

Administration amends part 39 of the Federal Aviation Regulations (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. Section 39.13 is amended by adding the following new airworthiness directive:

**2001-03-07 Airbus Industrie:** Amendment 39-12111. Docket 2000-NM-118-AD.

**Applicability:** Model A330 and A340 series airplanes, certificated in any category; fitted with any air pressurization unit ("Pressurization Unit, Air" or "PUA") having part number (P/N) 4020 Q8-3.

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (c) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent the simultaneous failure of two air pressurization units, which could result in loss of three hydraulic circuits and consequent reduced controllability of the airplane, accomplish the following:

### **Inspection**

(a) Within 500 flight hours after the effective date of this AD, perform a one-time detailed visual inspection to determine the P/N and serial number (S/N) of the pressure reducing valve on each air pressurization unit, per Airbus Service Bulletin A330-29A3073 (for Model A330 series airplanes) or A340-29A4058 (for Model A340 series airplanes), both Revision 01, including Appendix 01, dated April 10, 2000; as applicable.

(1) If no P/N or S/N is identified as affected equipment per the applicable service bulletin, you have fulfilled the requirements of this AD.

(2) If any P/N or S/N is identified as affected equipment per the applicable service bulletin: Prior to further flight, perform applicable tests and repairs in accordance with the applicable service bulletin.

**Note 2:** For the purposes of this AD, a detailed visual inspection is defined as: "An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally

supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc., may be used. Surface cleaning and elaborate access procedures may be required."

**Note 3:** An inspection per Airbus Alert Service Bulletin A330-29A3073, dated January 18, 2000 (for Model A330 series airplanes), or A340-29A4058, dated January 20, 2000 (for Model A340 series airplanes), is acceptable for compliance with the requirements of paragraph (a) of this AD.

**Note 4:** The Airbus service bulletins refer to Le Bozec Filtration & Systems Service Bulletin 4020Q8-29-03, dated December 17, 1999, as an additional source of service information for accomplishment of the actions specified by this AD.

### **Spares**

(b) As of the effective date of this AD, you may not install any air pressurization unit having P/N 4020 Q8-3 on any airplane, unless all actions have been accomplished for that part in accordance with the requirements of this AD.

### **Alternative Methods of Compliance**

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM-116.

**Note 5:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

### **Special Flight Permits**

(d) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

### **Incorporation by Reference**

(e) The actions shall be done in accordance with Airbus Service Bulletin A330-29A3073, Revision 01, including Appendix 01, dated April 10, 2000; or Airbus Service Bulletin A340-29A4058, Revision 01, including Appendix 01, dated April 10, 2000; as applicable. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**Note 6:** The subject of this AD is addressed in French airworthiness directives 2000-

138-118(B) and 2000-139-143(B), both dated March 22, 2000.

### **Effective Date**

(f) This amendment becomes effective on March 23, 2001.

Issued in Renton, Washington, on February 8, 2001.

**Vi L. Lipski,**

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

[FR Doc. 01-3698 Filed 2-15-01; 8:45 am]

**BILLING CODE 4910-13-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

### **14 CFR Part 39**

**[Docket No. 2000-NM-285-AD; Amendment 39-12113; AD 2001-03-09]**

**RIN 2120-AA64**

### **Airworthiness Directives; Boeing Model 777 Series Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 777 series airplanes, that requires replacement of nuts on the clevis assemblies that support the auxiliary tracks of the inboard leading edge slats. This amendment is necessary to prevent loose or missing nuts on the clevis assemblies, which could cause the inboard leading edge slats to be loose or in an incorrect position and result in partial or total failure or loss of the slats. This action is intended to address the identified unsafe condition.

**DATES:** Effective March 23, 2001.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 23, 2001.

**ADDRESSES:** The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Stan Wood, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind

Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2772; fax (425) 227-1181.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Boeing Model 777 series airplanes was published in the **Federal Register** on November 15, 2000 (65 FR 68955). That action proposed to require replacement of nuts on the clevis assemblies that support the auxiliary tracks of the inboard leading edge slats.

### Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

One commenter supports the proposed rule. Another commenter states that it is not affected by the proposed rule.

### Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

### Cost Impact

There are approximately 121 airplanes of the affected design in the worldwide fleet. The FAA estimates that 34 airplanes of U.S. registry will be affected by this AD, that it will take approximately 2 work hours per airplane to accomplish the required replacement, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$4,080, or \$120 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

### Regulatory Impact

The regulations adopted herein will 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. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under 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. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (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. Section 39.13 is amended by adding the following new airworthiness directive:

**2001-03-09 Boeing:** Amendment 39-12113. Docket 2000-NM-285-AD.

**Applicability:** Model 777 series airplanes, line numbers 1 through 155 inclusive, certificated in any category.

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (c) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent loose or missing nuts on the clevis assemblies that support the auxiliary tracks of the inboard leading edge slats, which could cause the slats to be loose or in an incorrect position and result in partial or total failure or loss of the slats, accomplish the following:

### Replacement

(a) Within 18 months after the effective date of this AD, replace nuts having part number NAS1805-5L on the clevis assemblies that support the auxiliary tracks (outboard, center, and inboard) of the inboard leading edge slats with new nuts purchased from the airplane manufacturer after October 31, 1999, in accordance with Boeing Special Attention Service Bulletin 777-57-0038, dated February 24, 2000.

### Spares

(b) As of the effective date of this AD, no person shall install any nut having part number NAS1805-5L on any airplane unless it was purchased from the airplane manufacturer after October 31, 1999.

### Alternative Methods of Compliance

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

### Special Flight Permits

(d) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

### Incorporation by Reference

(e) The replacement shall be done in accordance with Boeing Special Attention Service Bulletin 777-57-0038, dated February 24, 2000. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

### Effective Date

(f) This amendment becomes effective on March 23, 2001.

Issued in Renton, Washington, on February 8, 2001.

**Vi L. Lipski,**

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

[FR Doc. 01-3694 Filed 2-15-01; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### 18 CFR Parts 352, 357, and 385

[Docket No. RM99-10-001; Order No. 620-A]

#### Revisions to and Electronic Filing of the FERC Form No. 6 and Related Uniform Systems of Accounts

Issued February 12, 2001.

**AGENCY:** Federal Energy Regulatory Commission.

**ACTION:** Final rule; order on rehearing.

**SUMMARY:** The Society for the Preservation of Oil Pipeline Shippers (SPOPS) filed a request for clarification and rehearing of the Commission's Final Rule in Order No. 620, *Revisions to and Electronic Filing of the FERC Form No. 6 and Related Uniform Systems of Accounts*. The Commission provides clarification and denies rehearing.

**ADDRESSES:** Office of the Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

#### FOR FURTHER INFORMATION CONTACT:

Mary C. Lauermaann (Technical Information), Office of the Executive Director, 888 First Street, NE., Washington, DC 20426, (202) 208-0087

Julia A. Lake (Legal Information), Office of the General Counsel, 888 First Street, NE., Washington, DC 20426, (202) 208-2019

David H. Ulevich (Page 700 Information), Office of Markets, Tariffs and Rates, 888 First Street, NE., Washington, DC 20426, (202) 208-0678.

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

In this order, the Commission addresses a request for rehearing and clarification of Order No. 620, the Final Rule on the revisions to and electronic filing of the FERC Form No. 6 and related uniform systems of accounts, issued on December 13, 2000.<sup>1</sup> In Order

No. 620, the Commission amended Parts 352, 357, and 385<sup>2</sup> of its regulations in order to better meet current and future regulatory requirements and industry needs; be more consistent with current Generally Accepted Accounting Principles; and to provide for the electronic filing of FERC Form No. 6. Order No. 620 is part of the Commission's ongoing program to update and eliminate burdensome and unnecessary accounting and reporting requirements. These changes will reduce, by about 25 percent, the burden on regulated companies for maintaining and reporting information under the Commission's regulations.

