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Issued in Seattle, Washington, on January 24, 1997.

Glenn A. Adams III,
Assistant Manager, Air Traffic Division,
Northwest Mountain Region.

[FR Doc. 97-3407 Filed 2-11-97; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 97-AWP-5]

Proposed Revision of Class E Airspace; San Francisco, CA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to revise the Class E airspace area at San Francisco. This action would revoke the surface area for Alameda NAS (Nimitz Field), CA. A review of airspace classification and air traffic procedures has made this action necessary. The intended effect of this action is to revoke controlled airspace since the purpose and the requirements for the surface area no longer exist at Alameda NAS (Nimitz Field), CA.

DATES: Comments must be received on or before March 15, 1997.

ADDRESSES: Send comments on the proposal in triplicate to: Federal Aviation Administration, Attn: Manager, Operations Branch, AWP-530, Docket No. 97-AWP-5, Air Traffic Division, P.O. Box 92007, Worldway Postal Center, Los Angeles, California 90009.

The official docket may be examined in the Office of the Assistant Chief Counsel, Western Pacific Region, Federal Aviation Administration, Room 6007, 15000 Aviation Boulevard, Lawndale, California 90261.

An informal docket may also be examined during normal business hours at the Office of the Manager, Operations Branch, Air Traffic Division at the above address.

FOR FURTHER INFORMATION CONTACT: William Buck, Airspace Specialist, Operations Branch, AWP-530, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261, telephone (310) 725-6556.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking

by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with the comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 97-AWP-5." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Operations Branch, Air Traffic Division, at 15000 Aviation Boulevard, Lawndale, California 90261, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Operations Branch, P.O. Box 92007, Worldway Postal Center, Los Angeles, California 90009. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A, which describes the application procedures.

The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise the Class E airspace area at San Francisco, CA. This action would revoke the surface area for Alameda NAS (Nimitz Field), CA. A review of airspace classification and air traffic procedures has made this action necessary. The intended effect of this action is to revoke controlled airspace since the purpose and requirements for the surface area no longer exist at

Alameda NAS (Nimitz Field), CA. Class E airspace areas are published in Paragraph 6005 of FAA Order 7400.9D dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in this Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation—(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 10034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule would not have a significant economic impact 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).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) as follows:

PART 71—[AMENDED]

1. The authority citation for 14 CFR 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; 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

Paragraph 6005 Class E airspace.

* * * * *

San Francisco International, CA
(Lat 37°43'17" N. long 122°13'15" W)

That airspace extending upward from 700 feet above the surface bounded on the north by lat. 38°02'00" N, on the east by long. 121°52'04" W, on the south by Lat 37°30'00" N, and on the west by a line extending from Lat. 37°30'00" N, long 122°27'04" W; to Lat 37°34'00" N, long. 122°31'04" W; to lat.

37°55'00" N, long. 122°31'04" W; to lat 38°02'00" N, long. 122°40'04" W. That the airspace extending upward from 1,200 feet above the surface bounded on the north by lat. 38°02'00" N, on the east by a line extending from lat 38°02'00" N, long. 121°37'04" W; to lat. 37°38'00" N, long. 121°50'04" W; to lat. 37°30'00" W, long. 121°50'04" W; on the south by lat. 37°30'00" N, and on the west by the east edges of V-27 and V-199.

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Issued in Los Angeles, California, on January 24, 1997.

Sabra W. Kaulia,

Assistant Manager, Air Traffic Division,
Western Pacific Region.

[FR Doc. 97-3507 Filed 2-11-97; 8:45 am]

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14 CFR Part 71

[Airspace Docket No. 96-AWP-35]

Proposed Establishment of Class E Airspace; Fallbrook, CA; Correction

ACTION: Notice of proposed rulemaking; correction.

SUMMARY: This action corrects an error in the airspace description and allows for an extension of the comment period of a proposed notice of rulemaking that was published in the Federal Register on January 8, 1997, Airspace Docket No. 96-AWP-35.

DATES: Comments must be received on or before March 11, 1997.

FOR FURTHER INFORMATION CONTACT: William Buck, Airspace Specialist, Operations Branch, AWP-530, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California, 90261, telephone (310) 725-6556.

