

any changes to the levels of production necessary for Board membership for each unit.

Section 1220.201(d) of the Order provides that at the end of each 3-year period, the Secretary must review the volume of production of each unit and adjust the boundaries of any unit and the number of Board members from each such unit as necessary to conform with the criteria set forth in § 1220.201(e): (1) To the extent practicable, States with annual average soybean production of less than 3,000,000 bushels shall be grouped into geographically contiguous units, each of which has a combined production level equal to or greater than 3,000,000 bushels, and each such group shall be entitled to at least one member on the Board; (2) units with at least 3,000,000 bushels, but fewer than 15,000,000 bushels shall be entitled to one Board member; (3) units with 15,000,000

bushels or more but fewer than 70,000,000 bushels shall be entitled to two Board members; (4) units with 70,000,000 bushels or more but fewer than 200,000,000 bushels shall be entitled to three Board members; and (5) units with 200,000,000 bushels or more shall be entitled to four Board members.

Current representation on the Board (62), and the number of geographical units (30), have been based on average production levels for the years 1995–1999 (excluding crops in years that production was the highest and that production was the lowest) as reported by USDA’s National Agricultural Statistics Service (NASS).

Proposed representation on the Board (64) is based on average production levels for the years 1998–2002 (excluding crops in years that production was the highest and that production was the lowest) as reported by NASS.

The results of the reapportionment based on the 1998–2002 production levels would be an additional member for Maryland and Michigan. New York would no longer be part of the Eastern Region unit because the State has sufficient soybean production to qualify as a separate State unit with one representative on the Board. New Jersey would lose its only member because the State no longer has sufficient soybean production to be a separate State unit. It is proposed that New Jersey merge with the Eastern Region unit, and be represented on the Board by the Eastern Region’s representative. There are no adjustments to the other States or regions.

The number of geographical units would remain at 30. This proposed rule would adjust representation on the Board as follows:

State	1998–2002 Average production level (bushels)	Current representation	Proposed representation
Maryland .....	16,568,000	1	2
Michigan .....	74,797,000	2	3
New York .....	4,503,000	0	1
New Jersey .....	2,882,000	1	0

Board adjustment as proposed by this rulemaking would be effective with the 2004 nominations and appointments.

**List of Subjects in 7 CFR Part 1220**

Administrative practice and procedure, Advertising, Agricultural research, Marketing agreements, Soybeans and soybean products, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, it is proposed that title 7, part 1220 be amended as follows:

**PART 1220—SOYBEAN PROMOTION, RESEARCH, AND CONSUMER INFORMATION**

1. The authority citation for 7 CFR part 1220 continues to read as follows:

**Authority:** 7 U.S.C. 6301–6311.

2. In § 1220.201, the table in paragraph (a) is revised to read as follows:

**§ 1220.201 Membership of board.**

(a) \* \* \*

Unit	Number of members
Illinois .....	4
Iowa .....	4
Minnesota .....	4

Unit	Number of members	Unit	Number of members
Indiana .....	4	Western Region (Montana, Wyoming, Colorado, New Mexico, Idaho, Utah, Arizona, Washington, Oregon, Nevada, California, Hawaii, and Alaska) .....	1
Missouri .....	3		
Ohio .....	3		
Arkansas .....	3		
Nebraska .....	3		
South Dakota .....	3		
Kansas .....	3		
Michigan .....	3		
Mississippi .....	2		
Louisiana .....	2		
Tennessee .....	2		
North Carolina .....	2		
Kentucky .....	2		
North Dakota .....	2		
Wisconsin .....	2		
Maryland .....	2		
Virginia .....	1		
Georgia .....	1		
South Carolina .....	1		
Alabama .....	1		
Delaware .....	1		
Texas .....	1		
Pennsylvania .....	1		
Oklahoma .....	1		
New York .....	1		
Eastern Region (New Jersey, Massachusetts, Connecticut, Florida, Rhode Island, Vermont, New Hampshire, Maine, West Virginia, District of Columbia, and Puerto Rico) .....	1		

Dated: June 11, 2003.

**Kenneth C. Clayton,**

*Acting Administrator, Agricultural Marketing Service.*

[FR Doc. 03–15270 Filed 6–16–03; 8:45 am]

BILLING CODE 3410–02–P

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. 2003–NE–09–AD]

RIN 2120–AA64

**Airworthiness Directives; Pratt & Whitney Canada PT6A–60A and PT6A–65B Turboprop Engines**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for Pratt & Whitney Canada (PWC) PT6A-60A and PT6A-65B turboprop engines. This proposed AD would require replacing Woodward propeller governor assemblies, part number (P/N) 8210-212H. This proposed AD is prompted by six incidents during airplane acceptance flight testing where directional control of the airplane was difficult to maintain during landing. The actions specified in this proposed AD are intended to prevent loss of directional control and damage to the airplane.

