

after the last replacement or within the next 10 years after the last replacement, whichever occurs first.

(h) If any corrosion or cracks are found during any of the inspections required in paragraph (g)(1) of this AD, before further flight, you must replace the stabilator horn assembly with a new stabilator horn assembly. After the new stabilator horn assembly reaches a total of 1,000 hours TIS or within the next 10 years after the last replacement, whichever occurs first, you must do either of the actions required in paragraphs (g)(1) or (g)(2) of this AD.

(i) You may at any time replace the stabilator horn assembly with a new stabilator horn assembly, provided no corrosion or cracks were found during an inspection that would require replacement before further flight. After the new stabilator horn assembly reaches a total of 1,000 hours TIS or within the next 10 years after the last replacement, whichever occurs first, you must do either of the actions required in paragraphs (g)(1) or (g)(2) of this AD.

(j) If you replace the stabilator horn assembly as specified in paragraph (g)(2) of this AD, after the new stabilator horn assembly reaches a total of 1,000 hours TIS or within the next 10 years after the last replacement, whichever occurs first, you may begin the inspection requirements of paragraph (g)(1) instead of the repetitive replacement requirements of paragraph (g)(2).

**Note:** Piper Aircraft, Inc. Service Bulletin No. 1160, dated December 26, 2005; Special Airworthiness Information Bulletin CE-04-88, dated September 15, 2004; and AD 74-13-03, Amendment 39-2588 (41 FR 17371, April 26, 1976) are related to this AD action. For the attached torque tube, you may consider combining that inspection with the requirements of this AD.

#### Special Flight Permit

(k) Special flight permits are permitted with the following limitation: flight with known cracks is prohibited.

#### Alternative Methods of Compliance (AMOCs)

(l)(1) 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. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in the Related Information section of this AD.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

#### Related Information

(m) For more information about this AD, contact Gregory K. Noles, Aerospace Engineer, FAA, Atlanta ACO, 1701 Columbia Avenue, College Park, Georgia 30337; phone: (404) 474-5551; fax: (404) 474-5606; e-mail: [gregory.noles@faa.gov](mailto:gregory.noles@faa.gov).

(n) For service information identified in this AD, contact Piper Aircraft, Inc., 2926

Piper Drive, Vero Beach, Florida 32960; telephone: (772) 567-4361; fax: (772) 978-6573; Internet: <http://www.newpiper.com/company/publications.asp>. You may review copies of the referenced service information at the FAA, Small Airplane Directorate, 901 Locust St., Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148.

Issued in Kansas City, Missouri on June 16, 2011.

**John Colomy,**

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

[FR Doc. 2011-15543 Filed 6-21-11; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

**[Docket No. FAA-2011-0569; Directorate Identifier 2010-NM-240-AD]**

**RIN 2120-AA64**

#### **Airworthiness Directives; BAE SYSTEMS (OPERATIONS) LIMITED Model BAe 146 and Avro 146-RJ Airplanes**

**AGENCY:** Federal Aviation Administration (FAA), 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:

BAE Systems have received reports of in-service failure of the Main Landing Gear (MLG) shock absorber lower attachment pin.

\* \* \* \* \*

This condition, if not detected and corrected, could lead to a MLG collapse on the ground or during landing and consequently damage to the aeroplane or injury to the occupants.

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 August 8, 2011.

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

- *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 W12-40, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For BAE SYSTEMS (OPERATIONS) LIMITED service information identified in this proposed AD, contact BAE SYSTEMS (OPERATIONS) LIMITED, Customer Information Department, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland, United Kingdom; telephone +44 1292 675207; fax +44 1292 675704; e-mail [RApublications@baesystems.com](mailto:RApublications@baesystems.com); Internet <http://www.baesystems.com/Businesses/RegionalAircraft/index.htm>.

For Messier-Dowty service information identified in this proposed AD, contact Messier Services Americas, Customer Support Center, 45360 Severn Way, Sterling, Virginia 20166-8910; telephone 703-450-8233; fax 703-404-1621; Internet <https://techpubs.services/messier-dowty.com>.

You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. For information on the availability of this material at the FAA, call 425-227-1221.

#### Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office 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 Operations 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:

Todd Thompson, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1175; fax (425) 227-1149.

#### 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–2011–0569; Directorate Identifier 2010–NM–240–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 based on 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 about this proposed AD.

### Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2010–0201, dated October 5, 2010 (referred to after this as “the MCAI”), to correct an unsafe condition for the specified products. The MCAI states:

BAE Systems have received reports of in-service failure of the Main Landing Gear (MLG) shock absorber lower attachment pin. Investigation has shown that the pin failures were due to corrosion.

This condition, if not detected and corrected, could lead to a MLG collapse on the ground or during landing and consequently damage to the aeroplane or injury to the occupants.

For the reasons described above, this AD requires repetitive [general visual] inspections [for damage (cracking, corrosion, and exposed material)] of the MLG shock absorber lower attachment pins and replacement, depending on findings.

The replacement, if damage is found, consists of installing serviceable pins. You may obtain further information by examining the MCAI in the AD docket.

### Relevant Service Information

BAE SYSTEMS (OPERATIONS) LIMITED has issued Inspection Service Bulletin ISB.32–176, dated November 12, 2009. Messier-Dowty has issued Service Bulletin 146–32–157, including Appendix A, dated February 12, 2009. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

### FAA’s Determination and Requirements of This 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 the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information

referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

### Differences Between This 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 1 product of U.S. registry. We also estimate that it would take about 2 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$85 per work-hour. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$170 per product.

