

(4) Appointment under 5 U.S.C. 3112 (veterans with compensable service-connected disability of 30 percent or more). The disability must be documented by a notice of retirement of discharge due to service-connected disability from active military service dated at any time, or by a notice of compensable disability rating from the Department of Veterans Affairs, dated 1991 or later;

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[FR Doc. E7-16285 Filed 8-17-07; 8:45 am]

BILLING CODE 6325-39-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2007-28843; Directorate Identifier 2007-CE-065-AD]

RIN 2120-AA64

#### Airworthiness Directives; DG Flugzeugbau GmbH Model DG-500MB Gliders

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

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

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for the products listed above. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

In some cases the electric motor of the spindle drive detached itself from the spindle drive, causing the powerplant to retract itself after engine shutdown. In another case the attachment fork on the spindle drive failed with the same consequences.

The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

**DATES:** We must receive comments on this proposed AD by September 19, 2007.

**ADDRESSES:** You may send comments by any of the following methods:

- **DOT Docket Web Site:** Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

- **Fax:** (202) 493-2251.

- **Mail:** U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room

W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- **Hand Delivery:** U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.

#### Examining the AD Docket

You may examine the AD docket on the Internet at or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone (800) 647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Greg Davison, Glider Program Manager, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4130; fax: (816) 329-4090.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2007-28843; Directorate Identifier 2007-CE-065-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

#### Discussion

The Luftfahrt-Bundesamt (LBA), which is the aviation authority for the Federal Republic of Germany, has issued AD D-2006-060, dated March 6, 2006 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

In some cases the electric motor of the spindle drive detached itself from the spindle drive, causing the powerplant to retract itself after engine shutdown. In another case the attachment fork on the spindle drive failed with the same consequences.

The MCAI requires you to modify the affected parts and exchange pages in the flight, maintenance, and repair manuals.

You may obtain further information by examining the MCAI in the AD docket.

#### Relevant Service Information

DG Flugzeugbau GmbH has issued Technical Note No. 843-24, dated January 31, 2006; Working instruction No. 1, dated January 23, 2006; Working instruction No. 2, dated January 30, 2006; Drawing 5M210, Spindle drive Stross BSA 10 assembly, issued: January 22, 2003, revised: May 19, 2006; and Drawing 5M211, Spindle drive Stross BSA 10 assembly with strengthened fork 8M233"f", issued: January 23, 2006. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

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

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with this State of Design Authority, they have notified us of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

#### Differences Between This Proposed AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have proposed different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a Note within the proposed AD.

#### Costs of Compliance

Based on the service information, we estimate that this proposed AD would

affect about 5 products of U.S. registry. We also estimate that it would take about 5 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$80 per work-hour. Required parts would cost about \$422 per product.

Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$4,110, or \$822 per product.

#### Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs," describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

#### Regulatory Findings

We 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 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. 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.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

#### 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 FAA 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 AD:

**DG Flugzeugbau GmbH:** Docket No. FAA–2007–28843; Directorate Identifier 2007–CE–065–AD.

#### Comments Due Date

(a) We must receive comments by September 19, 2007.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to Model DG–500MB gliders, all serial numbers, certificated in any category.

#### Subject

(d) *Air Transport Association of America (ATA) Code 24: Electric Power.*

#### Reason

(e) The mandatory continuing airworthiness information (MCAI) states:

"In some cases the electric motor of the spindle drive detached itself from the spindle drive, causing the powerplant to retract itself after engine shutdown. In another case the attachment fork on the spindle drive failed with the same consequences."

The MCAI requires you to modify the affected parts and exchange pages in the flight, maintenance, and repair manuals.

#### Actions and Compliance

(f) Unless already done, do the following actions:

(1) Within 90 days after the effective date of this AD:

(i) Secure the connection between the spindle drive "Stross BSA10" and the spindle drive motor following DG Flugzeugbau GmbH Working instruction No. 1, dated January 23, 2006, as referenced in DG Flugzeugbau GmbH Technical Note No. 843–24, dated January 31, 2006.

