

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:

Saab Aircraft AB: Docket 97–NM–236–AD.

Applicability: Model SAAB SF340A and SAAB 340B series airplanes, as listed in Saab Service Bulletin 340–57–033, Revision 1, dated August 18, 1997; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 (d) 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 fatigue cracking of the flap support straps, which could result in further damage to the flap structure and reduced controllability of the airplane, accomplish the following:

(a) Except as provided by paragraph (b) of this AD: Prior to the accumulation of 16,000 total flight cycles, or within 1,500 flight cycles after the effective date of this AD, whichever occurs later, perform a visual inspection to detect discrepancies (i.e., cracking and/or damage) of the support straps of the left- and right-hand flaps and adjacent areas, in accordance with Saab Service Bulletin 340–57–033, Revision 1, dated August 18, 1997. If any discrepancy is detected, prior to further flight, repair it in accordance with a method approved by the Manager, International Branch, ANM–116, FAA, Transport Airplane Directorate.

(b) At the next scheduled structural inspection of the flaps, but not later than the accumulation of 3,000 flight cycles after the effective date of this AD, accomplish paragraphs (b)(1) and (b)(2) of this AD, in accordance with Saab Service Bulletin 340–57–033, Revision 1, dated August 18, 1997. Accomplishment of the inspection and replacement specified in paragraphs (b)(1) and (b)(2) of this AD constitutes terminating action for the requirements of paragraph (a) of this AD.

(1) Perform a detailed inspection to detect discrepancies (i.e., cracking and/or damage) of the support straps of the left- and right-

hand flaps and adjacent areas, in accordance with the service bulletin. If any discrepancy is detected, prior to further flight, repair it in accordance with a method approved by the Manager, International Branch, ANM–116. And,

(2) Replace the support straps of the left- and right-hand flaps with new straps made of steel, in accordance with the service bulletin.

(c) As of the effective date of this AD, no person shall install a flap assembly having part number 7257800–501 through –508 inclusive, –571, –572, or –851 through –858 inclusive, on any airplane, unless that flap assembly has been modified in accordance with Saab Service Bulletin 340–57–033, Revision 1, dated August 18, 1997.

(d) 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 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM–116.

(e) 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.

Note 3: The subject of this AD is addressed in Swedish airworthiness directive SAD No. 1–117, dated June 9, 1997.

Issued in Renton, Washington, on October 31, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–29421 Filed 11–6–97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–NM–179–AD]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A320 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Airbus Model A320 series

airplanes. This proposal would require replacement of a capacitor of the main landing gear (MLG) circuitry with a new electrolytic capacitor having a tantalum casing. This proposal is prompted by the issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to prevent the failure of the landing gear to retract properly as a result of failure of a capacitor in the MLG circuitry and subsequent power interruption.

DATES: Comments must be received by December 8, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 97–NM–179–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2110; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule.

The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed 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 summarizing each FAA-public contact

concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 97-NM-179-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 97-NM-179-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, notified the FAA that an unsafe condition may exist on certain Airbus Model A320 series airplanes. The DGAC advises that it has received reports that, during functional tests of the landing gear safety valve, the main landing gear (MLG) retraction cycle was interrupted. Investigation revealed that the interruption was attributed to the rupture of a capacitor; this capacitor normally enables the continuation of the gear retraction cycle in the event of power interruption. Failure of this capacitor in the MLG circuitry combined with electrical power interruption, if not corrected, could result in failure of the MLG to retract properly.

Explanation of Relevant Service Information

Airbus has issued Service Bulletin A320-32-1139, Revision 1, dated December 30, 1994, which describes procedures for replacement of a capacitor of the MLG circuitry with a new electrolytic capacitor having a tantalum casing. Replacement with the new capacitor would eliminate the possibility and consequences of its rupture. The DGAC classified this service bulletin as mandatory and issued French airworthiness directive 96-187-085(B)R2, dated January 29, 1997, in order to assure the continued airworthiness of these airplanes in France.

FAA's Conclusions

This airplane model is manufactured in France and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR

21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require accomplishment of the actions specified in the service bulletin described previously.

Cost Impact

The FAA estimates that 31 Airbus Model A320 series airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 2 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. The cost for required parts would be minimal. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$3,720, or \$120 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

Regulatory Impact

The regulations proposed herein would 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 proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that 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) 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. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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:

Airbus Industrie: Docket 97-NM-179-AD.

Applicability: Model A320 series airplanes on which Airbus Modification 21574 (Airbus Service Bulletin A320-32-1139, Revision 1, dated December 30, 1994) or 21999 has not been installed, certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 failure of the main landing gear (MLG) to retract properly as a result of failure of a capacitor in the landing gear circuitry and subsequent electrical power interruption, accomplish the following:

(a) Within 8 months after the effective date of this AD, replace capacitor 57GA installed in electronic rack 90VU with a new electrolytic capacitor having a tantalum casing, in accordance with Airbus Service Bulletin A320-32-1139, Revision 1, dated December 30, 1994.

