(4) Where circumstances demonstrate that a case is no longer suitable for resolution using the express option, GAO shall establish a new schedule for submissions by the parties.

(e) GAO may use flexible alternative procedures to promptly and fairly resolve a protest, including establishing an accelerated schedule and/or issuing a summary decision.

(f) GAO may conduct status conferences by telephone or in person with all parties participating in a protest to promote the expeditious development and resolution of the protest.

§ 21.11 Effect of judicial proceedings.

(a) A protester must immediately advise GAO of any court proceeding which involves the subject matter of a pending protest and must file with GAO copies of all relevant court documents.

(b) GAO will dismiss any protest where the matter involved is the subject of litigation before a court of competent jurisdiction, or where the matter involved has been decided on the merits by a court of competent jurisdiction. GAO may, at the request of a court, issue an advisory opinion on a bid protest issue that is before the court. In these cases, unless a different schedule is established, the times provided in this part for filing the agency report (§ 21.3(c)), filing comments on the report (§ 21.3(i)), holding a hearing and filing comments (§ 21.7), and issuing a decision (§ 21.9) shall apply.

§ 21.12 Distribution of decisions.

(a) Unless it contains protected information, a copy of a decision shall be provided to the protester, any intervenors, the head of the contracting activity responsible for the protested procurement, and the senior procurement executive of each Federal agency involved; a copy shall also be made available to the public. A copy of a decision containing protected information shall be provided only to the contracting agency and to individuals admitted to any protective order issued in the protest. A public version omitting the protected information shall be prepared wherever possible.

(b) Decisions are available from GAO by electronic means.

§ 21.13 Nonstatutory protests.

(a) GAO will consider protests concerning awards of subcontracts by or for a Federal agency, sales by a Federal agency, or procurements by agencies of the government other than Federal agencies as defined in § 21.0(c) if the agency involved has agreed in writing to have protests decided by GAO.

(b) The provisions of this part shall apply to nonstatutory protests except for the provision of § 21.8(d) pertaining to recommendations for the payment of costs. The provision for the withholding of award and the suspension of contract performance, 31 U.S.C. 3553 (c) and (d), also does not apply to nonstatutory protests.

§ 21.14 Request for reconsideration.

(a) The protester, any intervenor, and any Federal agency involved in the protest may request reconsideration of a bid protest decision. GAO will not consider a request for reconsideration that does not contain a detailed statement of the factual and legal grounds upon which reversal or modification is deemed warranted, specifying any errors of law made or information not previously considered.

(b) A request for reconsideration of a bid protest decision shall be filed, with copies to the parties who participated in the protest, not later than 10 days after the basis for reconsideration is known or should have been known, whichever is earlier.

(c) GAO will summarily dismiss any request for reconsideration that fails to state a valid basis for reconsideration or is untimely. The filing of a request for reconsideration does not require the withholding of award and the suspension of contract performance under 31 U.S.C. 3553 (c) and (d).

Robert P. Murphy,

General Counsel.

[FR Doc. 96–10831 Filed 4–30–96; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Parts 161, 250 and 284

[Docket No. RM96–1–000]

Standards For Business Practices Of Interstate Natural Gas Pipelines

April 24, 1996.

AGENCY: Federal Energy Regulatory Commission, Energy.

ACTION: Notice of Proposed Rulemaking and Request for Office of Management and Budget Emergency Processing of Submission of Collection of Information.

SUMMARY: The Federal Energy Regulatory Commission is issuing a notice of proposed rulemaking to revise the Commission's regulations to require interstate natural gas pipelines to follow standardized procedures for critical business practices—nominations; allocations, balancing, and measurement; invoicing; and capacity release—and standardized mechanisms for electronic communication between the pipelines and those with whom they do business. The proposed regulations incorporate by reference the proposed standards submitted by the Gas Industry Standards Board (GISB) in response to the Commission's October 25, 1995 Advanced Notice of Proposed Rulemaking (ANOPR). 60 FR 55504 (Nov. 1, 1995).

GISB and others in the natural gas industry have requested expedited processing of this proposed rule. Accordingly, pursuant to 5 CFR 1320.13, the Commission is providing notice of its request to the Office of Management and Budget (OMB) for emergency processing of this proposed collection of information by May 24, 1996.