**DATES:** We must receive any comments on this proposed AD by August 18, 2003.

**ADDRESSES:** Use one of the following addresses to submit comments on this proposed AD:

- *By mail:* Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, Attention: Rules Docket No. 2003-NE-09-AD, 12 New England Executive Park, Burlington, MA 01803-5299.

- *By fax:* (781) 238-7055.

- *By e-mail:* [9-ane-adcomment@faa.gov](mailto:9-ane-adcomment@faa.gov).

You may get the service information identified in this proposed AD from Pratt & Whitney Canada, 1000 Marie-Victorin, Longueuil, Quebec, Canada J4G1A1.

You may examine the AD docket at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA.

**FOR FURTHER INFORMATION CONTACT:** Ian Dargin, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7178; fax (781) 238-7199.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

We invite you to submit any written relevant data, views, or arguments regarding this proposal. Send your comments to an address listed under **ADDRESSES**. Include "AD Docket No. 2003-NE-09-AD" in the subject line of your comments. If you want us to acknowledge receipt of your mailed comments, send us a self-addressed, stamped postcard with the docket number written on it; we will date-stamp your postcard and mail it back to you. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. If a person contacts us

through a nonwritten communication, and that contact relates to a substantive part of this proposed AD, we will summarize the contact and place the summary in the docket. We will consider all comments received by the closing date and may amend the proposed AD in light of those comments.

We are reviewing the writing style we currently use in regulatory documents. We are interested in your comments on whether the style of this document is clear, and your suggestions to improve the clarity of our communications that affect you. You may get more information about plain language at <http://www.plainlanguage.gov>.

**Examining the AD Docket**

You may examine the AD Docket (including any comments and service information), by appointment, between 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays. See **ADDRESSES** for the location.

**Discussion**

Transport Canada, which is the airworthiness authority for Canada, recently notified the FAA that an unsafe condition may exist on PWC PT6A-60A and PT6A-65B turbofan engines. Transport Canada advises the FAA that there have been six reports from the airplane manufacturer that it was difficult to maintain directional control of the airplane during landing. These events were reported to have occurred during airplane acceptance flight testing. Certain governors that incorporate propeller control units (PCUs) with thicker O-rings on the Beta valve shafts of the PCUs may not set the appropriate ground idle blade angle when the airplane lands. If this happens on one engine only, a substantial and unexpected asymmetric thrust condition will occur.

The introduction of a thicker O-ring on the Beta valve shaft of the PCU addressed a nuisance oil leakage issue. A side effect of fitting this thicker O-ring is that a slightly higher input force is required to move the Beta valve to the ground idle position. On the installations using the PT6A-60A and PT6A-65B engines, the airframe installations have a solenoid system that relies on the force of an internal spring within the Beta valve to move the valve to the ground idle command position. The force of this spring is insufficient to overcome the increased friction of the thicker O-ring and ensure that the valve consistently and promptly moves to the ground idle position. As a result, the pilot may experience directional control problems during landing. There have

been no reports of in-service incidents to date. The actions specified in this proposed AD are intended to prevent loss of directional control and damage to the airplane.

This proposed AD is not applicable to engine models operating with the Woodward propeller governor, P/N 8210-212J, since they operate with a push-pull rod mechanism to move the Beta valve. That arrangement provides ample force to overcome the O-ring's frictional resistance.

**Relevant Service Information**

PWC has issued Service Bulletin (SB) PT6A-72-13354, dated July 6, 2001. That SB provides information for the removal, replacement, or modification of Woodward propeller governor assembly, P/N 8210-212H. Transport Canada classified this SB as mandatory and issued airworthiness directive CF-2002-02, dated January 15, 2002, in order to ensure the airworthiness of these PWC engines in Canada.

**Differences Between This Proposed AD and the Manufacturer's Service Information**

Although the SB recommends the removal, replacement or modification of Woodward propeller governor assemblies, P/N 8210-212H, when the engine is disassembled and access is available to the necessary subassembly (*i.e.* module, accessories, components, or build groups), this proposed AD would require compliance at the next access or within six months after the effective date of this AD, whichever occurs first.

**FAA's Determination and Requirements of the Proposed AD**

These PT6A-60A and PT6A-65B engine models, manufactured in Canada, are type-certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, Transport Canada has kept us informed of the situation described above. We have examined Transport Canada's findings, 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. Therefore, we are proposing this AD, which would require replacing Woodward propeller governor assemblies, P/N 8210-212H.