In addition, we estimate that any necessary follow-on actions would take about 2 work-hours and require parts costing \$14,000, for a cost of \$14,170 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, Incorporation by reference, 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:

**BAE Systems (Operations) Limited:** Docket No. FAA–2011–0569; Directorate Identifier 2010–NM–240–AD.

#### Comments Due Date

- (a) We must receive comments by August 8, 2011.

#### Affected ADs

- (b) None.

#### Applicability

- (c) This AD applies to BAE SYSTEMS (OPERATIONS) LIMITED Model BAe 146–100A, –200A, and –300A airplanes; and Avro 146–RJ70A, 146–RJ85A, and 146–RJ100A airplanes; certificated in any category; all serial numbers.

#### Subject

- (d) Air Transport Association (ATA) of America Code 32: Landing gear.

**Reason**

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

BAE Systems have received reports of in-service failure of the Main Landing Gear (MLG) shock absorber lower attachment pin.

\* \* \* \* \*

This condition, if not detected and corrected, could lead to a MLG collapse on the ground or during landing and consequently damage to the aeroplane or injury to the occupants.

**Compliance**

(f) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

**Inspections**

(g) Within 4,000 flight cycles or 2 years after the effective date of this AD, whichever occurs first: Do the initial inspection of the MLG shock absorber lower attachment pins in accordance with paragraph 2.C of BAE SYSTEMS (OPERATIONS) LIMITED Inspection Service Bulletin ISB.32-176, dated November 12, 2009; and paragraph 3. of Messier-Dowty Service Bulletin 146-32-157, dated February 12, 2009.

(h) Thereafter, at intervals not to exceed 8,000 flight cycles or 4 years, whichever occurs first, repeat the inspection required by paragraph (g) of this AD.

**Corrective Action**

(i) If, during any inspection required by paragraphs (g) and (h) of this AD, the chromium plating on the outer diameter of any pin is found cracked, or the base material is exposed, or any corrosion is found on the chromium plating on the outer diameter of any pin, before further flight, replace the pin with a serviceable pin in accordance with paragraph 2.C of BAE SYSTEMS (OPERATIONS) LIMITED Inspection Service Bulletin ISB.32-176, dated November 12, 2009; and paragraph 3. of Messier-Dowty Service Bulletin 146-32-157, dated February 12, 2009.

(j) Replacing the pin, as required by paragraph (i) of this AD, does not constitute a terminating action for the repetitive inspections required by paragraph (h) of this AD.

**FAA AD Differences**

**Note 1:** This AD differs from the MCAI and/or service information as follows: No differences.

**Other FAA AD Provisions**

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

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the International Branch, send it to ATTN:

Todd Thompson, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1175; fax (425) 227-1149. Information may be e-mailed to: 9-ANM-116-AMOC-REQUESTS@faa.gov. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office. The AMOC approval letter must specifically reference this AD.

(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.

**Related Information**

(l) Refer to MCAI European Aviation Safety Agency Airworthiness Directive 2010-0201, dated October 5, 2010; BAE SYSTEMS (OPERATIONS) LIMITED Inspection Service Bulletin ISB.32-176, dated November 12, 2009; and Messier-Dowty Service Bulletin 146-32-157, dated February 12, 2009; for related information.

Issued in Renton, Washington on June 10, 2011.

**Ali Bahrami,**

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

[FR Doc. 2011-15538 Filed 6-21-11; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****18 CFR Chapter I**

[Docket Nos. RM11-24-000 and AD10-13-000]

**Third-Party Provision of Ancillary Services; Accounting and Financial Reporting for New Electric Storage Technologies**

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

**ACTION:** Notice of inquiry.

**SUMMARY:** In this Notice of Inquiry (NOI), the Commission seeks comment on two sets of separate, but related issues. First, we seek comment on ways in which we can facilitate the development of robust competitive markets for the provision of ancillary services from all resource types. Second, the Commission is interested in issues unique to storage devices in light of the role they can play in providing multiple services, including ancillary services.

As demonstrated by recent cases that have come before the Commission, there is growing interest in rate flexibility by both purchasers and sellers of ancillary services. A variety of resources are poised to provide ancillary services but may be frustrated from doing so by certain aspects of the Commission's market-based rate policies coupled with a lack of access to the information that could help satisfy the requirements of those policies. Those with an obligation to purchase ancillary services have raised concerns with the availability of those services. In reviewing ways to foster a more robust ancillary services market, the Commission identified certain issues regarding the use of electric storage as an ancillary service resource that warranted consideration. Over time, those issues expanded into more global questions as to the role that electric storage may play in a competitive market, including how electric storage should be compensated for the full range of services it provides under the Federal Power Act, and transparency issues regarding the Commission's current accounting and reporting requirements as applied to electric storage. As such, the Commission seeks comment on: Existing restrictions on third-party provision of ancillary services, irrespective of the technologies used for such provision; and the adequacy of current accounting and reporting requirements as they pertain to the oversight of jurisdictional entities using electric storage devices.

**DATES:** Comments are due August 22, 2011.

**ADDRESSES:** You may submit comments, identified by docket number and in accordance with the requirements posted on the Commission's Web site, <http://www.ferc.gov>. Comments may be submitted by any of the following methods:

- *Agency Web Site:* Documents created electronically using word processing software should be filed in native applications or print-to-PDF format and not in a scanned format, at <http://www.ferc.gov/docs-filing/efiling.asp>.

- *Mail/Hand Delivery:* Commenters unable to file comments electronically must mail or hand deliver an original and copy of their comments to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street, NE., Washington, DC 20426. These requirements can be found on the Commission's Web site, *see, e.g.,* the "Quick Reference Guide for Paper Submissions," available at <http://www.ferc.gov/docs-filing/efiling.asp>, or