

development research, and similar technical assistance services for non-profit community development organizations, low- and moderate-income individuals or areas, or small businesses located in low- and moderate-income areas or that produce or retain permanent jobs, the majority of which are held by low- and moderate-income individuals;

(4) Investments in an entity that acquires, develops, rehabilitates, manages, sells, or rents commercial or industrial property that is located in a low- and moderate-income area and occupied primarily by small businesses, or that is occupied primarily by small businesses that produce or retain permanent jobs, the majority of which are held by low- and moderate-income individuals;

(5) Investments as a limited partner, or as a partner in an entity that is itself a limited partner, in a project with a general partner that is, or is primarily owned and operated by, a 26 U.S.C. 501(c) (3) or (4) non-profit corporation and that qualifies for the Federal low-income housing tax credit;

(6) Investments in low- and moderate-income areas that produce or retain permanent jobs, the majority of which are held by low- and moderate-income individuals;

(7) Investments in a national bank that has been approved by the OCC as a national bank with a community development focus;

(8) Investments of a type approved by the Federal Reserve Board under 12 CFR 208.21 for state member banks that are consistent with the requirements of § 24.3; and

(9) Investments of a type previously determined by the OCC to be permissible under this part.

(b) *Ineligible activities.* Notwithstanding the provisions of this section, a bank may not self-certify an investment if:

(1) The investment involves properties carried on the bank's books as "other real estate owned";

(2) More than 25 percent of the investment funds projects in a state or metropolitan area other than the states or metropolitan areas in which the bank maintains its main office or branches; or

(3) The OCC determines, in published guidance, that the investment is inappropriate for self-certification.

§ 24.7 Examination, records, and remedial action.

(a) *Examination.* National bank investments under this part are subject to the examination provisions of 12 U.S.C. 481.

(b) *Records.* Each national bank shall maintain in its files information

adequate to demonstrate that it is in compliance with the requirements of this part.

(c) *Remedial action.* If the OCC finds that an investment under this part is in violation of law or regulation, is inconsistent with the safe and sound operation of the bank, or poses a significant risk to a Federal deposit insurance fund, the national bank shall take appropriate remedial action as determined by the OCC.

Dated: September 13, 1996.

Eugene A. Ludwig,

Comptroller of the Currency.

[FR Doc. 96-23986 Filed 9-20-96; 8:45 am]

BILLING CODE 4810-33-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 141

[Docket No. RM96-17-000; Order No. 590]

Changes in Form No. 1 Instructions

Issued September 16, 1996.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final Rule.

SUMMARY: The Federal Energy Regulatory Commission is modifying the instructions for the filing of FERC Form No. 1, "Annual report of Major electric utilities, licensees and others," to make them clearer and to make it easier to file the Form electronically.

EFFECTIVE DATE: This final rule is effective on October 23, 1996.

FOR FURTHER INFORMATION CONTACT:

Joseph C. Lynch (Legal Information),
Office of the General Counsel, Federal Energy Regulatory Commission, 888 First St. N.E., Washington, D.C. 20426, (202) 208-2128

Robert J. Lynch (Technical Information),
Office of the Chief Accountant, Federal Energy Regulatory Commission, 888 First St. N.E., Washington, D.C. 20426, (202) 219-3012.

SUPPLEMENTARY INFORMATION: In addition to publishing the full text of this document in the Federal Register, the Commission also provides all interested persons an opportunity to inspect or copy the contents of this document during normal business hours in the Public Reference Room at 888 First Street, NE., Washington, DC. 20426.

The Commission Issuance Posting System (CIPS), an electronic bulletin

board service, provides access to the texts of formal documents issued by the Commission. CIPS is available at no charge to the user and may be accessed using a personal computer with a modem by dialing (202) 208-1397 if dialing locally, or 1-800-856-3920 if dialing long distance. CIPS is also available through the FedWorld System (by modem or Internet). To access CIPS, set your communications software to 19200, 14400, 12000, 9600, 7200, 4800, 2400 or 1200bps, full duplex, no parity, 8 data bits, and 1 stop bit. The full text of this document will be available on CIPS indefinitely in ASCII and WordPerfect 5.1 format for one year. The complete text on diskette in WordPerfect format may also be purchased from the Commission's copy contractor, La Dorn Systems Corporation, also located in the Public Reference Room at 888 First Street NE., Washington, DC. 20426.

Issued: September 16, 1996.

I. Introduction

On December 29, 1994, the Commission amended its regulations to provide for the electronic filing of FERC Form No. 1, "Annual report of Major electric utilities, licensees and others" (Form No. 1).¹ The Commission directed that, beginning with reporting year 1994 (for which reports were due on or before May 31, 1995),² parties would submit to the Commission a computer diskette with the Form No. 1 information on it, in addition to the required number of paper copies. The Commission concluded that the change would yield significant benefits, including more timely analysis and publication of data and reduced cost of data entry and retrieval. Aside from requiring electronic filing of Form No. 1, the Commission otherwise left Form No. 1 unchanged.

The Commission is now amending the instructions for filing Form No. 1 to eliminate ambiguity and to make it easier to file the form electronically.

II. Public Reporting Burden

The Commission estimates the public reporting burden for the collection of information under the final rule will remain unchanged for Form No. 1, since the only modifications are to the instructions for the filing of the form to make them clearer and to make it easier to file the form electronically.

