

(1) For airplanes on which none of the Bombardier service bulletins identified in Table 1 of this AD have been incorporated as

of the effective date of this AD: Modify the fuel tank bonding jumpers inside the wing and center fuel tanks in accordance with Part

A of the Accomplishment Instructions of Bombardier Service Bulletin 601R-28-055, Revision E, dated March 17, 2008.

TABLE 1—SERVICE BULLETINS

Bombardier Service Bulletin	Revision	Date
601R-28-055 .....	Original .....	May 4, 2004.
601R-28-055 .....	A .....	February 14, 2005.
601R-28-055 .....	B .....	September 14, 2005.
601R-28-055 .....	C .....	January 9, 2006.
601R-28-055 .....	D .....	July 17, 2006.

(2) For airplanes on which any Bombardier service bulletin identified in Table 1 of this AD has been incorporated as of the effective date of this AD: Do a general visual inspection of the inside of the wing and center fuel tanks to determine if the actions in Part A of the Accomplishment Instructions of Bombardier Service Bulletin 601R-28-055, Revision E, dated March 17, 2008, have been done on both sides of the airplane. If Part A of the service bulletin has not been done on either side of the airplane, before further flight, do the actions specified in Part A of the Accomplishment Instructions of Bombardier Service Bulletin 601R-28-055, Revision E, dated March 17, 2008, for the side of the airplane on which Part A of the service bulletin has not been done.

**FAA AD Differences**

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

(1) The Accomplishment Instructions of Bombardier Service Bulletin 601R-28-055, Revision E, dated March 17, 2008, do not specify corrective actions if Revision D, dated July 17, 2006, of the service bulletin was incorporated. This AD refers to incorporation of Revision E of the service bulletin for the actions specified in paragraph (f)(2) of this AD. Revision E specifies inspecting to determine if the modification is done on both sides of the airplane.

(2) The MCAI specifies that the modification must be done on all airplanes in accordance with Bombardier Service Bulletin 601R-28-055, Revision D, dated July 17, 2006, and that accomplishing the original issue, dated May 4, 2004; Revision A, dated February 14, 2005; and Revision B, dated September 14, 2005; of the service bulletin does not satisfy the requirements. This AD requires doing the modification on airplanes on which Revision D or any earlier issue of the service bulletin has not been done. For airplanes on which Revision D or any earlier issue of the service bulletin has been done, this AD requires inspecting to determine if the modification is done on both sides of the airplane and modifying the airplane if the modification was not done on both sides.

**Other FAA AD Provisions**

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

(1) Alternative Methods of Compliance (AMOCs): The Manager, New York Aircraft Certification Office, 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: Mazdak Hobbi, Aerospace Engineer, Airframe and Propulsion Branch, ANE-171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228-7330; fax (516) 794-5531. 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, 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 Canadian Airworthiness Directive CF-2007-34, dated December 21, 2007; and Bombardier Service Bulletin 601R-28-055, Revision E, dated March 17, 2008; for related information.

Issued in Renton, Washington, on August 6, 2008.

**Ali Bahrami,**

*Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. E8-19167 Filed 8-18-08; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. FAA-2008-0892; Directorate Identifier 2008-CE-049-AD]

RIN 2120-AA64

**Airworthiness Directives; Maule Aerospace Technology, Inc. Models M-4, M-5, M-6, M-7, and M-8 Series Airplanes**

**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 certain Maule Aerospace Technology, Inc. Models M-4, M-5, M-6, M-7, and M-8 series airplanes. This proposed AD would require you to paint the top of the rear elevator control horn, the elevator control cable end attached to the top of the rear control horn, the bottom of the forward elevator control horn, and the elevator control cable end attached to the bottom of the forward control. This proposed AD would also require you to insert a supplement into your maintenance program (maintenance manual). This proposed AD results from two reports of accidents where reversed elevator control rigging was a factor. We are proposing this AD to reduce the likelihood of a mechanic rigging the elevator controls backwards, which could result in elevator movement in the opposite direction from control input. This condition could lead to loss of control.

**DATES:** We must receive comments on this proposed AD by October 20, 2008.

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

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

For service information identified in this proposed AD, contact Maule Aerospace Technology, Inc., 2099 Georgia Highway 133 South, Moultrie, Georgia 31788; telephone: (229) 985-2045; fax: (229) 985-2048; Internet: <http://www.mauleairinc.com>.