For the reasons stated below, the Commission provides clarification and denies rehearing.

##### II. Background

FERC Form No. 6, "Annual Report of Oil Pipeline Companies," collects information on an annual basis to enable the Commission to carry out its responsibilities associated with the regulation of oil pipeline companies under the Interstate Commerce Act.

Order No. 620, among other things, revised FERC Form No. 6 page 700, "Annual Cost of Service Based Analysis Schedule." Page 700 provides basic cost-of-service and throughput information that allows a shipper to compare proposed changes in a pipeline's rates against the change in level of the pipeline's cost of service and the change in the pipeline's average company-wide barrel-mile cost.

On January 12, 2001, the Society for the Preservation of Oil Pipeline Shippers (SPOPS) filed a timely request for rehearing and clarification of Order No. 620. SPOPS seeks rehearing of the Final Rule's requirement that pipelines report total jurisdictional revenues on Line 10 of page 700 rather than total company revenues. Also, SPOPS asks the Commission to clarify the Final Rule regarding what cost-of-service information must be reported on page 700.

Specifically, SPOPS argues that the Final Rule's requirement that oil pipelines report total jurisdictional revenues on Line No. 10 of page 700 results in a mismatch between the costs and revenues reported on this page. According to SPOPS, the Final Rule permits oil pipeline companies to exclude revenues earned from either non-carrier services or non-jurisdictional carrier services which could result in an understatement of company revenues. SPOPS also argues that pipelines will have an enhanced

opportunity to engage in an allocation shell game if only jurisdictional costs and revenues are reported on page 700.

SPOPS requests that the Commission clarify what cost-of-service information is to be reported on page 700: cost-of-service data related to jurisdictional operations or total company operations including non-jurisdictional activities. SPOPS cites the instructions listed on page 700 that were effective prior to the issuance of Order No. 620 which required the total cost-of-service to be computed on a total company basis consistent with the Commission's Opinion No. 154-B, *et al.*, methodology. SPOPS argues total company cost-of-service should be reported on page 700 although it acknowledges that pipelines have been reporting cost-of-service data on a jurisdictional basis.

The Association of Oil Pipelines (AOPL) filed an answer on January 29, 2001. AOPL essentially responds that Order No. 620, and page 700, properly focus on jurisdictional revenues.

Rule 213(a)(2) of the Commission's Rules of Practice and Procedure, 18 CFR 385.213(a)(2) (2000), prohibits answers unless otherwise ordered by the decisional authority. We find that good cause exists to allow AOPL's answer.

##### III. Discussion

We disagree with SPOPS's assertion that revised page 700, "Annual Cost of Service Based Analysis Schedule," of FERC Form No. 6 results in a mismatch between the costs and revenues reported on this schedule, or that pipelines will engage in an allocation shell game if only jurisdictional costs and revenues are reported on page 700.

In the Notice of Proposed Rulemaking (NOPR) issued in this proceeding, the Commission proposed to revise Instruction No. 3 of page 700 to require oil pipeline companies to report total company revenues so that it would be consistent with the total cost of service reported on this page.<sup>3</sup> SPOPS had asserted in its comments to the NOPR that the Commission should require pipelines to report total company costs and total company revenues on page 700.

In its comments on the NOPR, AOPL explained that our proposed revision to Instruction No. 3 would in fact result in an inconsistency. That is, the total cost of service computed using the Opinion No. 154-B methodology does not equate to total company costs; rather it represents the aggregate cost of the pipeline's jurisdictional services. While AOPL did not object to reporting total

<sup>1</sup> 65 FR 81335 (Dec. 26, 2000); III FERC Stats. & Regs. ¶ 31,115 (Dec. 13, 2000).

<sup>2</sup> 18 CFR Parts 352, 357, and 385.

<sup>3</sup> 65 FR 50376 (Aug. 17, 2000), IV FERC Stats. & Regs. ¶ 32,553 at 33,961 (July 27, 2000).