

practices under the Commission's rules for trading facilities, implemented pursuant to the Commodity Futures Modernization Act of 2000, based on the Commission's experience in applying those rules since they were originally adopted in 2001; and revise the application and review process for designation as a derivatives clearing organization. The original comment period closed on September 9, 2005.

By letter dated September 6, 2005, the New York Mercantile Exchange ("NYMEX") requested that the comment period be extended 15 days, to September 26, 2005. NYMEX requested the additional time because, due to current extreme energy market conditions, the Exchange staff will be unable to properly circulate its response and obtain the necessary committee approvals and other review necessary to file a comment prior to the original close of the comment period on September 9, 2005.

In response to this request, and in order to ensure that an adequate opportunity is provided for the submission of meaningful comments, the Commission will reopen and extend the comment period on the proposed rules.

**DATES:** Responses must be received by September 26, 2005.

**ADDRESSES:** Comments should be sent to the Commodity Futures Trading Commission, Three Lafayette Center, 1155 21st Street, NW., Washington, DC 20581, attention: Office of the Secretariat. Comments may be sent by facsimile transmission to 202-418-5521 or, by e-mail to [secretary@cftc.gov](mailto:secretary@cftc.gov). Reference should be made to "Proposed Clarifying Amendments for Exempt Markets, Derivatives Transaction Execution Facilities and Designated Contract Markets, and Procedural Changes for Derivatives Clearing Organization Registration Applications."

**FOR FURTHER INFORMATION CONTACT:** Donald Heitman, Senior Special Counsel (telephone 202-418-5041, e-mail [dheitman@cftc.gov](mailto:dheitman@cftc.gov)), Division of Market Oversight, or Lois Gregory, Special Counsel (telephone 202-418-5521, e-mail [lgregory@cftc.gov](mailto:lgregory@cftc.gov)), Division of Clearing and Intermediary Oversight, Commodity Futures Trading Commission, Three Lafayette Center, 1155 21st Street, NW., Washington, DC 20581.

Issued in Washington, DC, on September 8, 2005, by the Commission.

**Jean A. Webb,**

*Secretary of the Commission.*

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Parts 1 and 301

[REG-168892-03]

RIN 1545-BD00

#### Attained Age of the Insured Under Section 7702; Hearing Cancellation

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

**ACTION:** Cancellation of notice of public hearing on proposed rulemaking.

**SUMMARY:** This document cancels a public hearing on proposed regulations explaining how to determine the attained age of an insured for purposes of testing whether a contract qualifies as a life insurance contract for Federal Income Tax purposes.

**DATES:** The public hearing originally scheduled for September 14, 2005 at 10 a.m., is cancelled.

**FOR FURTHER INFORMATION CONTACT:** LaNita Van Dyke of the Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration), at (202) 622-7180 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:** A notice of proposed rulemaking and notice of public hearing that appeared in the **Federal Register** on Tuesday, May 24, 2005, (70 FR 29671), announced that a public hearing was scheduled for September 14, 2005, at 10 a.m., in the IRS Auditorium, Internal Revenue Service Building, 1111 Constitution Avenue, NW., Washington, DC. The subject of the public hearing is under section 7702 of the Internal Revenue Code.

The public comment period for these regulations expired on August 24, 2005. The notice of proposed rulemaking and notice of public hearing, instructed those interested in testifying at the public hearing to submit a request to speak and an outline of the topics to be addressed. As of Friday, September 09, 2005, no one has requested to speak.

Therefore, the public hearing scheduled for September 14, 2005, is cancelled.

**Guy R. Traynor,**

*Acting Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel, (Procedure and Administration).*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[R08-OAR-2005-UT-0003; FRL-7961-6]

#### Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Ogden City Revised Carbon Monoxide Maintenance Plan and Approval of Related Revisions

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to take direct final action approving State Implementation Plan (SIP) revisions submitted by the State of Utah. On November 29, 2004, the Governor of Utah submitted revisions to Utah's Rule R307-110-12, "Section IX, Control Measures for Area and Point Sources, Part C, Carbon Monoxide," which incorporates a revised maintenance plan for the Ogden carbon monoxide (CO) maintenance area for the CO National Ambient Air Quality Standard (NAAQS). The revised maintenance plan contains revised transportation conformity budgets for the years 2005 and 2021. In addition, the Governor submitted revisions to Utah's Rule R307-110-35, "Section X, Vehicle Inspection and Maintenance Program, Part E, Weber County," which incorporates a revised vehicle inspection and maintenance program for Weber County. In this action, EPA is approving the Ogden City CO revised maintenance plan, the revised transportation conformity budgets, the revised vehicle inspection and maintenance program for Weber County, and the revisions to rules R307-110-12 and R307-110-35. This action is being taken under section 110 of the Clean Air Act.

In the "Rules and Regulations" section of this **Federal Register**, EPA is approving the State's SIP revisions as a direct final rule without prior proposal because the Agency views this as a noncontroversial SIP revision and anticipates no adverse comments. A detailed rationale for the approval is set