DATES: Comments on the proposed rule are due May 24, 1996. Comments should be filed with the Office of the Secretary and should refer to Docket No. RM96–1–000.

Because the Commission has requested OMB to process the proposed collection of information on an emergency basis, comments on the proposed collection of information should be filed with OMB, attention Desk Officer FERC, as soon as possible.

ADDRESSES:

Federal Energy Regulatory Commission, 888 First Street, NE., Washington DC, 20426

Office of Management and Budget, Room 3019 NEOB, Washington, D.C. 20503, or via the Internet at hillier__t@a1.eop.gov.

FOR FURTHER INFORMATION CONTACT:

Michael Goldenberg, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426,(202) 208–2294

Marvin Rosenberg, Office of Economic Policy, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. (202) 208–1283

SUPPLEMENTARY INFORMATION: In addition to publishing the full text of this document in the Federal Register, the Commission provides all interested persons an opportunity to inspect or copy the contents of this document during normal business hours in Room 2A, 888 First Street, N.E., Washington D.C. 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 or 1–800–856–3920. To access CIPS, set your communications software to use 19200, 14400, 12000, 9600, 7200, 4800, 2400, 1200, or 300 bps, full duplex, no parity, 8 data bits, and 1 stop bit. The full text of this document will be available on CIPS in ASCII and WordPerfect 5.1 format. 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 Room 2A, 888 First Street, N.E., Washington D.C. 20426.

The Commission's bulletin board system also can be accessed through the FedWorld system directly by modem or through the Internet. To access the FedWorld system by modem:

- Dial (703) 321–3339 and logon to the FedWorld system.
- After logging on, type: /go FERC

To access the FedWorld system, through the Internet:

- Telnet to: fedworld.gov
- Select the option: [1] FedWorld
- Logon to the FedWorld system
- Type: /go FERC

Or:

- Point your Web Browser to: http://www.fedworld.gov
- Scroll down the page to select FedWorld Telnet Site
- Select the option: [1] FedWorld
- Logon to the FedWorld system
- Type: /go FERC

NOTICE OF PROPOSED RULEMAKING

April 24, 1996.

I. Introduction

The Federal Energy Regulatory Commission (Commission) is proposing to amend its open access regulations to standardize business practices and procedures governing transactions between interstate natural gas pipelines, their customers, and others doing business on the pipelines. The proposed standards govern four important business practices—nominations; allocations, balancing, and measurement; invoicing; and capacity release—as well as the mechanisms for electronic communication between the pipelines and those doing business on the pipelines. The proposed regulations incorporate by reference the standards submitted by the Gas Industry Standards Board (GISB) in response to the Commission's October 25, 1995 Advanced Notice of Proposed Rulemaking (ANOPR).[1] The Commission proposes to require pipelines to comply with the regulations by January 1, 1997.

II. Public Reporting Burden

The proposed rule would require natural gas pipelines to adopt both standards for business practices and procedures as well as mechanisms for electronic communication between pipelines and those doing business with the pipelines. The standards would regularize the means by which the gas industry conducts business across the interstate pipeline grid. The standards were developed by GISB, an industry consensus standards organization, to improve the efficiency of the gas market. The Commission is proposing to adopt these standards by reference.

The proposed rule would affect one existing Commission data collection, FERC–545, Gas Pipeline Rates: Rate Change (Non-formal), (OMB Control No. 1902–0154) (FERC–545), and establish a new data collection/requirement, FERC–549C, Standards for Business Practices of Interstate Natural Gas Pipelines, (OMB Control No. to be assigned) (FERC–549C).

Under the existing data collection/requirements of FERC–545, there would be a one-time estimated annual reporting burden of 6,400 hours (80 hours per company) with the adoption of the standards/business practices as proposed herein. The initial implementation of the proposed standards/business practices would require approximately 80 interstate natural gas pipelines to make tariff filings to conform their tariffs with the standards/business practices. (See FERC–545 burden detail in estimated burden table below.)

Under the new data collection/requirements of FERC–549C there would be a one-time start-up annual burden/cost of 1,227,840 hours (15,348 per company). It is expected that any recurring annual burden/cost would not be substantial given the operating efficiencies which would result from the proposed standards/business practices, particularly the improved methods of electronic communication.