¹ Electronic Filing of FERC Form No. 1 and Delegation to Chief Accountant, Order No. 574, 60 FR 1716 (Jan. 5, 1995), FERC Stats. & Regs. Regulations Preambles 1991-1996 ¶ 31,013 (1994) (*Electronic Filing I*), reconsid. denied, 70 FERC ¶ 61,330 (1995) (*Electronic Filing II*).

² *Electronic Filing II*, 70 FERC at 62,020.

The current annual reporting burden for the industry for the collection of information is estimated to be 235,000 hours. The industry burden is based on an estimate of 1,217 average hours on an annual basis for the 193 entities which complete a Form No. 1 filing. This estimate includes the time for reviewing instructions, researching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden can be sent to, the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426 (Attention: Michael Miller, Information Services Division, (202) 208-1415), and to the Office of Information and Regulatory Affairs of the Office of Management and Budget (Attention: Desk Officer for the Federal Energy Regulatory Commission); FAX: (202) 395-7285; telephone: (202) 395-3087.

III. Background

The Commission, in the exercise of its authority under the Federal Power Act (FPA), collects data pertaining to the electric utility industry in the United States.³ One of the principal forms that the Commission uses to collect this information is Form No. 1, which some 193 electric utilities and licensees submit annually.⁴ Form No. 1 consists of cover pages, four pages of general information and instructions, and 113 pages of schedules incorporating financial and operational information pertaining to the respondent companies. An independent certified public accountant must certify that certain information on the form conforms to the Commission's Uniform System of Accounts.⁵

The Commission has now gained experience from two reporting cycles under the new system. The Commission received numerous inquiries seeking clarification of certain of the instructions that were not compatible with the new electronic filing requirement. The Commission has determined that, in addition to clarifying these instructions, it also should revise certain others that have created ambiguity in prior reporting cycles.

The Commission is making these revisions in the Form No. 1 instructions

in tandem with its continuing improvement of the Form No. 1 software. These changes to the Form No. 1 instructions will make it easier to field test, and eventually distribute, a new version of the software to each Form No. 1 respondent. A detailed description of the changes that the Commission is making in its Form No. 1 instructions follows. A revised set of Form No. 1 instructions appears in the Appendix.⁶

IV. Description of Changes to Form No. 1 Instructions

A. Overview of Instructions that the Commission is Modifying

Page No.	Topic	Instruction No.
102	Control Over Respondent.	2
103	Corporations Controlled By Respondent.	4
104	Officers	3
108	Important Changes During The Year.	12
115	Statement Of Income For The Year (Continued).	7
118	Statement of Retained Earnings For The Year.	8
120	Statement Of Cash Flows.	1
122	Notes To Financial Statements.	6
261	Reconciliation Of Reported Net Income With Taxable Income For Federal Income Taxes.	3
263	Taxes Accrued, Prepaid And Charged During Year (Continued).	8
350-351	Regulatory Commission Expenses.	2, 4 and column headings (d), (e), (i), (j).

B. Description of and Reason for Changes

Page 102, Instruction No. 2

1. *Change:* deleted.
2. *Reason:* Inconsistent with requirement to file data in a structured electronic format. Instruction called for *referencing* information submitted to the Securities and Exchange Commission (SEC) (*i.e.* the SEC's 10-K annual report), rather than providing the information on a diskette.

Page 103, Instruction No. 4

1. *Change:* deleted.

⁶Note: This Appendix will not appear in the Code of Federal Regulations.

2. *Reason:* Inconsistent with requirement to file data in a structured electronic format. Instruction called for *referencing* information submitted to the SEC (*i.e.*, the SEC's 10-K annual report), rather than providing the information on a diskette.

Page 104, Instruction No. 3

1. *Change:* deleted.
2. *Reason:* Inconsistent with requirement to file data in a structured electronic format. Instruction called for *substituting* a copy of the information submitted to the SEC (*i.e.*, item 4 of Regulation S-K), instead of completing page 104.

Page 108, Instruction No. 12

1. *Change:* The Commission is changing the words "attached to" to "included on" this page.
2. *Reason:* The words "attached to" are inconsistent with the requirement to file data in a structured electronic format. Instruction provided for *attaching* a copy of the notes that appear in the respondent's annual report.

Page 115, Instruction No. 7

1. *Change:* The Commission is changing the words "attached at" to "included on" page 122.
2. *Reason:* The words "attached at" are inconsistent with the requirement to file the data in a structured electronic format. Instruction called for *attaching* at page 122 a copy of the notes appearing in the report to stockholders.

Page 118, Instruction No. 8

1. *Change:* The Commission is changing the words "attach them at" to "include them on" page 122.
2. *Reason:* The words "attach them at" are inconsistent with the requirement to file the data in a structured electronic format. Instruction called for *attaching* at page 122 a copy of the notes appearing in the report to stockholders.

Page 120, Instruction No. 1

1. *Change:* The Commission is changing the words "attached to" to "included on" page 122.
2. *Reason:* The words "attached to" are inconsistent with the requirement to file the data in a structured electronic format. Instruction called for *attaching* at page 122 a copy of the notes appearing in the annual stockholders report.

Page 122, Instruction No. 6

1. *Change:* The Commission is changing the words "attached hereto" to "included herein."
2. *Reason:* The words "attached hereto" are inconsistent with the

³ 16 U.S.C. 825, 825c.

⁴ *Electronic Filing I*, 60 FR at 1716-17; FERC Stats. & Regs. at 31,256.

