and you have a question regarding this document, you may contact your local FAA official, or the person listed under the **FOR FURTHER INFORMATION CONTACT** heading at the beginning of the preamble. You can find out more about SBREFA on the Internet at *http://www.faa.gov/regulations_policies/rulemaking/sbre_act/*.

**List of Subjects in 14 CFR Part 61**

Aircraft, Aircraft pilots, Airmen, Airplanes, Air safety, Air transportation, Aviation safety, Balloons, Helicopters, Rotorcraft, Students.

**The Final Rule**

In consideration of the foregoing, the Federal Aviation Administration amends part 61 of Title 14 of the Code of Federal Regulations (14 CFR part 61) as follows:

## PART 61—CERTIFICATION: PILOTS, FLIGHT INSTRUCTORS, AND GROUND INSTRUCTORS

■ 1. The authority citation for part 61 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701–44703, 44707, 44709–44711, 45102–45103, 45301–45302.

■ 2. Revise section 3 of SFAR NO. 73 to read as follows:

**SPECIAL FEDERAL AVIATION REGULATION NO. 73–ROBINSON R–22/R–44 SPECIAL TRAINING AND EXPERIENCE REQUIREMENTS**

* * * * *

■ 3. *Expiration date.* This SFAR number 73 shall remain in effect until June 30, 2009.

Issued in Washington, DC on March 28, 2008.

**Robert A. Sturgell,**

*Acting Administrator.*

[FR Doc. E8–6804 Filed 3–31–08; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF ENERGY

## Federal Energy Regulatory Commission

## 18 CFR Part 35

**[Docket No. RM07–15–000]**

## Cross-Subsidization Restrictions on Affiliate Transactions

Issued March 25, 2008.

**AGENCY:** Federal Energy Regulatory Commission, Department of Energy.

**ACTION:** Final Rule: Notice Extension of Time.

**SUMMARY:** On February 21, 2008, the Federal Energy Regulatory Commission issued Order No. 707, which amended its regulation to codify restrictions on affiliate transactions between franchised public utilities that have captive customers or that own or provide transmission service over jurisdictional transmission facilities, and their market-regulated power sales affiliates or non-utility affiliates. The Commission is extending the time for any contracts, agreements or arrangements entered into on or after March 31, 2008, the effective date of Order No. 707, to comply with the requirements of Order No. 707.

**DATES:** The later of July 1, 2008 or 30 days after the issuance of an order on rehearing of Order No. 707.

**FOR FURTHER INFORMATION CONTACT:**

Carla Urquhart (Legal Information), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502–8496,

Mosby Perrow (Legal Information), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502–6857,

David Hunger (Technical Information), Office of Energy Market Regulation, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502–8148,

Stuart Fischer (Technical Information), Office of Enforcement, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502–8517.

**SUPPLEMENTARY INFORMATION:**

Before Commissioners: Joseph T. Kelliher, Chairman; Suedeen G. Kelly, Marc Spitzer, Philip D. Moeller, and Jon Wellinghoff.

**Order Granting Extension of Time**

(Issued March 25, 2008).

1. On February 21, 2008, the Commission issued Order No. 707, which amended its regulations to codify restrictions on affiliate transactions between franchised public utilities that have captive customers or that own or provide transmission service over jurisdictional transmission facilities, and their market-regulated power sales affiliates or non-utility affiliates.[1] The Commission stated that Order No. 707 would become effective 30 days after publication in the **Federal Register**, that is, March 31, 2008.[2] On March 11, 2008, the Edison Electric Institute (EEI) filed a motion for extension of the effective date from March 31, 2008 to either July 1, 2008 or 30 days after the Commission issues an order on rehearing, whichever is later. EEI states that although affiliate restrictions have been applicable to market-based rate power sellers and merging companies, the new final rule requirements will apply more broadly and compliance ''will be a significant undertaking for many companies.'' It also states that the rule ''raises some important questions that EEI and others are likely to ask the Commission to address in requests for rehearing * * *'' and urges the Commission to provide ample time for the new rule to be clarified before it takes effect.[3]

