of Strategic Trade and Foreign Policy Controls.

SUPPLEMENTARY INFORMATION: The current foreign policy-based export controls maintained by the Bureau of Industry and Security (BIS) are set forth in the Export Administration Regulations (EAR), parts 742 (Commerce Control List Based Controls), 744 (End-User and End-Use Based Controls), and 746 (Embargoes and Special Country Controls). These controls apply to: high performance computers (§ 742.12); significant items (SI): hot section technology for the development, production, or overhaul of commercial aircraft engines, components, and systems (§ 742.14); encryption items (§ 742.15 and § 744.9); crime control and detection commodities (§ 742.7); specially designed implements of torture (§ 742.11); regional stability commodities and equipment (§ 742.6); equipment and related technical data used in the design, development, production, or use of missiles (§ 742.5 and § 744.3); chemical precursors and biological agents, associated equipment, technical data, and software related to the production of chemical and biological agents (§ 742.2 and § 744.4); activities of U.S. persons in transactions related to missile technology or chemical or biological weapons proliferation in named countries (§ 744.6); nuclear propulsion (§ 744.5); aircraft and vessels (§ 744.7); embargoed countries (part 746); countries designated as supporters of acts of international terrorism (§§ 742.8, 742.9, 742.10, 742.19, 746.2, 746.3, and 746.7); and, Libya (§§ 744.8 and 746.4). Attention is also given in this context to the controls on nuclear-related commodities and technology (§§ 742.3 and 744.2), which are, in part, implemented under section 309(c) of the Nuclear Non Proliferation Act.

Under the provisions of section 6 of the Export Administration Act of 1979, as amended (EAA), export controls

maintained for foreign policy purposes require annual extension. Section 6 of the EAA requires a report to Congress when foreign policy-based export controls are extended. Although the EAA expired on August 20, 2001, the President invoked the International Emergency Economic Powers Act and continued in effect the EAR, and, to the extent permitted by law, the provisions of the EAA, in Executive Order of August 17, 2001 (66 FR 44025, August 22, 2001), as extended by the President's Notice of August 14, 2002 (67 FR 53721, August 16, 2002). In January 2002, the Secretary of Commerce, on the recommendation of the Secretary of State, extended for one year all foreign policy-based export controls then in effect. The Department of Commerce, insofar as appropriate, is following the provisions of Section 6 of the EAA in reviewing foreign policy-based export controls, requesting public comments on such controls, and submitting an annual report to Congress.

To assure maximum public participation in the review process, comments are solicited on the extension or revision of the existing foreign policy-based export controls for another year. Among the criteria considered in determining whether to continue or revise U.S. foreign policy-based export controls are the following:

1. The likelihood that such export controls will achieve the intended foreign policy purpose, in light of other factors, including the availability from other countries of the goods or technology proposed for such controls;
2. Whether the foreign policy purpose of such controls can be achieved through negotiations or other alternative means;
3. The compatibility of the export controls with the foreign policy objectives of the U.S. and with overall U.S. policy toward the country subject to the controls;
4. Whether reaction of other countries to the extension of such export controls by the U.S. is not likely to render the controls ineffective in achieving the intended foreign policy purpose or be counterproductive to U.S. foreign policy interests;
5. The comparative benefits to U.S. foreign policy objectives versus the effect of the export controls on the export performance of the United States, the competitive position of the United States in the international economy, and the international reputation of the United States as a supplier of goods and technology; and
6. The ability of the United States to enforce the export controls effectively.

BIS is particularly interested in the experience of individual exporters in complying with nonproliferation export controls, with emphasis on economic impact and specific instances of business lost to foreign competitors. BIS is interested in industry information relating to the following:

1. Information on the effect of foreign policy-based export controls on sales of U.S. products to third countries (*i.e.*, those countries not subject to sanctions), including the views of foreign purchasers or prospective customers regarding U.S. foreign policy controls.

2. Information on export controls maintained by U.S. trade partners (*i.e.*, to what extent do they have similar controls on goods and technology on a worldwide basis or to specific destinations).

3. Information on licensing policies or practices by foreign trade partners of the United States which are similar to U.S. foreign policy export controls, including export license application review criteria, use of export license conditions, and requirements for pre- and post-shipment verifications (preferably supported by examples of approvals, denials and foreign regulations).

4. Suggestions for revisions to foreign policy-based export controls (in the event there are differences) that would bring them more into line with multilateral practice.

5. Comments or suggestions as to actions that would make multilateral export controls more effective.

6. Information that illustrates the effect of foreign policy controls on the trade or acquisitions by intended targets of the controls.

7. Data or other information as to the effect of foreign policy-based export controls on overall trade, either for individual firms or for individual industrial sectors.

8. Suggestions as to how to measure the effect of foreign policy-based export controls on U.S. trade.

9. Information on the use of foreign policy-based export controls on targeted countries, entities, or individuals.

BIS is also interested in general comments relating to the extension or revision of existing U.S. foreign policy-based export controls.

Parties submitting comments are asked to be as specific as possible. In the interest of accuracy and completeness, BIS requires written comments. Oral comments must be followed by written memoranda. All written comments received before the close of the comment period will be considered by BIS in reviewing the foreign policy-

based export controls and in developing the annual report to Congress.