⁵ 18 CFR Part 101. See *Electronic Filing I*, 60 FR at 1717; FERC Stats. & Regs. at 31,256.

requirement to file the data in a structured electronic format. Instruction called for *attaching* a copy of the notes that appear in the respondent's annual report to stockholders.

Page 261, Instruction No. 3

1. *Change:* The Commission is adding the following direction to this instruction: "For electronic reporting purposes complete line 27 and provide the substitute page in the context of a footnote."

2. *Reason:* As currently written, the instruction is inconsistent with the requirement to file the data in a structured electronic format.

Page 263, Instruction No. 8

1. *Change:* The Commission is deleting the current text of this instruction and is replacing that text with the following language: "Report in columns (i) through (l) how the taxes were distributed. Report in column (i) only the amounts charged to Accounts 408.1 and 409.1 pertaining to electric operations. Report in column (l) the amounts charged to Accounts 408.1 and 409.1 pertaining to other utility departments and amounts charged to Accounts 408.2 and 409.2. Also show in column (l) the taxes charged to utility plant or other balance sheet accounts."

2. *Reason:* The current instruction is confusing.

Pages 350-351, Instructions Nos. 2 and 4, and Column Headings for (d), (e), (i) and (l)

1. *Change:* The Commission is deleting the text of Instruction No. 2 and replacing the text of that instruction with the following language: "Report in columns (b) and (c) only the current year's expenses that are not deferred and the current year's amortization of amounts deferred in previous years."

The Commission is also revising the related column (d) heading to read: "Total Expenses for Current Year (b)+(c)"

The Commission is deleting Instruction No. 4 and renumbering Instruction Nos. 5 and 6 as Nos. 4 and 5.

Finally, the Commission is revising the references to Account 186 that appear in the column headings for (e), (i) and (l) to read "Account 182.3".

2. *Reason:* Current Instruction No. 2 is confusing; current Instruction No. 4 is outdated; and, to effect the necessary changes, the Commission must renumber certain instructions and revise column headings accordingly.

V. Environmental Statement

Commission regulations require that an environmental assessment or an environmental impact statement be prepared for any Commission action that may have a significant adverse effect on the human environment.⁷ The Commission has categorically excluded certain actions from this requirement as not having a significant effect on the human environment.⁸ No environmental consideration is necessary for the promulgation of a rule that is clarifying, corrective or procedural.⁹ Because the changes in the Form No. 1 instructions that the Commission is making here are merely procedural and clarifying, and simply correct ambiguity in certain of the instructions, no environmental statement is necessary.

VI. Regulatory Flexibility Act Certification

The Regulatory Flexibility Act¹⁰ requires rulemakings either to contain a description and analysis of the impact the rule will have on small entities or to certify that the rule will not have a substantial economic impact on a substantial number of small entities. Because most respondents do not fall within the definition of "small entity,"¹¹ the Commission certifies that this rule will not have a significant economic impact on a substantial number of small entities.

VII. Information Collection Statement

Office of Management and Budget (OMB) regulations require OMB to approve certain information collection requirements imposed by an agency¹². The information collection requirements in the final rule are contained in FERC Form No. 1.

Title: FERC Form No. 1 "Annual Report of Major Electric Utilities, Licensees and Others".

Action: Final Rule.

OMB Control No.: 1902-0021

(Respondents shall not be penalized for failure to respond to this collection of information unless the collection of information displays a valid OMB control number).

⁷ Regulations Implementing the National Environmental Policy Act, Order No. 486, 52 FR 47897 (Dec. 17, 1987), FERC Stats. & Regs. Regulations Preambles 1986-1990 ¶ 30,783 (1987) (codified at 18 CFR Part 380).

⁸ 18 CFR 380.4.

⁹ 18 CFR 380.4(a)(2)(ii).

¹⁰ 5 U.S.C. 601-612.

¹¹ See 5 U.S.C. 601(3), citing to section 3 of the Small Business Act, 15 U.S.C. 632, which defines a "small business concern" as a business which is independently owned and operated and which is not dominant in its field of operation.

¹² 5 CFR 1320.12.

Respondents: Business or other for profit entities.

Frequency of responses: Annually
Necessity of the information: The Commission uses the data collected to carry out its regulatory responsibilities. The Commission's Office of Chief Accountant uses the data in its audit program and continuous review of the financial condition of regulated companies. The Office of Electric Power Regulation (OEPR) uses the data in rate and other proceedings, and the Offices of Hydroelectric Licensing (OHL), Economic Policy (OEP) and General Counsel (OGC) use the data in investigations and programs relating to the administration of the Federal Power Act (FPA).

The FPA mandates the collection of data needed by the Commission to perform its regulatory responsibilities in, *inter alia*, the setting of just and reasonable rates. The Commission could be held in violation of the FPA if the data were not collected.

The final rule will not change the reporting requirements of FERC Form No. 1. This rule therefore is not subject to OMB review. The Commission is submitting a copy of the proposed rule to OMB for information purposes only. Interested persons may obtain information on these reporting requirements by contacting the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC. 20426 [Attention: Michael Miller, Information Services Division, (202) 208-1415]. Comments on the requirements of this rule can be sent to the Office of Information and Regulatory Affairs of OMB [Attention: Desk Officer for the Federal Energy Regulatory Commission]; FAX: (202) 395-7285; telephone: (202) 395-3087.