2. As an initial matter, the Commission notes that Order No. 707 stated that the pricing rules adopted therein are prospective and will apply to any contracts, agreements or arrangements entered into on or after the effective date of the rule (March 31, 2008); to the extent different pricing was in effect for any contract, agreement or arrangement entered into prior to the effective date of the final rule, such pricing may remain in effect.[4] Thus, when the Commission issued the final rule, it should have been clear to the industry that, for purposes of complying with Order No. 707, public utilities would not have to modify pricing under contracts, agreements or arrangements in effect before March 31, 2008.[5] We therefore do not believe that, for purposes of this rule, there should be any compliance problems with respect to pre-existing contracts, agreements or arrangements.

3. With respect to any contracts, agreements or arrangements entered into on or after the effective date of the rule (March 31, 2008), however, public utilities were on notice when Order No. 707 was published in the **Federal Register** that they would have to comply with the pricing restrictions of the rule. If we were to change the effective date,

[1] *Cross-Subsidization Restrictions on Affiliate Transactions,* Order No. 707, 73 FR 11,013 (Feb. 29, 2008), FERC Stats. & Regs. ¶31,264 (2008) (Order No. 707).

[2] *Id.* P 85.

[3] EEI Motion at 2.

[4] Order No. 707, FERC Stats. & Regs. ¶ 31,264 at P 85.

[5] Our ''grandfathering'' of preexisting contracts, agreements and arrangements was only for purposes of compliance of this rule. To the extent public utilities were required to comply with the same or similar pricing restrictions pursuant to a merger order or in conjunction with a market-based rate authorization, our action to make Order No. 707 compliance prospective only did not change any such obligations under other orders or rules. That is, pricing restrictions imposed pursuant to a merger order, a market-based rate authorization order or the Commission's market-based rate rules are not within the scope of Order No. 707 and, consequently, the Order No. 707 grandfathering provision does not relieve a public utility of its obligations under other orders and rules with respect to contracts, agreements or arrangements entered into prior to March 31, 2008.

as requested by EEI, public utilities would have a window of time to enter into new contracts, agreements or arrangements that would not have to comply with the new pricing restrictions. It is therefore important that we not change the effective date of the rule. Although we will not change the effective date of the rule, the Commission recognizes that many companies, particularly those not previously subject to the same or similar pricing restrictions as a result of a merger order or a market-based rate authorization, may need further time to ensure that they will be in compliance with the new restrictions and/or to obtain clarification from the Commission upon rehearing of the final rule.

4. Accordingly, upon consideration of the concerns raised by EEI, the Commission will grant an extension of time until 30 days after the issuance of an order on rehearing of Order No. 707 or until July 1, 2008, whichever comes later, for any contracts, agreements or arrangements entered into on or after March 31, 2008 to comply with the requirements of Order No. 707. This means that if utilities enter into contracts, agreements or arrangements on or after March 31, 2008, and if the pricing under such contracts, agreements or arrangements is not consistent with the pricing requirements as they may be clarified or modified by the Commission on rehearing of Order No. 707, these utilities will not be subject to enforcement action for non-compliance for the period beginning March 31, 2008 until the later of July 1, 2008 or 30 days after issuance of an order on rehearing of Order No. 707. However, such contracts, agreements or arrangements will either: (1) Need to contain a provision making them automatically subject to compliance with the pricing restrictions, as they may be clarified or modified on rehearing, as of the later of July 1, 2008 or 30 days after issuance of an order on rehearing; or (2) need to be modified to make them consistent with the pricing restrictions as of the later of July 1, 2008 or 30 days after issuance of an order on rehearing.

**The Commission Orders**

The Commission hereby grants an extension of time for compliance with Order No. 707, as discussed in the body of this order.