The proposed standards/data requirements contained in this Notice of Proposed Rulemaking have been submitted to the Office of Management and Budget for review under section 3507(d) of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507(d). For copies of the OMB submission, contact Michael Miller at 202–208–1415. Comments are solicited on the Commission's need to require the industry to adopt the standards/business practices on an industry-wide basis; whether the proposed requirements will have practical utility; the accuracy of the provided burden estimates; ways to enhance the quality, utility, and clarity of the proposed data requirements; and any suggested methods for minimizing respondents' burden including the use of automated techniques. Persons wishing to comment on the proposed information requirements should direct their comments to the Desk Officer FERC, Office of Management and Budget, Room 3019 NEOB, Washington, D.C. 20503, phone 202–395–3087 or via the Internet at hillier__t@a1.eop.gov.

GISB and others in the natural gas industry have requested expedited processing of this proposed rule, and the Commission has requested the Office of Management and Budget (OMB) to provide for emergency processing of this proposed collection of information by May 24, 1996. Comments on the collection of information, therefore, should be filed with the Office of Management and Budget as soon as possible to provide OMB sufficient time for its review. A copy of any comments filed with the Office of Management and Budget also should be sent to the following address at the Commission: Federal Energy Regulatory Commission, Information Services Division, Room 41–17, Washington, DC 20426, Attention: Michael Miller.

ESTIMATED ANNUAL BURDEN

Affected data collection/requirement	Number of respondents	Total number of responses	Hours per response	Total annual hours
FERC–549C (New Data Requirement):				
Reporting/Data Requirement Burden	80	80	15,348	1,227,840

[1] Standards For Business Practices Of Interstate Natural Gas Pipelines, 60 FR 55504 (Nov. 1, 1995), 73 FERC ¶ 61,104 (Oct. 25, 1995). Public Reporting Burden

ESTIMATED ANNUAL BURDEN—Continued

Affected data collection/requirement	Number of respondents	Total number of responses	Hours per response	Total annual hours
FERC–545 (1902–0154):				
Reporting/Data Requirement Burden	80	80	80	6,400
Total Annual Hours (All Data Collections/Requirements)	80	80	15,428	1,234,240

Data Collection/Requirement Costs: The Commission seeks comments on the costs to comply with these proposed standards/business practices. It has projected that the average annualized cost per respondent for the first year would be as follows:

Annualized Costs	Capital/Start-up
FERC–549C	$750,118
FERC–545	3,910
Total	754,028

Internal Review: The Commission has reviewed, in general, the proposed standards/business practices and determined that they are necessary to establish a more efficient and integrated pipeline grid. Requiring such standards on an industry-wide basis would reduce the variations in pipeline business practices and, thus, enable buyers to more easily and efficiently buy and transport gas from all potential sources of supply. The proposed standards/business practices conform to the Commission's plan for efficient information collection, communication, and management within the natural gas industry. The Commission has assured itself, by means of its internal review, that there is specific, objective support for the burden estimates associated with the information requirements proposed in this Notice of Proposed Rulemaking (NOPR).

III. Background

The process of standardizing business practices in the natural gas industry began with a Commission initiative to convene a technical conference to standardize electronic communication of capacity release transactions.[2] To develop the required standards, the participants at the conference agreed to form working groups composed of representatives from all segments of the industry. In addition to the capacity release standards, the conference participants decided that standardization of other business transactions, such as nominations and flowing gas, was important and formed an additional Working Group to begin to develop standards for these transactions. A consensus of the Working Group recommended that the industry be permitted to develop and implement such standards voluntarily. Thus, while the Commission recognized the importance of this effort in helping to facilitate gas movement across the pipeline grid, the Commission was not actively involved in the process.[3] The Commission pledged to reevaluate its role in the development and implementation of such standards based on the progress made by the industry.

During this same time frame, the industry sought to formalize the Working Group process by forming a private standards organization to continue and expand the Working Groups' efforts to develop electronic standards. In 1995, the industry formed GISB as a consensus standards organization open to all members of the gas industry.[4] GISB's procedures require balanced voting representation from all five segments of the industry—pipelines, local distribution companies (LDCs), producers, end-users, and services (including marketers and third-party computer service providers). At the Executive Committee level, a consensus of the five segments must approve each standard.[5]

In addition, the industry, under the auspices of the Interstate Natural Gas Association of America (INGAA) and the Associated Gas Distributors (AGD), began a Grid Integration Project to consider standards for coordinating pipeline business practices to simplify the process of shipping gas across multiple pipelines. After GISB expanded its scope from electronic standards to encompass business practice standards, the Grid Integration Project was folded into GISB.