VIII. Administrative Findings and Effective Date

The Administrative Procedure Act (APA)¹³ requires rulemakings to be published in the Federal Register. The APA also mandates that an opportunity for comments be provided when an agency promulgates regulations. However, notice and comment are not required under the APA when the agency for good cause finds that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.¹⁴

The Commission finds that notice and comment are unnecessary for this rulemaking. As explained above, this

¹³ 5 U.S.C. 551-559.

¹⁴ 5 U.S.C. 553(B); e.g., *Mid-Tex Electric Cooperative, Inc. v. FERC*, 822 F.2d 1123 (D.C. Cir. 1987).

final rule is merely procedural, clarifying and ministerial in nature. The Commission is merely clarifying its Form No. 1 instructions and making them more compatible with the requirement of electronic filing. The Commission, therefore, finds good cause to make this rule effective October 23, 1996.

IX. Congressional Notification

The Small Business Regulatory Enforcement Fairness Act of 1996 requires agencies to report to Congress

on the promulgation of certain final rules prior to their effective dates.¹⁵ That reporting requirement does not apply to this final rule because it falls within a statutory exception for rules relating to procedural matters.¹⁶

List of Subjects

18 CFR Part 141

Electric power; Reporting and recordkeeping requirements.

¹⁵ 5 U.S.C. 801 (1994).

¹⁶ 5 U.S.C. 804(3)(B) (1994).

By the Commission.
Lois D. Cashell,
Secretary.

In consideration of the foregoing, the Commission amends the instructions for Form No. 1 as appear in the Appendix.

Note: This Appendix will not be codified in the Code of Federal Regulations.

BILLING CODE 6717-01-P

APPENDIX

Docket No. RM96-17-000

2

Appendix

Name of Respondent	This Report is: (1) <input type="checkbox"/> An Original (2) <input type="checkbox"/> A Resubmission	Date of Report (Mo, Da, Yr)	Year of Report Dec 31, 19__
CONTROL OVER RESPONDENT			
<p>1. If any corporation, business trust, or similar organization or combination of such organizations jointly held control over the respondent at the end of the year, state name of controlling corporation or organization, manner in which control was held, and extent of control. If control was in a holding company organization, show the chain of ownership or control to the main parent company or organization. If control was held by a trustee(s), state name of trustee(s), name of beneficiary or beneficiaries for whom trust was maintained, and purpose of the trust.</p>			

Docket No. RM96-17-000

Appendix

Name of Respondent	This Report is: (1) <input type="checkbox"/> An Original (2) <input type="checkbox"/> A Resubmission	Date of Report (Mo, Da, Yr)	Year of Report Dec 31, 19__	
CORPORATIONS CONTROLLED BY RESPONDENT				
<p>1. Report below the names of all corporations, business trusts, and similar organizations, controlled directly or indirectly by respondent at any time during the year. If control ceased prior to end of year, give particulars (details) in a footnote.</p> <p>2. If control was by other means than a direct holding of voting rights, state in a footnote the manner in which control was held, naming any intermediaries involved.</p> <p>3. If control was jointly held with one or more other interests, state the fact in a footnote and name the other interests.</p>				
DEFINITIONS				
<p>1. See the Uniform System of Accounts for a definition of control.</p> <p>2. Direct control is that which is exercised without interposition of an intermediary.</p> <p>3. Indirect control is that which is exercised by the interposition of an intermediary which exercises direct control.</p> <p>4. Joint control is that in which neither interest can effectively control or direct action without the consent of the other, as where the voting control is equally divided between two holders, or each party holds a veto power over the other. Joint control may exist by mutual agreement or understanding between two or more parties who together have control within the meaning of the definition of control in the Uniform System of Accounts, regardless of the relative voting rights of each party.</p>				
Line No.	Name of Company Controlled (a)	Kind of Business (b)	Percent Voting Stock Owned (c)	Footnote Ref. (d)
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Docket No. RM96-17-000

3

Appendix

Name of Respondent		This Report is: (1) <input type="checkbox"/> An Original (2) <input type="checkbox"/> A Resubmission		Date of Report (Mo, Da, Yr)	Year of Report Dec 31, 19__
OFFICERS					
<p>1. Report below the name title and salary for each executive officer whose salary is \$50,000 or more. An "executive officer" of a respondent includes its president, secretary, treasurer, and vice president in charge of a principal business unit, division, or function (such as sales, administration, or finance), and any other person who performs similar policymaking functions.</p> <p>2. If a change was made during the year in the incumbent of any position, show name and total remuneration of the previous incumbent, and the date the change in incumbency was made.</p>					
Line No.	Title (a)	Name of Officer (b)		Salary for Year (c)	
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2					
3					
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Docket No. RM96-17-000