By the Commission.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E8–6617 Filed 3–28–08; 8:45 am]

**BILLING CODE 6717–01–P**

## DEPARTMENT OF THE INTERIOR

## Office of Surface Mining Reclamation and Enforcement

## 30 CFR Part 756

**[SATS No. CR–1–FOR; Docket ID OSM–2007–0019]**

## Crow Tribe Abandoned Mine Land Reclamation Plan

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, Interior.

**ACTION:** Final rule; approval of certification.

**SUMMARY:** We, the Office of Surface Mining Reclamation and Enforcement (OSM), are concurring with the Crow Tribe's certification that it has abated or reclaimed all coal-related abandoned mine land (AML) problems on Crow lands.

**DATES:** *Effective Date:* April 1, 2008.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey Fleischman, Casper Field Office Director, Telephone: (307) 261–6550, Internet address: *jfleischman@osmre.gov*

**SUPPLEMENTARY INFORMATION:**



### I. Background on the Crow Plan

The Abandoned Mine Land Reclamation Program was established by Title IV of the Surface Mining Control and Reclamation Act (SMCRA, or the Act)(30 U.S.C. 1201 *et seq.*) in response to concerns over extensive environmental damage caused by past coal mining activities. The program is funded by a reclamation fee collected on each ton of coal that is produced. The money collected is used to finance the reclamation of abandoned coal mines and for other authorized activities. Section 405 of the Act allows States and Indian tribes to assume exclusive responsibility for reclamation activity within the State or on Indian lands if they develop and submit to the Secretary of the Interior for approval, a program (often referred to as a plan) for the reclamation of abandoned coal mines. On January 4, 1989, the Secretary of the Interior approved the Crow Tribe's abandoned mine land reclamation plan (herein after the Crow Plan). You can find general background information on the Crow Plan, including the Secretary's findings and the disposition of comments, in the January 4, 1989, **Federal Register** (54 FR 116). You can also find later actions concerning the Crow Plan and plan amendments at 30 CFR 756.20.

### II. Submission of the Proposed Amendment

By letter dated May 29, 2007, the Crow Tribe indicated to OSM that all coal-related impacts on abandoned mine lands within the Crow Reservation have been successfully addressed under SMCRA (30 U.S.C. 1201 *et seq.*) (Administrative Record No. OSM–2007–0019–0006). The Crow Tribe sent the request for concurrence with its certification at its own initiative with the intent of implementing a non-coal reclamation program under its current Plan. The Crow Tribe will most likely be required to revise its AMLR Plan in the future to implement a program under section 411 of SMCRA.

We announced receipt of the proposed certification in the December 17, 2007, **Federal Register** (72 FR 71291). In the same document, we opened the public comment period and provided an opportunity for a public hearing or meeting on the certification's adequacy (Administrative Record No. OSM–2007–0019–0001). We did not hold a public hearing or meeting because no one requested one. We received comments from one industry group, one State agency and three Federal agencies.

### III. OSM's Findings

As discussed below, the Director of OSM, in accordance with SMCRA and 30 CFR 756.1, 884.14 and 884.15, finds that the proposed certification of completion submitted by the Crow Tribe on May 29, 2007, meets the requirements of SMCRA and the Federal regulations at 30 CFR 884.14. Accordingly, we are approving the certification.

The Chairman of the Crow Nation notified the Secretary of the Department of the Interior that the Crow Tribe certifies to the completion of all its coal reclamation projects. Section 411(a) of SMCRA provides that the head of an Indian tribe may certify to the Secretary that all of the priorities stated in section 403(a) of SMCRA for eligible lands and water have been achieved and that the Secretary, after notice in the **Federal Register** and opportunity for public comment, shall concur with such certification if the Secretary determines that such certification is correct.

Since the Secretary's approval of the Crow Plan, the Crow Tribe has conducted reclamation to correct or mitigate problems caused by past coal mining. The Crow Tribe has completed this reclamation in the order of priority