it is determined that this proposal would not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this 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) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (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. Section 39.13 is amended by adding the following new airworthiness directive:

Airbus: Docket 2003–NM–211–AD.

Applicability: All Model A330–200 and –300 and A340–200, –300, –500, and –600 series airplanes; certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

To prevent failure of an emergency evacuation slide raft to deploy and inflate during an emergency situation, which could impede an evacuation and result in injury to passengers or crewmembers, accomplish the following:

Service Information References

(a) The following information pertains to the service information referenced in paragraphs (b) and (c) of this AD:

(1) The term ''All Operators Telex'' (AOT) as used in this AD, means the Accomplishment Instructions of AOT 25A3206, dated June 2, 2003 (for Model A330–200 and –300 series airplanes); AOT 25A4213, dated June 2, 2003 (for Model A340–200 and –300 series airplanes); and AOT 25A5036, Revision 01, dated July 22, 2003 (for Model A340–500 and –600 series airplanes).

(2) Accomplishment of the actions before the effective date of this AD per AOT 25A5036, dated June 2, 2003, is considered acceptable for compliance with the corresponding actions specified in this AD.

(3) The AOTs refer to Goodrich Service Bulletin 25A341, Revision 1, dated May 21, 2003, as an additional source of service information for accomplishment of the actions specified in the AOTs.

(4) Although the AOTs referenced in this AD specify to submit certain information to the manufacturer, this AD does not include such a requirement.

Inspection/Modification

(b) Within 6 months after the effective date of this AD, do a one-time general visual inspection of each slide raft to determine if a discrepant regulator valve (one that does not function properly, preventing release of gas) is installed on the pressure bottle that inflates the slide/raft. Do the inspection per the applicable AOT.

(1) If any discrepant regulator valve is found: Before further flight, do the interim modification of the regulator valve for that slide raft only, per the applicable AOT.

(2) If no discrepant regulator valve is found, no further action is required by this paragraph.

Note 1: For the purposes of this AD, a general visual inspection is defined as: ''A visual examination of an interior or exterior area, installation, or assembly to detect obvious damage, failure, or irregularity. This level of inspection is made from within touching distance unless otherwise specified. A mirror may be necessary to enhance visual access to all exposed surfaces in the inspection area. This level of inspection is made under normally available lighting conditions such as daylight, hangar lighting, flashlight, or droplight and may require removal or opening of access panels or doors. Stands, ladders, or platforms may be required to gain proximity to the area being checked.''

Terminating Modification

(c) Except as required by paragraph (b)(1) of this AD: Modify any regulator valve having P/N 4A3857–1, at the applicable time specified in paragraph (c)(1) or (c)(2) of this AD, per a method approved by the Manager, International Branch, ANM–116, FAA, Transport Airplane Directorate. Accomplishment of this paragraph terminates the requirements of this AD.

(1) For airplanes on which the regulator valves have been modified per the applicable AOT as of the effective date of this AD: Within 18 months after the effective date of this AD.

(2) For airplanes on which the regulator valves have not been modified per the applicable AOT as of the effective date of this AD: Within 6 months after the effective date of this AD.

Alternative Methods of Compliance

(d) In accordance with 14 CFR 39.19, the Manager, International Branch, ANM–116, is authorized to approve alternative methods of compliance for this AD.

Note 2: The subject of this AD is addressed in French airworthiness directive 2003–213(B) R1, dated August 20, 2003.

Issued in Renton, Washington, on April 15, 2004.

Michael J. Kaszycki,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 04–9111 Filed 4–21–04; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 1

[Docket No. RM04–7–000]

Notice of Technical Conference and Initiation of Rulemaking Proceeding

April 14, 2004.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Initiation of rulemaking proceeding and notice of technical conference.

SUMMARY: The Federal Energy Regulatory Commission is establishing a rulemaking proceeding with respect to the adequacy of the current four-prong analysis and whether and how it should be modified to assure that electric market-based rates are just and reasonable under the Federal Power Act. The Commission will convene a series of technical conferences that will be open to the public. The first such technical conference will be June 9, 2004, at the Commission's headquarters. The purpose of this conference will be to frame the issues that will comprise the rulemaking proceeding, including a discussion on how all four parts of the current test interrelate, as well as what other factors the Commission should consider in granting market-based rate authorizations.

FOR FURTHER INFORMATION CONTACT: Michelle Barnaby, Office of Markets, Tariffs, and Rates, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502–8407.

SUPPLEMENTARY INFORMATION:

107 FERC ¶ 61,019

Federal Energy Regulatory Commission

[Docket No. RM04–7–000]

Market-Based Rates For Public Utilities; Initiation of Rulemaking Proceeding on Market-Based Rates and Notice of Technical Conference

April 14, 2004.