4

Appendix

Name of Respondent	This Report is: (1) <input type="checkbox"/> An Original (2) <input type="checkbox"/> A Resubmission	Date of Report (Mo, Da, Yr)	Year of Report Dec 31, 19__
IMPORTANT CHANGES DURING THE YEAR			
<p>Give particulars (details) concerning the matters indicated below. Make the statements explicit and precise, and number them in accordance with the inquiries. Each inquiry should be answered. Enter "none" "not applicable" or "NA" where applicable. If information which answers an inquiry is given elsewhere in the report, make a reference to the schedule in which it appears.</p> <p>1. Changes in and important additions to franchise rights: Describe the actual consideration given therefor and state from whom the franchise rights were acquired. If acquired without the payment of consideration, state the fact.</p> <p>2. Acquisition of ownership in other companies by reorganization, merger, or consolidation with other companies: Give names of companies involved, particulars concerning the transactions, name of the Commission authorizing the transaction, and reference to Commission authorization.</p> <p>3. Purchase or sale of an operating unit or system: Give a brief description of the property, and of the transactions relating thereto, and reference to Commission authorization, if any was required. Give date journal entries called for by the Uniform System of Accounts were submitted to the Commission.</p> <p>4. Important leaseholds (other than leaseholds for natural gas lands) that have been acquired or given, assigned or surrendered: Give effective dates, length of terms, names of parties, rents, and other conditions. State name of Commission authorizing lease and give reference to such authorization.</p> <p>5. Important extension or reduction of transmission or distribution system: State territory added or relinquished and date operations began or ceased and give reference to Commission authorization, if any was required. State also the approximate number of customers added or lost and approximate annual revenues of each class of service. Each natural gas company must also state major new continuing sources of gas made available to it from purchases, development, purchase contract or otherwise, giving location and approximate total gas volumes available, period of contracts, and other parties to any such arrangements etc.</p> <p>6. Obligations incurred as a result of issuance of securities or assumption of liabilities of guarantees including issuance of short-term debt and commercial paper having a maturity of one year or less. Give reference to FERC or State Commission authorization, as appropriate, and the amount of obligation or guarantee.</p> <p>7. Changes in articles of incorporation or amendments to charter: Explain the nature and purpose of such changes or amendments.</p> <p>8. State the estimated annual effect and nature of any important wage scale changes during the year.</p> <p>9. State briefly the status of any materially important legal proceedings pending at the end of the year, and the results of any such proceedings culminated during the year.</p> <p>10. Describe briefly any materially important transactions of the respondent not disclosed elsewhere in this report in which any officer, director, security holder reported on page 106, voting trustee, associated company or known associate of any of these persons was a party or in which any such person had a material interest.</p> <p>11. (Reserved)</p> <p>12. If the important changes during the year relating to the respondent company appearing in the annual report to stockholders are applicable in every respect and furnish the data required by instructions 1 to 11 above, such notes may be included on this page.</p>			

Docket No. RM96-17-000

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Appendix

Name of Respondent		This Report is: (1) <input type="checkbox"/> An Original (2) <input type="checkbox"/> A Resubmission		Date of Report (Mo, Da, Yr)		Year of Report Dec 31, 19__
STATEMENT OF INCOME FOR THE YEAR (Continued)						
<p>resulting from settlement of any rate proceeding affecting revenues received or costs incurred for power or gas purchases and a summary of the adjustments made to balance sheet, income and expense accounts.</p> <p>7. If any notes appearing in the report to stockholders are applicable to this Statement of Income, such notes may be included on page 122.</p> <p>8. Enter on page 122 a concise explanation of only those changes in accounting methods made during the year which had an effect on net income, including the basis of</p>				<p>allocations and apportionments from those used in the preceding year. Also give the approximate dollar effect of such changes.</p> <p>9. Explain in a footnote if the previous year's figures are different from that reported in prior reports.</p> <p>10. If the columns are insufficient for reporting additional utility departments, supply the appropriate account titles, lines 2 to 23 and include the information on page 122 or in a supplemental statement.</p>		
ELECTRIC UTILITY		GAS UTILITY		OTHER UTILITY		
Current Year (e)	Previous Year (f)	Current Year (g)	Previous Year (h)	Current Year (i)	Previous Year (j)	Line No.
						1
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Docket No. RM96-17-000

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Appendix

Name of Respondent		This Report is: (1) <input type="checkbox"/> An Original (2) <input type="checkbox"/> A Resubmission		Date of Report (Mo, Da, Yr)	Year of Report Dec 31, 19__
STATEMENT OF RETAINED EARNINGS FOR THE YEAR					
<p>1. Report all changes in appropriated retained earnings, unappropriated retained earnings, and unappropriated undistributed subsidiary earnings for the year.</p> <p>2. Each credit and debit during the year should be identified as to the retained earnings account in which recorded (Accounts 433, 436-439 inclusive). Show the contra primary account affected in column (b).</p> <p>3. State the purpose and amount of each reservation or appropriation of retained earnings.</p> <p>4. List first account 439, Adjustments to Retained Earnings, reflecting adjustments to the opening balance of retained earnings. Follow by credit, then debit items in that order.</p> <p>5. Show dividends for each class and series of capital stock.</p> <p>6. Show separately the State and Federal income tax effect of items shown in account 439, Adjustments to Retained Earnings.</p> <p>7. Explain in a footnote the basis for determining the amount reserved or appropriated. If such reservation or appropriation is to be recurrent, state the number and annual amounts to be reserved or appropriated as well as the totals eventually to be accumulated.</p> <p>8. If any notes appearing in the report to stockholders are applicable to this statement, include them on page 122.</p>					
Line No.	Item (a)	Contra Primary Account Affected (b)	Amount (c)		
	UNAPPROPRIATED RETAINED EARNINGS (Account 216)				
1	Balance - Beginning of Year				
2	Changes (Identify by prescribed retained earnings account)				
3	Adjustments to Retained Earnings (Account 439)				
4	Credit:				
5	Credit:				
6	Credit:				
7	Credit:				
8	Credit:				
9	TOTAL Credits to Retained Earnings (Acct. 439) (Total of Lines 4 thru 8)				
10	Debit:				
11	Debit:				
12	Debit:				
13	Debit:				
14	Debit:				
15	TOTAL Debits to Retained Earnings (Acct. 439) (Total of Lines 10 thru 14)				
16	Balance Transferred from Income (Account 433 less Account 418.1)				
17	Appropriations of Retained Earnings (Account 436)				
18					
19					
20					
21					
22	TOTAL Appropriations of Retained Earnings (Acct. 436) (Total of lines 18 thru 21)				
23	Dividends Declared - Preferred Stock (Account 437)				
24					
25					
26					
27					
28					
29	TOTAL Dividends Declared - Preferred Stock (Acct. 437) (Total of lines 24 thru 28)				
30	Dividends Declared - Common Stock (Account 438)				
31					
32					
33					
34					
35					
36	TOTAL Dividends Declared - Common Stock (Acct. 438) (Total of lines 31 thru 35)				
37	Transfers from Account 216.1, Unappropriated Undistributed Subsidiary Earnings				
38	Balance - End of Year (Total of lines 01, 09, 15, 16, 22, 29, 36 and 37)				