SUPPLEMENTARY INFORMATION:

History

Federal Register Document 97-395, Airspace Docket No. 96-AWP-35, published on January 8, 1997, (62 FR 1072), revised the description of the Class E airspace area at Fallbrook, CA. An error was discovered in the airspace description for the Fallbrook, CA, Class E airspace area. This action corrects that error and extends the comment period until March 11, 1997.

Corrections to Proposed Notice of Rulemaking

Accordingly, pursuant to the authority delegated to me, the airspace description for the Class E airspace area at Fallbrook CA, as published in the Federal Register on January 8, 1997 (62

FR 1072), (Federal Register Document 97-395); page 1073, column 1 is corrected as follows:

§ 71.1 [Corrected]

By removing "(Paragraph 6004 Class E airspace areas designated as an extension to a Class D or Class E surface area)" and substituting "(Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth)."

* * * * *

AWP CA E5 Fallbrook, CA [Corrected]

Fallbrook Community Airpark, CA
(Lat. 33°21'15" N, long. 117°15'03" W)

On page 1073, in the first column, the airspace description for Fallbrook, CA, is corrected to read as follows:

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Fallbrook Community Airpark and within 4 miles west and 5.3 miles east of the 014° bearing from the Fallbrook Community Airpark, extending from the 6-mile radius to 20.5 miles north of the airport, excluding the portion within the Camp Pendleton, CA, Class E airspace area.

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Issued in Los Angeles, California, on February 7, 1997.

Michael Lammes,

Acting Manager, Air Traffic Division,
Western-Pacific Region.

[FR Doc. 97-3508 Filed 2-11-97; 8:45 am]

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Surface Transportation Board

49 CFR Part 1111

[STB Ex Parte No. 527 (Sub-No. 1)]

Expedited Procedures for Processing Simplified Rail Rate Reasonableness Proceedings

AGENCY: Surface Transportation Board.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Surface Transportation Board (Board) issued a decision on December 31, 1996, in *Rate Guidelines—Non-Coal Proceedings*, Ex Parte No. 347 (Sub-No. 2), adopting simplified guidelines for determining the reasonableness of rail rates in proceedings where the Constrained Market Pricing guidelines cannot practically be applied. The Board solicits comments on how the complaint and investigation procedures at 49 CFR Part 1111 should be modified to incorporate a general procedural schedule to govern the processing of proceedings using the simplified guidelines.

DATES: Comments are due March 14, 1997.

ADDRESSES: Send comments referring to STB Ex Parte No. 527 (Sub-No. 1) to: Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Ave., N.W., Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT:

Thomas J. Stilling, (202) 927-7312.

[TDD for the hearing impaired: (202) 927-5721.]

SUPPLEMENTARY INFORMATION: Under the ICC Termination Act of 1995, Pub. L. 104-88, 109 Stat. 803 (1995)(ICCTA), new 49 U.S.C. 10704(c), the Board is required to decide the reasonableness of a challenged rate within 9 months after the record closes if the determination is based on stand-alone cost evidence, and within 6 months if it is based upon a simplified methodology. By decision served on October 1, 1996 in *Expedited Procedures for Processing Rail Rate Reasonableness, Exemption and Revocation Proceedings*, Ex Parte No. 527, published in the Federal Register on October 8, 1996 (61 FR 52710) (October decision) the Board adopted final rules to expedite the handling of challenges to the reasonableness of railroad rates including the adoption of a procedural schedule applicable in stand-alone cost cases. The general procedural schedule requires completion of the evidentiary phase of a stand-alone cost case in 7 months and the issuance of a final decision within 16 months of the filing of the complaint. 49 CFR 1111.8. The rules became effective November 16, 1996.

In the October decision, we did not adopt a procedural schedule to govern the filing of evidence in cases using the simplified rate evaluation procedures. Rather, we indicated that we would consider the adoption of regulations covering such cases following completion of the Ex Parte No. 347 (Sub-No. 2).

On December 31, 1996, we adopted simplified evidentiary guidelines to determine the reasonableness of rail rates on captive traffic where the Constrained Market Pricing guidelines¹ cannot be practicably applied. Consequently, we are now soliciting comments to assist us in establishing a general procedural schedule to be used in cases processed under the simplified rate evaluation procedures of Ex Parte No. 347 (Sub-No. 2). Interested parties are asked to comment on whether a general procedural schedule applicable to cases processed under the simplified guidelines can be promulgated at this time, and if so, what that schedule should be, or whether we should delay

¹ Stand-alone costing is part of the Constrained Market Pricing framework.