

a notice of proposed rulemaking may be published with a new comment period.

Comments Invited

Although this action is in the form of a final rule and was not preceded by a notice of proposed rulemaking, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy-related aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contract concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 99-ACE-21." The postcard will be date stamped and returned to the commenter.

Agency Findings

The regulations adopted herein will not have substantial direct effects 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, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant

rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, 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.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

Accordingly, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9F, Airspace Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

* * * * *

ACE KS E5 Ottawa, KS [Revised]

Ottawa Municipal Airport, KS
(Lat. 38°32'19"N., long. 95°15'11"W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Ottawa Municipal Airport.

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Issued in Kansas City, MO, on May 11, 1999.

Donovan D. Schardt,

Acting Manager, Air Traffic Division, Central Region.

[FR Doc. 99-14604 Filed 6-9-99; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 99-ACE-16]

Amendment to Class E Airspace; Shenandoah, IA

AGENCY: Federal Aviation Administration, DOT.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: This document confirms the effective date of a direct final rule which revises Class E airspace at Shenandoah, IA.

DATES: The direct final rule published at 64 FR 19265 is effective on 0901 UTC, July 15, 1999.

FOR FURTHER INFORMATION CONTACT: Kathy Randolph Air Traffic Division, Airspace Branch, ACE-520C, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106; telephone: (816) 426-3408.

SUPPLEMENTARY INFORMATION: The FAA published this direct final rule with a request for comments in the **Federal Register** on April 20, 1999 (64 FR 19265). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on July 15, 1999. No adverse comments were received, and thus this notice confirms that this direct final rule will become effective on that date.

Issued in Kansas City, MO, on May 11, 1999.

Donovan D. Schardt,

Acting Manager, Air Traffic Division, Central Region.

[FR Doc. 99-14603 Filed 6-9-99; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 99-ACE-10]

Amendment to Class E Airspace; Lebanon, MO

AGENCY: Federal Aviation Administration, DOT.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: This document confirms the effective date of a direct final rule which revises Class E airspace at Lebanon, MO.

DATES: The direct final rule published at 64 FR 10938 is effective on 0901 UTC, July 15, 1999.

FOR FURTHER INFORMATION CONTACT: Kathy Randolph, Air Traffic Division, Airspace Branch, ACE-520C, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106; telephone: (816) 426-3408.

SUPPLEMENTARY INFORMATION: The FAA published this direct final rule with a request for comments in the **Federal Register** on March 8, 1999 (64 FR 10938). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on July 15, 1999. No adverse comments were received, and thus this notice confirms that this direct final rule will become effective on that date.

Issued in Kansas City, MO on April 19, 1999.

Donovan D. Schardt,

Acting Manager, Air Traffic Division.

[FR Doc 99-14602 Filed 6-9-99; 8:45 am]

BILLING CODE 4910-13-M

POSTAL SERVICE

39 CFR Part 111

Experimental Nonletter-Size Business Reply Mail Categories and Fees; Implementation Standards

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: This final rule sets forth the Domestic Mail Manual (DMM) standards adopted by the Postal Service to implement the Decision of the Governors of the United States Postal Service on the Recommended Decision of the Postal Rate Commission on the Renewal of Experimental Classifications and Fees for Nonletter-Size Business Reply, Docket No. MC99-1.

During the past two years, the Postal Service has studied the effects of two alternative experimental accounting methods for nonletter-size business

reply mail (BRM) with a controlled number of recipients: The reverse manifesting method and the bulk weight averaging method. Until the implementation of a permanent classification and fees, the Postal Service intends to continue the experiment with up to 10 participants to resolve some administrative and technical issues related to permanent implementation of the bulk weight averaging accounting method.

EFFECTIVE DATE: June 8, 1999.

FOR FURTHER INFORMATION CONTACT: Paul Lettmann, (202) 268-6261, or Michael T. Tidwell, (202) 268-2998.

SUPPLEMENTARY INFORMATION: The Postal Service will review applications and select as many as six mailers to join the four current participants in the experiment. It is hoped that the BRM received by the participants will represent a diverse range of products returned by BRM. The limitation on the number of participants in the extension of the weight averaging experiment is consistent with the need to conduct an experiment that can be managed effectively, with the narrow scope of the administrative and technical issues the extension is expected to resolve, and with the relatively short time frame during which the extension is likely to be in effect.

The selection of experiment participants depends on various criteria such as mail volume, product type and packaging, geographic location, ability to implement and maintain quality control procedures for accounting and documentation, and availability of postal resources. A prospective participant should be able to participate until February 29, 2000, and, if selected, begin within a short period of time. Only the weight averaging method of counting the returned nonletter-size BRM pieces will be tested as part of this experiment.

As part of this study, participants will be charged lower per piece BRM fees for qualifying pieces as follows:

For participants using the weight averaging accounting method, the per piece accounting fee is 1 cent, plus the appropriate First-Class Mail or Priority Mail postage.

Participants must pay an *annual* business reply mail permit fee and an *annual* business reply mail advance deposit accounting fee, which are currently \$100.00 and \$300.00, respectively. In addition, there will be a monthly audit and maintenance fee of \$600.00 assessed per BRM account at each site where the experimental weight averaging accounting method is employed.

Background

As a consequence of Postal Rate Commission Docket No. MC97-1, the United States Postal Service has engaged in an experiment since June 8, 1997, which was designed to test the feasibility of two alternative methods of accounting for nonletter-size Business Reply Mail: the reverse manifesting method and the bulk weight averaging method. For each method, the experiment was designed to involve up to 10 recipients of nonletter-size BRM. On an experimental basis, separate experimental set-up/qualification, monthly auditing or sampling, and per piece fees were established for each method. All experimental classifications and fees are scheduled to expire on June 7, 1999.

To date, four BRM recipients have participated in the experiment, which is scheduled to expire on June 7, 1999. One participant began the experiment utilizing the reverse manifest method. Three others elected to participate utilizing the weight averaging method.

Approximately nine months ago, the one participant using the reverse manifest method unilaterally determined on the basis of internal operational considerations that it would switch to the weight averaging method. The Postal Service has since been unable to recruit any participants to experiment with the reverse manifest method. Although the Postal Service believes that the method has potential, the limited experience during the experiment did not provide an adequate opportunity to fully evaluate the method or overcome the shortcomings with the method that were identified when the experiment was initiated. As a consequence, the operational feasibility of the reverse manifest method remains unproved.

The experiment has demonstrated the feasibility of the bulk weight averaging accounting method for nonletter-size BRM to the satisfaction of the Postal Service. At the same time, the Postal Service has determined that it must resolve some administrative and technical issues related to the operation of bulk weight averaging before implementing the method on a permanent basis.

Accordingly, on March 10, 1999, the Postal Service filed two requests before the Postal Rate Commission. The first request sought an extension of the current bulk weight averaging experiment beyond its June 7, 1999, expiration date to allow for the continuation of work to resolve the aforementioned administrative and technical issues that stand in the way of