Name of Respondent	This Report is: (1) <input type="checkbox"/> An Original (2) <input type="checkbox"/> A Resubmission	Date of Report (Mo, Da, Yr)	Year of Report Dec 31, 19__
STATEMENT OF CASH FLOWS			
1. If the notes to the cash flow statement in the respondents annual stockholders report are applicable to this statement, such notes should be included on page 122. Information about noncash investing and financing activities should be provided on page 122. Provide also on page 122 a reconciliation between "Cash and Cash Equivalents at End of Year" with related amounts on the balance sheet. 2. Under "Other" specify significant amounts and group others.			
Line No.	Description (See Instructions for Explanation of Codes) (a)	Amounts (b)	
1	Net Cash Flow from Operating Activities:		
2	Net Income (Line 68(c) on page 117)		
3	Noncash Charges (Credits) to Income:		
4	Depreciation and Depletion		
5	Amortization of (Specify)		
6			
7			
8	Deferred Income Taxes (Net)		
9	Investment Tax Credit Adjustment (Net)		
10	Net (Increase) Decrease in Receivables		
11	Net (Increase) Decrease in Inventory		
12	Net (Increase) Decrease in Allowances Inventory		
13	Net (Increase) Decrease in Payables and Accrued Expenses		
14	Net (Increase) Decrease in Other Regulatory Assets		
15	Net (Increase) Decrease in Other Regulatory Liabilities		
16	(Less) Allowance for Other Funds Used During Construction		
17	(Less) Undistributed Earnings from Subsidiary Companies		
18	Other:		
19			
20			
21			
22	Net Cash Provided by (Used In) Operating Activities (Total of lines 2 thru 21)		
23			
24	Cash Flows from Investment Activities:		
25	Construction and Acquisition of Plant (Including land):		
26	Gross Additions to Utility Plant (less nuclear fuel)		
27	Gross Additions to Nuclear Fuel		
28	Gross Additions to Common Utility Plant		
29	Gross Additions to Nonutility Plant		
30	(Less) Allowance for Other Funds Used During Construction		
31	Other:		
32			
33			
34	Cash Flows for Plant (Total of lines 26 thru 33)		
35			
36	Acquisition of Other Noncurrent Assets (d)		
37	Proceeds from Disposal of Noncurrent Assets (d)		
38			
39	Investments in and Advances to Assoc. and Subsidiary Companies		
40	Contributions and Advances from Assoc. and Subsidiary Companies		
41	Disposition of Investments in (and Advances to)		
42	Associated and Subsidiary Companies		
43			
44	Purchase of Investment Securities (a)		
45	Proceeds from Sales of Investment Securities (a)		

Name of Respondent	This Report is: (1) <input type="checkbox"/> An Original (2) <input type="checkbox"/> A Resubmission	Date of Report (Mo, Da, Yr)	Year of Report Dec 31, 19__
NOTES TO FINANCIAL STATEMENTS			
<p>1. Use the space below for important notes regarding the Balance Sheet, Statement of Income for the year, Statement of Retained Earnings for the year, and Statement of Cash Flows, or any account thereof. Classify the notes according to each basic statement, providing a subheading for each statement except where a note is applicable to more than one statement.</p> <p>2. Furnish particulars (details) as to any significant contingent assets or liabilities existing at end of year, including a brief explanation of any action initiated by the Internal Revenue Service involving possible assessment of additional income taxes of material amount, or of a claim for refund of income taxes of a material amount initiated by the utility. Give also a brief explanation of dividends in arrears on cumulative preferred stock.</p> <p>3. For Account 116, Utility Plant Adjustments, explain the origin of such amount, debits, and credits during the year,</p> <p>and plan of disposition contemplated, giving references to Commission orders or other authorizations respecting classification of amounts as plant adjustments and requirements as to disposition thereof.</p> <p>4. Where Accounts 189, Unamortized Loss on Reacquired Debt, and 257, Unamortized Gain on Reacquired Debt, are not used, give an explanation, providing the rate treatment given these items. See General Instruction 17 of the Uniform System of Accounts.</p> <p>5. Give a concise statement of any retained earnings restrictions and state the amount of retained earnings affected by such restrictions.</p> <p>6. If the notes to financial statements relating to the respondent company appearing in the annual report to the stockholders are applicable and furnish the data required by instructions above and on pages 114-121, such notes may be included herein.</p>			