All written comments and information submitted in response to this notice will be a matter of public record and, therefore, will be available for public inspection and copying. The BIS does not maintain an on-site facility for the public to inspect public records. All public records are posted on the BIS' Web site which can be found at www.bis.doc.gov (click on the FOIA Reading Room link under the section of Public Information and Events). Copies of the public record may also be obtained by submitting a written request to the Bureau of Industry and Security, Office of Administration, U.S. Department of Commerce, Room 6883, 1401 Constitution Avenue, NW, Washington, DC 20230.

James J. Jochum,

Assistant Secretary for Export Administration.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 35

[Docket No. RM01-12-000]

Remedying Undue Discrimination Through Open Access Transmission Service and Standard Electricity Market Design

September 20, 2002.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Notice, agenda, and staff paper for the October 2nd staff conference on market monitoring.

SUMMARY: On July 31, 2002, the Commission issued a Notice of Proposed Rulemaking proposing to amend its regulations to remedy undue discrimination through open access transmission service and standard electricity market design (67 FR 55452, August 29, 2002). As announced in the Commission's August 28, 2002, Notice of Staff Conference on Marketing Monitoring (67 FR 57187, September 9, 2002) the Commission is convening a technical conference on October 2, 2002 to discuss and further develop the essential elements that should be required in a standard market monitoring plan. By this notice, the Commission is providing an agenda for the conference and a staff discussion

paper on standard market metrics information.

DATES: Conference will be convened on October 2, 2002.

ADDRESSES: Federal Energy Regulatory Commission, 888 First Street, NE., Room—2C, Washington, DC 20426.

FOR FURTHER INFORMATION CONTACT: Saida Shaalan, Office of Markets, Tariff and Rates, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-8278, email: saida.shaalan@ferc.gov.

SUPPLEMENTARY INFORMATION:

Notice, Agenda, and Staff Paper for the October 2nd Staff Conference on Market Monitoring

As announced in the Notice of Staff Conference on Market Monitoring, issued August 28, 2002, the staff of the Federal Energy Regulatory Commission (Commission) will hold a conference on Wednesday, October 2, 2002 to discuss and further develop the essential elements that should be required in a standard market monitoring plan. The conference will be held at FERC, 888 First St. NE, in Washington DC, in the Commission Meeting Room.

Staff is convening this conference to get additional public input on developing a standard market monitoring plan. The staff may then propose additional detail for such a plan, on which the public will then be given opportunity to comment.

The goal of this conference is to discuss the development of a standardized market monitoring plan to assist in evaluating the performance of wholesale electric markets and the conduct of individual market participants. The conference will include a discussion of standard indices, data and reporting needed to implement the market monitoring plan effectively. Attached is the conference Agenda as well as a staff discussion paper on standard market metrics.

The public is invited to attend. There is no registration or fee.

The conference will be transcribed. Those interested in acquiring the transcript should contact Ace Reporters at 202-347-3700, or 800-336-6646. Transcripts will be placed in the public record ten days after the Commission receives the transcripts. Additionally, Capitol Connection offers the opportunity for remote listening and viewing of the conference. It is available for a fee, live over the Internet, via C-Band Satellite. Persons interested in receiving the broadcast, or who need information on making arrangements should contact David Reininger or Julia Morelli at the Capitol Connection (703-

993-3100) as soon as possible or visit the Capitol Connection Web site at <http://www.capitolconnection.gmu.edu> and click on "FERC."

For additional information, please contact Saida Shaalan at 202-502-8278, or by e-mail to saida.shaalan@ferc.gov.

Magalie R. Salas,
Secretary.

Agenda for the SMD Conference on Market Monitoring; Wednesday, October 2, 2002

Panel I—Academics, FTC, DOJ, and others—9:30 a.m.—11:00 a.m.

- Paul Joskow, Massachusetts Institute of Technology, Economics
- John Hilke, Federal Trade Commission
- Jade Eaton, Department of Justice, Attorney
- Kenneth Rose, National Regulatory Research Institute
- Kristin Domanski, Energy Security Analysis Inc.
- Scott Harvey, LECC

Panel II—Market Monitoring Units—11:00 a.m.—12:30 a.m.

- David Patton, Independent Consultant, MISO
- Anjali Sheffrin, CAISO
- Frank Wolak, Stanford University, CAISO
- Robert Ethier, ISO NE
- Steve Balsler, ISO NY
- Joseph Bowring, PJM ISO

Both panels will cover the same topics, but from a different perspective: The first will be a theoretical discussion of what needs to be done as we move towards establishing a standard set of metrics. The second panel will discuss what has been done in practice, what successes they have had, what impediments they have encountered, and what can be done to assist in resolving the difficulties.

The first half hour of each panel will address the first set of issues (below) and whether the "strawman" we issued includes the topics that need to be addressed. The second hour can then deal with a variety of issues associated with using a standard set of metrics such as data availability, regional differences, etc. as well as broader issues addressing market participant access to the data.

First half hour of each panel—standard set of metrics and the strawman:

- What aspects of the market should MMUs be monitoring and what are the metrics?
- Does the "strawman" capture these?
- Are there metrics which are missing?
- To what degree should MMUs be monitoring general market behavior vs. individual market participant behavior?

Last hour of each panel—data and regional issues and market participant accessibility to the data:

- What data limitations are there in monitoring and what can FERC do to address them?
- What, if any, differences in monitoring are appropriate by region? (Are some additional metrics likely to be needed in some regions?)