

Issued in Kansas City, Missouri, on November 5, 2002.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02-28750 Filed 11-12-02; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 02-ACE-8]

Proposed Establishment of Class E2 and Class E4 Airspace and Modification of Existing Class E5 Airspace; Ainsworth, NE; Correction

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking; correction.

SUMMARY: This action corrects an error in the airspace classification of a notice of proposed rulemaking that was published in the **Federal Register** on Friday, August 23, 2002 (67 FR 54599). The proposal was to establish Class E2 and Class E4 airspace and to modify Class E5 airspace at Ainsworth, NE.

DATES: Comments for inclusion in the Rules Docket must be received on or before December 5, 2002.

FOR FURTHER INFORMATION CONTACT: Brenda Mumper, Air Traffic Division, Airspace Branch, ACE-520A, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329-2524.

SUPPLEMENTARY INFORMATION:

History

Federal Register document 02-21576 published on Friday, August 23, 2002 (67 FR 54599) proposed to establish Class E2 and Class E4 airspace and to modify Class E5 airspace at Ainsworth, NE. It has been determined that Class E4 airspace is only applicable when in conjunction with Class D airspace. There is no Class D airspace at Ainsworth, NE. The proposed Class E2 airspace must be redefined to include the proposed Class E4 airspace. The only change from the original Notice of Proposed Rulemaking is the title of the airspace involved.

Accordingly, pursuant to the authority delegated to me, the proposed Class E4 airspace is rescinded and the Class E2 airspace at Ainsworth, NE, as published in the **Federal Register** Friday, August 23, 2002 (67 FR 54599),

(FR Doc. 02-21576), is corrected as follows:

§ 71.1 [Corrected]

On page 54599, Column 3, DEPARTMENT OF TRANSPORTATION section, correct the heading of Airspace Docket No. 02-ACE-8 as follows:

Change "Proposed Establishment of Class E2 and Class E4 Airspace and Modification of Existing Class E5 Airspace; Ainsworth, NE" to read "Proposed Establishment of Class E2 Airspace and Modification of Existing Class E5 Airspace; Ainsworth, NE."

On page 54600, Column 3, last sentence of last paragraph, correct the definition of Class E2 airspace as follows:

Change "Within a 4.3-mile radius of Ainsworth Municipal Airport" to read "Within a 4.3-mile radius of Ainsworth Municipal Airport; within a 2.4 miles each side of the Ainsworth VOR/DME 197° radial extending from the 4.3-mile radius of Ainsworth Municipal Airport to 7 miles south of the airport; and within 2.4 miles each side of the Ainsworth VOR/DME 348° radial extending from the 4.3-mile radius of Ainsworth Municipal Airport to 7 miles north of the airport."

On page 45601, Column 1, delete the first paragraph and the entire section under the heading "ACE NE E4 Ainsworth, NE."

Issued in Kansas City, MO, on October 22, 2002.

Herman J. Lyons, Jr.,

Manager, Air Traffic Division, Central Region.

[FR Doc. 02-28832 Filed 11-12-02; 8:45 am]

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COMMODITY FUTURES TRADING COMMISSION

17 CFR Part 4

Commodity Pool Operators and Commodity Trading Advisors; Exemption From Requirement To Register for CPOs of Certain Pools and CTAs Advising Such Pools

AGENCY: Commodity Futures Trading Commission.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Commodity Futures Trading Commission (Commission or CFTC) has received two specific proposals that would provide additional exemption from registration as a commodity pool operator (CPO). It also has received a proposal that would provide additional exemption from registration as a commodity trading

advisor (CTA). The this **Federal Register** release the Commission is publishing and seeking comment on these proposals (Proposals) and is providing temporary CPO and CTA registration relief (No-Action Relief). To be eligible for the No-Action Relief, a CPO or CTA must meet the criteria specified in the **SUPPLEMENTARY INFORMATION** section.

DATES: Comments must be received by January 13, 2002.

ADDRESSES: Comments on this advance notice of proposed rulemaking should be sent to Jean A. Webb, Secretary, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581. Comments may be sent by facsimile transmission to (202) 418-5528, or by e-mail to secretary@cftc.gov. Reference should be made to "Advance Notice of Proposed Rulemaking on CPO and CTA Registration Exemptions."

FOR FURTHER INFORMATION CONTACT: Barbara S. Gold, Associate Director, or Christopher W. Cummings, Special Counsel, Division of Clearing and Intermediary Oversight, Commodity Futures Trading Commission, 1155 21st Street, NW., Washington, DC 20581, telephone number: (202) 418-5450 or (202) 418-5445, respectively; facsimile number: (202) 418-5536, or (202) 418-5547, respectively; and electronic mail: bgold@cftc.gov or ccummings@cftc.gov, respectively.

SUPPLEMENTARY INFORMATION:

I. Background

Section 1a(5) of the Commodity Exchange Act (Act) defines the term "commodity pool operator" to mean—

[A]ny person engaged in a business that is of the nature of an investment trust, syndicate, or similar form of enterprise, and who, in connection therewith, solicits, accepts, or receives from others, funds, securities, or property, either directly or through capital contributions, the sale of stock or other forms of securities, or otherwise, for the purpose of trading in any commodity for future delivery on or subject to the rules of any contract market or derivatives transaction execution facility,
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¹ 7 U.S.C. 1a(5) (2000). Section 1a(5) also provides the Commission with authority to exclude persons from the CPO definition.

Commission Rule 4.10(d)(1) correspondingly defines the term "pool" to mean "any investment trust, syndicate or similar form of enterprise operated for the purpose of trading commodity interests." Commission rules cited to herein are found at 17 CFR Ch. I (2002).

Both the Act and the Commission's rules issued thereunder can be accessed through the Commission's Web site: <http://www.cftc.gov/cftc/cftclawreg.htm>.