Name of Respondent	This Report is: (1) <input type="checkbox"/> An Original (2) <input type="checkbox"/> A Resubmission	Date of Report (Mo, Da, Yr)	Year of Report Dec 31, 19__
RECONCILIATION OF REPORTED NET INCOME WITH TAXABLE INCOME FOR FEDERAL INCOME TAXES			
<p>1. Report the reconciliation of reported net income for the year with taxable income used in computing Federal income tax accruals and show computation of such accruals. Include in the reconciliation, as far as practicable, the same detail as furnished on Schedule M-1 of the tax return for the year. Submit a reconciliation even though there is no taxable income for the year. Indicate clearly the nature of each reconciling amount.</p> <p>2. If the utility is a member of a group which files a consolidated Federal tax return, reconcile reported net income with taxable net income as if a separate return were</p> <p>to be filed, indicating, however, intercompany amounts to be eliminated in such a consolidated return. State names of group members, tax assigned to each group member, and basis of allocation, assignment, or sharing of the consolidated tax among the group members.</p> <p>3. A substitute page, designed to meet a particular need of a company, may be used as long as the data is consistent and meets the requirements of the above instructions. For electronic reporting purposes complete line 27 and provide the substitute page in the context of a footnote.</p>			
Line No.	Particulars (Details) (a)	Amount (b)	
1	Net Income for the Year (Page 117)		
2	Reconciling Items for the Year		
3			
4	Taxable Income Not Reported on Books		
5			
6			
7			
8			
9	Deductions Reported on Books Not Deducted on Return		
10			
11			
12			
13			
14	Income Reported on Books Not Included in Return		
15			
16			
17			
18			
19	Deductions on Return Not Charged Against Book Income		
20			
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26			
27	Federal Tax Net Income		
28	Show Computation of Tax:		
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Docket No. RM96-17-000

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Appendix

Name of Respondent		This Report is: (1) <input type="checkbox"/> An Original (2) <input type="checkbox"/> A Resubmission		Date of Report (Mo, Da, Yr)		Year of Report Dec 31, 19__	
TAXES ACCRUED, PREPAID AND CHARGED DURING YEAR (Continued)							
<p>5. If any tax (exclude Federal and State income taxes) covers more than one year, show the required information separately for each tax year, identifying the year in column (a).</p> <p>6. Enter all adjustments of the accrued and prepaid tax accounts in column (f) and explain each adjustment in a footnote. Designate debit adjustments by parentheses.</p> <p>7. Do not include on this page entries with respect to deferred income taxes or taxes collected through payroll deductions or otherwise pending transmittal of such taxes to the taxing authority.</p>				<p>8. Report in columns (i) through (l) how the taxes were distributed. Report in column (i) only the amounts charged to Accounts 408.1 and 409.1 pertaining to electric operations. Report in column (l) the amounts charged to Accounts 408.1 and 409.1 pertaining to other utility departments and amounts charged to Accounts 408.2 and 409.2. Also show in column (l) the taxes charged to utility plant or other balance sheet accounts.</p> <p>9. For any tax apportioned to more than one utility department or account, state in a footnote the basis (necessity) of apportioning such tax.</p>			
BALANCE AT END OF YEAR		DISTRIBUTION OF TAXES CHARGED					
(Taxes Accrued Account 236) (g)	Prepaid Taxes (Inc. in Account 165) (h)	Electric (Account 408.1, 409.1) (i)	Extraordinary Items (Account 409.3) (j)	Adjustment to Ret. Earnings (Account 439) (k)	Other (l)	Line No.	
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Docket No. RM96-17-000

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Appendix

Name of Respondent		This Report is: (1) <input type="checkbox"/> An Original (2) <input type="checkbox"/> A Resubmission		Date of Report (Mo, Da, Yr)	Year of Report Dec 31, 19__
REGULATORY COMMISSION EXPENSES					
1. Report particulars (details) of regulatory Commission expenses incurred during the year (or incurred in previous years, if being amortized) relating to formal cases before a regulatory body, or cases in which such body was a party.			2. Report in columns (b) and (c) only the current year's expenses that are not deferred and the current year's amortization of amounts deferred in previous years.		
Line No.	Description (Furnish name of regulatory commission or body, the docket or case number, and a description of the case.) (a)	Assessed by Regulatory Commission (b)	Expenses of Utility (c)	Total Expenses for Current Year (b)+(c) (d)	Deferred in Account 182.3 at Beginning of Year (e)
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46	TOTAL				

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Appendix

Name of Respondent		This Report is: (1) <input type="checkbox"/> An Original (2) <input type="checkbox"/> A Resubmission		Date of Report (Mo, Da, Yr)		Year of Report Dec 31, 19__	
REGULATORY COMMISSION EXPENSES (Continued)							
3. Show in column (k) any expenses incurred in prior years which are being amortized. List in column (a) the period of amortization.				during year which were charged currently to income, plant or other accounts.			
4. List in column (f), (g), and (h) expenses incurred				5. Minor items (less than \$25,000) may be grouped.			
EXPENSES INCURRED DURING THE YEAR				AMORTIZED DURING YEAR			
CHARGED CURRENTLY TO			Deferred to Account 182.3 (i)	Contra Account (j)	Amount (k)	Deferred in Account 182.3 End of Year (l)	Line No.
Department (f)	Account No. (g)	Amount (h)					
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[FR Doc. 96-24261 Filed 9-20-96; 8:45 am]
BILLING CODE 6717-01-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Parts 100 and 165

[CGD 96-047]

Safety Zones, Security Zones, and Special Local Regulations

AGENCY: Coast Guard, DOT.