### Changes to 14 CFR Part 39—Effect on the Proposed AD

On July 10, 2002, we published a new version of 14 CFR part 39 (67 FR 47997, July 22, 2002), which governs the FAA's AD system. This regulation now includes material that relates to altered products, special flight permits, and alternative methods of compliance. This material previously was included in each individual AD. Since this material is included in 14 CFR part 39, we will not include it in future AD actions.

### Costs of Compliance

There are approximately 73 Pratt & Whitney Canada PT6A-60A and PT6A-65B turboprop engines of the affected design in the worldwide fleet. We estimate that 70 engines installed on airplanes of U.S. registry would be affected by this proposed AD. We also estimate that it would take approximately 2 work hours per engine to perform the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$24,228 per engine. Based on these figures, the total cost of the proposed AD to U.S. operators is estimated to be \$1,704,360. PWC has informed the FAA that it may provide the parts and labor to the operators at no cost, thereby substantially reducing the cost impact of this proposed rule.

### Regulatory Findings

We have determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect 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.

For the reasons discussed above, I certify that the proposed regulation:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
3. Would not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a summary of the costs to comply with this proposal and placed it in the AD Docket. You may get a copy of this summary by sending a request to us at the address listed under **ADDRESSES**. Include "AD Docket No. 2003-NE-09-AD" in your request.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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. 106(g), 40113, 44701.

#### § 39.13 [Amended]

2. The FAA amends § 39.13 by adding the following new airworthiness directive:

**Pratt and Whitney Canada:** Docket No. 2003-NE-09-AD.

*Comments Due Date:* (a) The Federal Aviation Administration (FAA) must receive comments on this airworthiness directive (AD) action by August 18, 2003.

*Affected ADs:* (b) None.

*Applicability:* (c) This AD is applicable to Pratt & Whitney Canada (PWC) PT6A-60A and PT6A-65B turboprop engines that have Woodward propeller governor assemblies, part number, (P/N) 8210-212H, installed. These engines are installed on, but not limited to, Raytheon Super Beech King Air 300/350 and Raytheon Beech 1900/1900C airplanes.

*Unsafe Condition:* (d) This AD was prompted by six incidents during airplane acceptance flight testing, whereby directional control of the airplane was difficult to maintain during landing. The actions specified in this AD are intended to prevent loss of directional control and damage to the airplane.

*Compliance:* (e) Compliance with this AD is required as indicated, unless already done.

#### Removal of Woodward Propeller Governor Assemblies

(f) Replace Woodward propeller governor assemblies, P/N 8210-212H, at the next access to the governor or within six months after the effective date of this AD, whichever occurs earlier. Information on replacing the Woodward propeller governor assembly can be found in Pratt & Whitney Canada Service Bulletin PT6A-72-13354, dated July 6, 2001.

(g) After the effective date of this AD, do not install any Woodward propeller governor assembly, P/N 8210-212H, on any engine.

#### Alternative Methods of Compliance

(h) Alternative methods of compliance must be requested in accordance with 14 CFR part 39.19, and must be approved by the Manager, Engine Certification Office, FAA.

#### Material Incorporated by Reference

(i) None

### Related Information

(j) The subject of this AD is addressed in Transport Canada airworthiness directive CF-2002-02, dated January 15, 2002.

Issued in Burlington, Massachusetts, on June 9, 2003.

**Francis A. Favara,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 03-15224 Filed 6-16-03; 8:45 am]

**BILLING CODE 4910-13-P**

### DEPARTMENT OF THE TREASURY

#### Internal Revenue Service

#### 26 CFR Part 49

[REG-141097-02]

RIN 1545-BB18

#### Excise Taxes; Communications Services, Distance Sensitivity; Hearing

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice of public hearing on proposed rulemaking.

**SUMMARY:** This document contains a notice of public hearing on proposed regulations relating to the definition of toll telephone service for purposes of the communications excise tax.

**DATES:** The public hearing is being held on September 10, 2003, at 10 a.m. The IRS must receive outlines of the topics to be discussed at the hearing by July 15, 2003.

**ADDRESSES:** The public hearing is being held in room 4718, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, DC. Send submissions to: CC:PA:RU (REG-141097-02), room 5226, Internal Revenue Service, POB 7604, Ben Franklin Station, Washington, DC 20044. Submissions may be hand delivered between the hours of 8 a.m. and 4 p.m. to CC:PA:RU (REG-141097-02), Couriers Desk, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, DC. Alternatively, taxpayers may submit electronic outlines of oral comments directly to the IRS Internet site at <http://www.irs.gov/regs>.

#### FOR FURTHER INFORMATION CONTACT:

Concerning the regulations, Cynthia McGreevy (202) 622-3130; concerning submissions, LaNita Van Dyke (202) 622-7180 (not toll free numbers).

**SUPPLEMENTARY INFORMATION:** The subject of the public hearing is the notice of proposed regulations (REG-141097-02) that was published in the