**FOR FURTHER INFORMATION, CONTACT ONE OF THE FOLLOWING:**

- Cindy Lorenzen, Aerospace Engineer, One Crown Center, 1895 Phoenix Blvd., Suite 450, Atlanta, Georgia 30349; telephone: (770) 703-6078; fax: (770) 703-6097; e-mail: [cindy.lorenzen@faa.gov](mailto:cindy.lorenzen@faa.gov); or
- Gerald Avella, Aerospace Engineer, One Crown Center, 1895 Phoenix Blvd., Suite 450, Atlanta, Georgia 30349; telephone: (770) 703-6066; fax: (770) 703-6097; e-mail: [gerald.avella@faa.gov](mailto:gerald.avella@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

We invite you to send any written relevant data, views, or arguments regarding this proposed AD. Send your

comments to an address listed under the **ADDRESSES** section. Include the docket number, “FAA-2008-0892; Directorate Identifier 2008-CE-049-AD” at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. We will consider all comments received by the closing date and may amend the proposed AD in light of those comments.

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

**Discussion**

We have received two reports of accidents where reversed elevator control rigging was a factor. We are proposing this AD to reduce the likelihood of a mechanic rigging the elevator controls backwards, which could result in elevator movement in the opposite direction from control input.

This condition, if not corrected, could result in loss of control.

**Relevant Service Information**

We have reviewed Maule Aerospace Technology, Inc. Mandatory Service Bulletin No. 30, dated March 4, 2008.

The service information describes procedures for:

- Painting the top of the rear elevator control horn and the elevator control cable end attached to the top of the rear control horn;

- Painting the bottom of the forward elevator control horn and the elevator control cable end attached to the bottom of the forward control; and

- Inserting a supplement in the maintenance program (maintenance manual).

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

We are proposing this AD because we evaluated all information and determined the unsafe condition described previously is likely to exist or develop on other products of the same type design. This proposed AD would require you to paint the top of the rear elevator control horn, the elevator control cable end attached to the top of the rear control horn, the bottom of the forward elevator control horn, and the elevator control cable end attached to the bottom of the forward control. This proposed AD would also require you to insert a supplement into your maintenance program (maintenance manual).

**Costs of Compliance**

We estimate that this proposed AD would affect 1,765 airplanes in the U.S. registry.

We estimate the following costs to do the proposed modification:

	Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. operators
1 work-hour × \$80 per hour = \$80 .....		\$20	\$100	\$176,500

**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 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. 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.

**Examining the AD Docket**

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

**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:

**Maule Aerospace Technology, Inc.:** Docket No. FAA-2008-0892; Directorate Identifier 2008-CE-049-AD.

**Comments Due Date**

(a) We must receive comments on this airworthiness directive (AD) action by October 20, 2008.

**Affected ADs**

(b) None.

**Applicability**

(c) This AD applies to the following airplane models and serial numbers that are certificated in any category:

Model	Serial Nos.	Model	Serial Nos.
Bee Dee M-4 ...	All serial numbers.	M-7-420A .....	35001C.
M-4 .....	All serial numbers.	M-7-420AC .....	29001C, 29003C through 29007C.
M-4-180C .....	All serial numbers.	M-8-235 .....	15001C through 15006C.
M-4-180V .....	47001T through 47014T.	MT-7-235 .....	18001C through 18097C, 18099C, 18100C.
M-4-210 .....	All serial numbers.	MT-7-260 .....	27001C through 27014C.
M-4-210C .....	All serial numbers.	MT-7-420 .....	51001C, 51002C.
M-4-210S .....	All serial numbers.	MX-7-160 .....	19001C through 19046C.
M-4-220C .....	All serial numbers.	MX-7-160C .....	34001C.
M-4-220S .....	All serial numbers.	MX-7-180 .....	11001C through 11097C.
M-4C .....	All serial numbers.	MX-7-180A .....	20001C through 20064C.
M-4S .....	All serial numbers.	MX-7-180AC ...	33001C through 33010C.
M-4T .....	All serial numbers.	MX-7-180B .....	22001C through 22025C, 22027C.
M-5-180C .....	All serial numbers.	MX-7-180C .....	28001C through 28027C.
M-5-200 .....	All serial numbers.	MX-7-235 .....	10001C through 10122C.
M-5-210C .....	All serial numbers.	MX-7-420 .....	13001C through 13003C.
M-5-210TC .....	All serial numbers.	MXT-7-160 .....	17001C through 17008C.
M-5-220C .....	All serial numbers.	MXT-7-180 .....	14000C through 14125C.
M-5-235C .....	All serial numbers.	MXT-7-180A ...	21001C through 21096C.
M-6-180 .....	8020C, 8043C, 8065C through 8067C.		
M-6-235 .....	7249C, 7356C, 7379C through 7444C, 7446C through 7450C, 7452C through 7459C, 7461C through 7466C, 7468C, 7469C, 7471C through 7475C, 7488C through 7514C, 7516C through 7522C.		
M-7-235 .....	4001C through 4132C, 12001C, 12002C.		
M-7-235A .....	24001C.		
M-7-235B .....	23001C through 23105C.		
M-7-235C .....	25001C through 25106C.		
M-7-260 .....	26001C through 26021C.		
M-7-260C .....	30001C through 30040C.		