(ii) Replace the fork 8M233/1 from the spindle drive with the strengthened fork 8M233"ff"; replace the bearing support with the modified support 8M229"e"; and secure the spindle drive fork between the spindle drive "Stross BSA10" and the spindle drive motor following DG Flugzeugbau GmbH Working instruction No. 2, dated January 30, 2006, as referenced in DG Flugzeugbau GmbH Technical Note No. 843–24, dated January 31, 2006; DG Flugzeugbau GmbH Drawing 5M210, Spindle drive Stross BSA 10 assembly, issued: January 22, 2003, revised:

May 19, 2006; and DG Flugzeugbau GmbH Drawing 5M211, Spindle drive Stross BSA 10 assembly with strengthened fork 8M233"ff", issued: January 23, 2006.

(2) Before further flight after completing the actions required by paragraphs (f)(1)(i) and (f)(1)(ii) of this AD, insert the new Flight Manual pages 0.1, 0.3, 0.4, 2.8, 3.7, 3.8, 4.1, 4.25, and 4.26; the new Maintenance Manual pages 1, 2, 3, 4, 5, 42, 49, 68, 89, 89a, 93; the new Repair Manual pages 1, 2, 7, and 8; and Enclosure 1 into your maintenance program (maintenance manual), following DG Flugzeugbau GmbH Technical Note No. 843–24, dated January 31, 2006.

#### FAA AD Differences

**Note:** This AD differs from the MCAI and/or service information as follows:

The MCAI requires inspection of the fork and the bearing support with replacement if cracks are found. The MCAI does not require repetitive inspection of the parts. This AD requires mandatory replacement of these parts with redesigned parts. The FAA believes mandatory replacement rather than inspection will prevent failure of these parts in the future.

#### Other FAA AD Provisions

(g) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Staff, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Greg Davison, Glider Program Manager, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4130; fax: (816) 329–4090. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120–0056.

#### Related Information

(h) Refer to MCAI Federal Republic of Germany Luftfahrt-Bundesamt AD D–2006–060, dated March 6, 2006; DG Flugzeugbau GmbH Technical Note No. 843–24, dated January 31, 2006; DG Flugzeugbau GmbH Working instruction No. 1, dated January 23, 2006; DG Flugzeugbau GmbH Working instruction No. 2, dated January 30, 2006; DG Flugzeugbau GmbH Drawing 5M210, Spindle drive Stross BSA 10 assembly, issued:

January 22, 2003, revised May 19, 2006; and DG Flugzeugbau GmbH Drawing 5M211, Spindle drive Stross BSA 10 assembly with strengthened fork 8M233“F”, dated January 23, 2006, for related information.

Issued in Kansas City, Missouri, on August 14, 2007.

**Terry L. Chasteen,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. E7-16302 Filed 8-17-07; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### 18 CFR Part 40

[Docket No. RM07-3-000]

#### Facilities Design, Connections and Maintenance Reliability Standards

August 13, 2007.

**AGENCY:** Federal Energy Regulatory Commission, DOE.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** Pursuant to section 215 of the Federal Power Act (FPA), the Commission is proposing to approve three Reliability Standards developed by the North American Electric Reliability Corporation (NERC), which the Commission has certified as the Electric Reliability Organization responsible for developing and enforcing mandatory Reliability Standards. The three new Reliability Standards, designated by NERC as FAC-010-1, FAC-011-1 and FAC-014-1, set requirements for the development of system operating limits of the Bulk-Power System for use in the planning and operation horizons.

**DATES:** Comments are due September 19, 2007.

**ADDRESSES:** Comments and reply comments may be filed electronically via the eFiling link on the Commission's Web site at <http://www.ferc.gov>. Documents created electronically using word processing software should be filed in the native application or print-to-PDF format and not in a scanned format. This will enhance document retrieval for both the Commission and the public. The Commission accepts most standard word processing formats and commenters may attach additional files with supporting information in certain other file formats. Attachments that exist only in paper form may be scanned. Commenters filing electronically should not make a paper filing. Service of rulemaking comments

is not required. Commenters that are not able to file electronically must send an original and 14 copies of their comments to: Federal Energy Regulatory Commission, Office of the Secretary, 888 First Street, NE., Washington, DC 20426.

#### FOR FURTHER INFORMATION CONTACT:

Christy Walsh (Legal Information), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-6523.

Robert Snow (Technical Information), Office of Energy Markets and Reliability, Division of Reliability, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-6716.

Kumar Agarwal (Technical Information), Office of Energy Markets and Reliability, Division of Reliability, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-8923.