ACTION: Notice of temporary rules issued.

SUMMARY: This document provides required notice of substantive rules adopted by the Coast Guard and temporarily effective between July 1, 1996 and September 18, 1996, which were not published in the Federal Register. This quarterly notice lists temporary local regulations, security zones, and safety zones, which were of limited duration and for which timely publication in the Federal Register was not possible.

DATES: This document lists temporary Coast Guard regulations that became effective and were terminated between July 1, 1996 and September 18, 1996, as well as several regulations which were not included in the previous quarterly list.

ADDRESSES: The complete text of these temporary regulations may be examined

at, and is available on request, from Executive Secretary, Marine Safety Council (G-LRA), U.S. Coast Guard Headquarters, 2100 Second Street, SW., Washington, DC 20593-0001.

FOR FURTHER INFORMATION CONTACT:

Commander Stephen J. Darmody, Executive Secretary, Marine Safety Council at (202) 267-1477 between the hours of 8 a.m. and 3 p.m., Monday through Friday.

SUPPLEMENTARY INFORMATION: District Commanders and Captains of the Port (COTP) must be immediately responsive to the safety needs of the waters within their jurisdiction; therefore, District Commanders and COTPs have been delegated the authority to issue certain local regulations. Safety zones may be established for safety or environmental purposes. A safety zone may be stationary and described by fixed limits or it may be described as a zone around a vessel in motion. Security zones limit access to vessels, ports, or waterfront facilities to prevent injury or damage. Special local regulations are issued to enhance the safety of participants and spectators at regattas and other marine events. Timely publication of these regulations in the Federal Register is often precluded when a regulation responds to an emergency, or when an event occurs without sufficient advance notice. However, the affected public is informed of these regulations through Local Noticers to Marines, press releases, and other means. Moreover,

actual notification is provided by Coast Guard patrol vessels enforcing the restrictions imposed by the regulation. Because mariners are notified by Coast Guard officials on-scene prior to enforcement action, Federal Register notice is not required to place the special local regulation, security zone, or safety zone in effect. However, the Coast Guard, by law, must publish in the Federal Register notice of substantive rules adopted. To discharge this legal obligation without imposing undue expense on the public, the Coast Guard periodically publishes a list of these temporary special local regulations, security zones, and safety zones. Permanent regulations are not included in this list because they are published in their entirety in the Federal Register. Temporary regulations may also be published in their entirety if sufficient time is available to do so before they are placed in effect or terminated. These safety zones, special local regulations and security zones have been exempted from review under E.O. 12866 because of their emergency nature, or limited scope and temporary effectiveness.

The following regulations were placed in effect temporarily during the period July 1, 1996 and September 18, 1996, unless otherwise indicated.

Stephen J. Darmody,

Commander, U.S. Coast Guard, Executive Secretary, Marine Safety Council.

QUARTERLY REPORT

Docket No.	Location	Type	Effective date
Corpus Christi 96-009	Corpus Christi Ship Channel	Safety Zone	8/2/96
Guam 96-001	Cocos Island Reef, Guam	Safety Zone	3/7/96
Guam 96-002	Apra, Guam	Safety Zone	3/27/96
Guam 96-004	Sasanhaya East Harbor, Rota	Safety Zone	5/2/96
Guam 96-005	Rota	Safety Zone	5/2/96
Guam 96-008	Outer Apra Harbor, Guam	Safety Zone	7/31/96
Houston-Galveston 96-008	Houston, TX	Safety Zone	6/21/96
Houston-Galveston 96-009	Houston, TX	Safety Zone	7/4/96
Houston-Galveston 96-010	Houston, TX	Safety Zone	6/27/96
LA/Long Beach 96-013	San Pedro Bay, CA	Safety Zone	6/30/96
LA/Long Beach 96-013	San Pedro Bay, CA	Safety Zone	6/30/96
LA/Long Beach 96-014	Carpinteria, CA	Safety Zone	7/12/96
LA/Long Beach 96-015	San Pedro Bay, CA	Safety Zone	7/19/96
LA/Long Beach 96-016	San Pedro Bay, CA	Safety Zone	7/25/96
LA/Long Beach 96-020	Huntington Beach, CA	Safety Zone	9/6/96
Miami 96-047	Kew West, FL	Safety Zone	7/13/96
Mobile 96-20	Gulf of Mexico, AL	Safety Zone	7/13/96
Pittsburgh 96-002	Pittsburgh, PA	Security Zone	8/18/96
Port Arthur 96-08	Beaumont, TX	Safety Zone	7/5/96
San Diego Bay 96-003	San Diego, CA	Safety Zone	8/10/96
Savannah 96-042	Hilton Head Island, SC	Safety Zone	7/4/96
Savannah 96-043	Savannah River, Savannah, GA	Safety Zone	7/20/96
Western Alaska 95-001	Cook Inlet, AK	Safety Zone	7/25/96
Western Alaska 96-002	Cook Inlet, AK	Safety Zone	7/27/96
01-95-059	Guilford, CT	Safety Zone	7/5/96
01-95-063	Groton, CT	Safety Zone	7/6/96
01-96-008	Winter Harbor Lobster Boat Race, Winter Ha	Special Local	8/10/96