**Unsafe Condition**

(d) This AD results from two reports of accidents where reversed elevator control rigging was a factor. We are issuing this AD to reduce the likelihood of a mechanic rigging the elevator controls backwards, which could result in elevator movement in the opposite direction from control input. This failure could lead to loss of control.

**Compliance**

(e) To address this problem, you must do the following, unless already done:

Actions	Compliance	Procedures
(1) Using yellow enamel paint, color code the following: (i) the top of the rear elevator control horn; (ii) the elevator control cable end attached to the top of the rear control horn; (iii) the bottom of the forward elevator control horn; and (iv) the elevator control cable end attached to the bottom of the forward control.	Before the next time the elevator control cable is disconnected for any reason or within the next 12 calendar months after the effective date of this AD, whichever occurs first.	Follow Maule Aerospace Technology, Inc. Mandatory Service Bulletin No. 30, dated March 4, 2008.
(2) Insert the following text into the rigging procedure section of your FAA-approved maintenance program (e.g. maintenance manual): “CAUTION—BEFORE FLIGHT WHENEVER ELEVATOR CABLES ARE RECONNECTED OR NEW CABLES INSTALLED: Always check operation of elevators after a cable reconnect by pulling back on the control and ascertain that the elevators are in the UP position.”	Before the next time the elevator control cable is disconnected for any reason or within the next 12 calendar months after the effective date of this AD, whichever occurs first.	Follow Maule Aerospace Technology, Inc. Mandatory Service Bulletin No. 30, dated March 4, 2008. You may insert a copy of this AD or you may insert the text located on the bottom of page 3 of Maule Aerospace Technology, Inc. Mandatory Service Bulletin No. 30, dated March 4, 2008, into the FAA-approved maintenance program (e.g. maintenance manual).

**Alternative Methods of Compliance (AMOCs)**

(f) The Manager, Atlanta Aircraft Certification Office (ACO), 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: Gerald Avella, Aerospace Engineer, One Crown Center, 1895 Phoenix Blvd., Suite 450, Atlanta, Georgia 30349; telephone: (770) 703-6066; fax: (770) 703-6097; e-mail:

[gerald.avella@faa.gov](mailto:gerald.avella@faa.gov). 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.

**Related Information**

(g) To get copies of the service information referenced in this AD, contact Maule Aerospace Technology, Inc., 2099 Georgia Highway 133 South, Moultrie, Georgia 31788;

telephone: (229) 985-2045; fax: (229) 985-2048; Internet: <http://www.mauleairinc.com>. To view the AD docket, go to U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, or on the Internet at <http://www.regulations.gov>.

Issued in Kansas City, Missouri, on August 12, 2008.

**G. Wes Ryan,**

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

[FR Doc. E8-19168 Filed 8-18-08; 8:45 am]

BILLING CODE 4910-13-P

## FEDERAL TRADE COMMISSION

### 16 CFR Part 317

[Project No. P082900]

RIN 3084-AB12

#### Prohibitions On Market Manipulation and False Information in Subtitle B of Title VIII of The Energy Independence and Security Act of 2007

**AGENCY:** Federal Trade Commission.

**ACTION:** Notice of proposed rulemaking; request for public comment.

**SUMMARY:** Pursuant to Title VIII, Subtitle B of the Energy Independence and Security Act of 2007 (“EISA”), the Federal Trade Commission (“Commission” or “FTC”) is proposing a rule to implement Section 811 of Subtitle B prohibiting the use or employment of manipulative or deceptive devices or contrivances in wholesale petroleum markets.<sup>1</sup> The Commission invites written comments on issues raised by the proposed Rule and seeks answers to the specific questions set forth in Section II.L of this Notice of Proposed Rulemaking (“NPRM”).

**DATES:** Written comments must be received by September 18, 2008.

**ADDRESSES:** Interested parties are invited to submit written comments electronically or in paper form. Comments should refer to “Market Manipulation Rulemaking, P082900” to facilitate the organization of comments. Comments containing material for which confidential treatment is requested must be filed in paper form, must be clearly labeled “Confidential,” and must comply with Commission Rule 4.9(c).<sup>2</sup> Comments should not include any sensitive personal information, such as an individual’s

Social Security Number; date of birth; driver’s license number or other state identification number or foreign country equivalent; passport number; financial account number; or credit or debit card number. Comments also should not include any sensitive health information, such as medical records and other individually identifiable health information.