1. In a companion order we are issuing today in *AEP Power Marketing, Inc.,* Docket No. ER96–2495–016, *et al.*

(*AEP Order*),[1] the Commission adopts new interim generation market power screens to identify those applicants for electric market-based rate authority that may possess generation market power. An analysis of whether an applicant possesses generation market power has for many years been one of the four prongs of analysis the Commission has used to assess whether an applicant should be granted market-based rate authority. The other three prongs that the Commission has considered are (1) whether the applicant has transmission market power, (2) whether the applicant can erect barriers to entry, and (3) whether there are concerns involving the applicant that relate to affiliate abuse and/or reciprocal dealing. In today's *AEP Order* and in prior orders in the same dockets, the Commission stated that the generation market power screen it was adopting in that proceeding was only an interim screen, and that the Commission intended to initiate a generic rulemaking proceeding on potential new analytical methods for assessing markets and market power. The Commission has also stated that as part of this process it intended to hold a series of outreach meetings with industry experts on these matters.[2] The purpose of this notice is to initiate a rulemaking proceeding with respect to the adequacy of the current four-prong analysis and whether and how it should be modified to assure that electric market-based rates are just and reasonable under the Federal Power Act.

2. The Commission's four-prong market-based rate test was developed nearly 15 years ago, in the context of specific market-based rate proposals filed with the Commission, and currently there are no comprehensive codified regulations governing what applicants must demonstrate in order to obtain market-based rate authorization from the Commission. Much has changed in the industry since the Commission began using the four-prong test in the 1980s, and we believe it is important not only to ensure that our test is sufficient to support market-based rates in today's energy markets, but also to provide clarity, by way of codified regulations, as to what applicants must demonstrate in order to obtain (and retain) authority to sell at market-based rates.

3. This generic proceeding will address, but not be limited to, whether the Commission should retain or modify its existing four-prong test (*e.g.*, whether the analysis should explicitly address vertical market power issues); whether the factors the Commission considers under the existing prongs should be revised; whether the interim generation market power screens that are adopted today in the *AEP Order* should be retained over the long-term; whether the Commission should adopt different approaches to affiliate transactions than it currently does; and whether there should be new Commission regulations promulgated expressly for electric market-based rate filings. The Commission intends the scope of this rulemaking proceeding to be broad, and to include market-based rate authorizations associated with ancillary services.

4. In order to have a better understanding of the issues that need to be considered, as well as the procedural direction the rulemaking should take, as a first step the Commission intends to convene a series of technical conferences that will be open to the public. The Commission will hold the first such technical conference on June 9, 2004, at the Commission's headquarters. The purpose of this conference will be to frame the issues that will comprise the rulemaking proceeding, including a discussion of how all four parts of the current test interrelate, as well as what other factors the Commission should consider in granting market-based rate authorizations.

5. 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 10 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, by phone or via satellite. Persons interested in receiving the broadcast, or who need information on making arrangements, should contact David Reininger or Julia Morelli at Capitol Connection (703–993–3100) as soon as possible or visit the Capitol Connection Web site at *http://www.capitolconnection.org* and click on "FERC.''

6. For more information about the conference, please contact Michelle Barnaby at 202–502–8407 or *Michelle.Barnaby@ferc.gov*.

7. A supplemental notice of this conference will be issued later that will provide details of the conference, including the panelists.

By direction of the Commission.

Magalie R. Salas,

Secretary.

[FR Doc. 04–9099 Filed 4–21–04; 8:45 am]

BILLING CODE 6717–01–P

[1] 107 FERC ¶ 61,018 (2004) (*AEP Order*).

[2] *See, e.g., AEP Order,* 107 FERC ¶ 61,018 at P1–2; AEP Power Marketing, Inc, *et al.*, 97 FERC ¶ 61,219 at 61,967 & n.2 (2001); Notice Delaying Effective Date of Mitigation and Announcing Technical Conference, December 20, 2001 at 1; Notice of Technical Conference on Supply Margin Assessment Screen and Alternatives, December 19, 2003, at 1, 3, and attached Staff Paper at 1.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 201, 208, and 209

[Docket No. 2003N–0324]

RIN 0910–AC35

Toll-Free Number for Reporting Adverse Events on Labeling for Human Drug Products

AGENCY: Food and Drug Administration, HHS.

ACTION: Proposed rule.

SUMMARY: The Food and Drug Administration (FDA) is proposing to amend its regulations governing the format and content of labeling for human drug products for which an application is approved under section 505 of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 355). The proposed rule would require the addition of a statement that includes a toll-free number and advises that the number is to be used only for reporting side effects and is not intended for medical advice (the side effects statement). When finalized, this rule will bring FDA regulations into compliance with provisions of the Best Pharmaceuticals for Children Act (the BPCA).

DATES: Submit written or electronic comments by July 21, 2004. See section IV of this document for the proposed effective date of any final rule based on this proposal.

ADDRESSES: You may submit comments, identified by Docket No. 2003N–0324 and RIN 0910–AC35, by any of the following methods:

- Federal eRulemaking Portal: *http://www.regulations.gov*. Follow the instructions for submitting comments.
- Agency Web site: *http://www.fda.gov/dockets/ecomments*. Follow the instructions for submitting comments on the agency Web site.
- E-mail: *fdadockets@oc.fda.gov*. Include Docket No. 2003N–0324 and RIN 0910–AC35 in the subject line of your e-mail message.