(b) As of the effective date of this AD, no person shall install a capacitor having part number 57GA (without a tantalum casing) in the main landing gear circuitry on any airplane.

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

(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.

Note 3: The subject of this AD is addressed in French airworthiness directive 96-187-085(B)R2, dated January 29, 1997.

Issued in Renton, Washington, on October 31, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

14 CFR Part 255

[Dockets Nos. OST-97-3014 and OST-97-2881]

Computer Reservations System (CRS) Regulations

AGENCY: Office of the Secretary, (DOT).

ACTION: Request for comments, petition for rulemaking on rules governing computer reservations systems.

SUMMARY: The Department is inviting interested persons to comment on a petition for rulemaking filed by American West Airlines that requests two new rules governing computer reservations systems (CRSs). America West asks the Department to amend its CRS rules (14 CFR Part 255) to include a prohibition against certain CRS practices that allegedly impose higher booking fee costs on airlines and enable travel agents to make transactions that damage an airline's ability to control its inventory. The Department invites persons wishing to comment on America West's proposal to include those comments in their responses to the Department's advance notice of proposed rulemaking in Docket OST-97-2881.

DATES: Comments and reply comments must be submitted on or before December 9, 1997, and January 23, 1998, respectively, the due dates for comments and reply comments in Docket No. OST-97-2881.

ADDRESSES: Comments must be filed in Room PL401, Docket OST-97-2881, U.S. Department of Transportation, 400 7th St., SW., Washington, DC 20590. Late filed comments will be considered to the extent possible. To facilitate consideration of comments, each commenter should file six copies of its comments. The comments should state that they are filed in Docket OST-97-2881.

FOR FURTHER INFORMATION CONTACT:

Thomas Ray, Office of the General Counsel, 400 Seventh St., SW., Washington, DC 20590, (202) 366-4731.

SUPPLEMENTARY INFORMATION: The Department adopted its regulations governing CRSs, 14 CFR Part 255, because, if CRS firms were unregulated, they could use the systems to injure airline competition and deny consumers and travel agents access to accurate and complete information on airline services. We recently began a proceeding to reexamine our regulations to see whether they are still necessary and, if so, whether they should be changed, by publishing an advance notice of proposed rulemaking. 62 FR 47606, September 10, 1997. The comments and reply comments on that advance notice will be due on December 9, 1997, and January 23, 1998, under the revised comment schedule established by us.

We note that the rules will expire on December 31, 1997, unless we change the termination date. We are holding an expedited rulemaking proceeding to consider amending the rules' sunset provision so that the rules will remain in effect during our overall examination of them, as we noted in the advance notice, 62 FR at 47610-47611.

The advance notice summarizes our findings in earlier proceedings on the need for CRS rules and lists a number of issues that parties should address in their comments. 62 FR at 47607, 47609-47610. Among other things, the advance notice describes our past findings that market forces do not discipline the prices and quality of service offered by systems to participating airlines (participating airlines are the airlines whose services are sold through a system). 62 FR at 47608. *See also* 61 FR 42197, 42198, 42201-42202, August 14, 1996. Whether these findings are still valid is one of the issues that will be considered in our reexamination of the rules.

After we published the advance notice, America West filed a petition for proposed rulemaking that asks us to adopt two rules to stop CRS practices that allegedly impose unreasonable costs on participating airlines. America West alleges that each system offers incentive programs to travel agencies that encourage travel agents to make unnecessary and abusive airline transactions. A travel agency typically pays a much lower fee (or no fee) for CRS services if it makes a certain number of booking transactions each month. According to America West, a travel agency may have an incentive to make illegitimate booking transactions because doing so will enable it to receive CRS services at lower cost, even though the agency's legitimate transactions are too few to make the agency eligible for the discounted fees. America West asserts that travel agencies also make illegitimate or unnecessary books transactions for other reasons. Whatever the reason, all booking transactions generally impose a booking fee liability on a participating airline.

America West contends that, since each system uses a transactional methodology for calculating booking fees (the fees charged participating airlines), an airline must pay fees whenever travel agents conduct transactions involving its services, whether or not the transaction benefits the airline or results in the airline's carrying revenue passengers. According to America West, a participating airline like itself therefore must pay fees for many booking transactions that allegedly provide it no benefit. America West further asserts that the systems refuse to make any real effort to stop illegitimate travel agent transactions that create booking fee revenue for the systems. America West additionally charges that Sabre and Apollo, the two largest systems, each protects its major airline affiliate, respectively American and United, from similar abuses by denying travel agents the ability to conduct certain types of transactions that often lead to illegitimate bookings. America West alleges that the systems, however, have been unwilling to provide similar protection for participating airlines. Finally, America West alleges that the Internet has made matters worse, for the Internet booking sites created by travel agencies and other firms use a CRS as the booking engine.

America West therefore asks us to adopt rules allowing systems to charge booking fees only for a transaction involving actual travel and requiring each system to deny its travel agency