Because paper mail in the Washington area, and specifically to the FTC, is subject to delay due to heightened security screening, please consider submitting your comments in electronic form. Comments filed in electronic form should be submitted by using the following weblink: (<http://secure.commentworks.com/ftc-marketmanipulationNPRM/>)(and following the instructions on the web-based form). To ensure that the Commission considers an electronic comment, you must file it on the web-based form at the weblink(<http://secure.commentworks.com/ftc-marketmanipulationNPRM/>). If this NPRM appears at (<http://www.regulations.gov/search/index.jsp>), you may also file an electronic comment through that website. The Commission will consider all comments that regulations.gov forwards to it. You may also visit the FTC website at (<http://www.ftc.gov/os/2008/08/P082900nprm.pdf>) to read the NPRM and the news release describing it.

A comment filed in paper form should include the “Market Manipulation Rulemaking, P082900” reference both in the text and on the envelope, and should be mailed to the following address: Federal Trade Commission, Market Manipulation Rulemaking, P.O. Box 2846, Fairfax, VA 22031-0846. This address does not accept courier or overnight deliveries. Courier or overnight deliveries should be delivered to: Federal Trade Commission/Office of the Secretary, Room H-135 (Annex G), 600 Pennsylvania Avenue, NW, Washington, DC 20580.

The Federal Trade Commission Act (“FTC Act”) and other laws the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives, whether filed in paper or electronic form. Comments received will be available to the public on the FTC website, to the extent practicable, at (<http://www.ftc.gov/os/publiccomments.shtml>). As a matter of discretion, the Commission makes every effort to remove home contact

information for individuals from the public comments it receives before placing those comments on the FTC website. More information, including routine uses permitted by the Privacy Act, may be found in the FTC’s privacy policy, at (<http://www.ftc.gov/ftc/privacy.shtml>).

#### FOR FURTHER INFORMATION CONTACT:

James Mongoven, Deputy Assistant Director of Policy and Coordination, Bureau of Competition, Federal Trade Commission, Market Manipulation Rulemaking, P.O. Box 2846, Fairfax, VA 22031-0846, (202) 326-3772.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

##### A. The Energy Independence and Security Act of 2007

EISA became law on December 19, 2007.<sup>3</sup> Subtitle B of Title VIII of the Act prohibits market manipulation in connection with the purchase or sale of crude oil, gasoline, or petroleum distillates at wholesale, and reporting false or misleading information related to the wholesale price of those products. Specifically, Section 811 prohibits “any person” from directly or indirectly: (1) using or employing “any manipulative or deceptive device or contrivance;” (2) “in connection with the purchase or sale of crude oil gasoline or petroleum distillates at wholesale;” (3) that violates a rule or regulation that the FTC “may prescribe as necessary or appropriate in the public interest or for the protection of United States citizens.”<sup>4</sup>

Section 812 prohibits “any person” from reporting information that is “required by law to be reported” — and that is “related to the wholesale price of crude oil gasoline or petroleum distillates” — to a Federal department or agency if the person: (1) “knew, or reasonably should have known, [that] the information [was] false or misleading;” and (2) intended such false or misleading information “to affect data compiled by the department or agency for statistical or analytical purposes with respect to the market for crude oil, gasoline, or petroleum distillates.”<sup>5</sup>

Subtitle B also contains three additional sections, which address, respectively, enforcement of the Subtitle (Section 813),<sup>6</sup> penalties for violations

<sup>1</sup> Section 811 is part of Subtitle B of Title VIII of EISA, which has been codified at 42 U.S.C. 17301-17305. Hereinafter, citations to EISA sections shall be made to the United States Code.

<sup>2</sup> The comment must be accompanied by an explicit request for confidential treatment, including the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. The request will be granted or denied by the Commission’s General Counsel, consistent with applicable law and the public interest. See Commission Rule 4.9(c), 16 CFR 4.9(c).

<sup>3</sup> Pub. L. No. 110-140, codified at 42 U.S.C. 17001-17386.

<sup>4</sup> 42 U.S.C. 17301.

<sup>5</sup> 42 U.S.C. 17302.

<sup>6</sup> Section 813 provides that Subtitle B “shall be enforced by the [FTC] in the same manner, by the same means, and with the same jurisdiction as