#### SUPPLEMENTARY INFORMATION:

1. Pursuant to section 215 of the Federal Power Act (FPA), the Commission is proposing to approve three Reliability Standards developed by the North American Electric Reliability Corporation (NERC), which the Commission has certified as the Electric Reliability Organization responsible for developing and enforcing mandatory Reliability Standards. The three new Reliability Standards, designated by NERC as FAC-010-1, FAC-011-1 and FAC-014-1, set requirements for the development of system operating limits of the Bulk-Power System for use in the planning and operation horizons.<sup>1</sup>

#### I. Background

##### A. EPAct 2005 and Mandatory Reliability Standards

2. On August 8, 2005, the Electricity Modernization Act of 2005, which is Title XII, Subtitle A, of the Energy Policy Act of 2005 (EPAct 2005), was enacted into law.<sup>2</sup> EPAct 2005 adds a new section 215 to the FPA, which requires a Commission-certified ERO to develop mandatory and enforceable Reliability Standards, which are subject to Commission review and approval.

<sup>1</sup> The Commission is not proposing any new or modified text to its regulations. Rather, as set forth in 18 CFR part 40, a proposed Reliability Standard will not become effective until approved by the Commission, and the ERO must post on its Web site each effective Reliability Standard.

<sup>2</sup> Energy Policy Act of 2005, Pub. L. 109-58, Title XII, Subtitle A, 119 Stat. 594, 941 (2005), to be codified at 16 U.S.C. 824a.

Once approved, the Reliability Standards may be enforced by the ERO, subject to Commission oversight or the Commission can independently enforce Reliability Standards.<sup>3</sup>

3. On February 3, 2006, the Commission issued Order No. 672, implementing section 215 of the FPA.<sup>4</sup> Pursuant to Order No. 672, the Commission certified one organization, NERC, as the ERO.<sup>5</sup> The ERO is required to develop Reliability Standards, which are subject to Commission review and approval. The Reliability Standards will apply to users, owners and operators of the Bulk-Power System, as set forth in each Reliability Standard.

##### B. NERC's Proposed New Reliability Standards

4. On November 15, 2006, NERC filed 20 revised Reliability Standards and three new Reliability Standards for Commission approval. The Commission addressed the 20 revised Reliability Standards in Order No. 693.<sup>6</sup> The three new Reliability Standards were designated by NERC as follows:

FAC-010-1 (System Operating Limits Methodology for the Planning Horizon);

FAC-011-1 (System Operating Limits Methodology for the Operations Horizon); and

FAC-014-1 (Establish and Communicate System Operating Limits).

These three Reliability Standards were assigned to a new rulemaking proceeding, Docket No. RM07-3-000, and are the subject of the current Notice of Proposed Rulemaking (NOPR).<sup>7</sup>

5. In addition, NERC proposes the addition or revision of the following terms in the NERC Glossary of Terms Used in Reliability Standards (NERC glossary): “cascading outages,” “delayed fault clearing,” “Interconnection

<sup>3</sup> 16 U.S.C. 824a(e)(3).

<sup>4</sup> *Rules Concerning Certification of the Electric Reliability Organization; Procedures for the Establishment, Approval and Enforcement of Electric Reliability Standards*, Order No. 672, 71 FR 8662 (February 17, 2006), FERC Stats. & Regs. ¶ 31,204 (2006), *order on reh'g*, Order No. 672-A, 71 FR 19814 (April 18, 2006), FERC Stats. & Regs. ¶ 31,212 (2006).

<sup>5</sup> *North American Electric Reliability Corp.*, 116 FERC ¶ 61,062 (*ERO Certification Order*), *order on reh'g & compliance*, 117 FERC ¶ 61,126 (*ERO Rehearing Order*) (2006), *order on compliance*, 118 FERC ¶ 61,030 (2007) (*January 2007 Compliance Order*).

<sup>6</sup> On March 16, 2007, the Commission approved 83 of the 107 standards initially filed by NERC. See *Mandatory Reliability Standards for the Bulk-Power System*, Order No. 693, 72 FR, 16,416 (April 4, 2007), FERC Statutes and Regulations ¶ 31,242 (2007), *order on reh'g* Order No. 693-A, 120 FERC ¶ 61,053 (2007).

<sup>7</sup> The three Reliability Standards are not attached to this NOPR but are available on the Commission's eLibrary document retrieval system in Docket No. RM07-3-000 and on NERC's Web site, [http://www.nerc.com/~filez/nerc\\_filings\\_ferc.html](http://www.nerc.com/~filez/nerc_filings_ferc.html).