On September 21, 1995, the Commission held a public conference in Docket No. RM93–4–000 to evaluate the progress being made towards standardization. Almost all the commenters at the conference acknowledged that the industry had not achieved the anticipated progress. Many participants maintained that merely standardizing electronic communication did not go far enough to provide for efficient integration of the pipeline grid. Even though GISB had promulgated standards for electronic communication of nomination and confirmation information, the participants contended these standards were not being widely used because they failed to standardize the pipelines' disparate underlying business practices. For example, pipelines often require vastly different information to submit a valid nomination, so that, even if nominations are submitted electronically, efficiency would be impaired because the shippers' schedulers would have to know the idiosyncratic nomination and confirmation information for each pipeline.

On October 25, 1995, the Commission issued an advance notice of proposed rulemaking requesting the submission of detailed proposals from the industry, by March 15, 1996, that would enable the Commission to adopt regulations for business practices and procedures involving transactions between pipelines and their customers. In the ANOPR, the Commission concluded that without common business practices

[2] Standards For Electronic Bulletin Boards Required Under Part 284 of the Commission's Regulations, Order No. 563, 59 FR 516 (Jan. 5, 1994), III FERC Stats. & Regs. Preambles ¶ 30,988 (Dec. 23, 1993), *order on reh'g*, Order No. 563–A, 59 FR 23624 (May 6, 1994), III FERC Stats. & Regs. Preambles ¶ 30,994 (May 2, 1994), *reh'g denied*, Order No. 563–B, 68 FERC ¶ 61,002 (1994).

[3] Order No. 563–A, III FERC Stats. & Regs. Preambles, at 31,050.

[4] According to a March 27, 1996 letter from counsel for GISB, to the Secretary of the Commission (filed in this docket), GISB has not yet received approval by the American National Standards Institute (ANSI) as an accredited standards organization due to a misunderstanding between GISB and ANSI. GISB is now pursuing ANSI accreditation, and, according to GISB, ANSI has agreed to expedite its review of GISB's application. Accreditation involves, among other items, ANSI's review of the process and procedures of the standards-developers to ensure that the standards-development process is open to all materially affected parties and that standards are developed by a balanced consensus of the industry, without domination by any single interest or interest category.

[5] To pass the Executive Committee, a standard must be approved by 17 out of the 25 members, with at least two affirmative votes from each segment. These standards must then be approved by a vote of 67% of GISB's general membership to become approved standards.

and a common language for communication, the speed and efficiency with which shippers can transact business across multiple pipelines is now, and will continue to be, severely compromised.

The Commission sought detailed proposals in four areas: (1) The standard set of information (data elements) that pipelines must use in conducting ten high priority business transactions identified by the industry—nominations, confirmations, allocated gas flows, customer and contract imbalances, gas flow at metered points, transportation invoices, pre-determined allocation methodologies, gas payment remittance statements, gas sales invoices, and uploads of capacity release prearranged deals; (2) standards covering nomenclature and any business practices associated with the ten elements; (3) standard methods of communicating the information, including communication protocols for each business practice that address issues such as scheduling and response times of information exchanges and performance standards for assessing whether the system is substantially meeting those goals;[6] and (4) standards needed to facilitate gas flow across interconnecting pipelines, such as those considered by the Grid Integration Project.

The Commission established January 1, 1997 as the target deadline for compliance with the standards, and urged the segments of the industry to work together, as they had during the Working Group process, to achieve consensus on the standards. The Commission anticipated that GISB would become the forum for coordinating these industry efforts, and stated it would give great weight to consensus proposals emanating from the GISB process.

On March 15, 1996, GISB filed 140 standards covering five major business areas—nominations and confirmations, flowing gas, invoicing, capacity release, and the electronic mechanism for communication between industry participants (the electronic delivery mechanism (EDM)). Over 500 individuals participated in the effort to develop these standards, with 45 days of meetings conducted over a period of 53 business days. The GISB Executive Committee, through its consensus voting procedures, approved these standards. According to GISB, these standards are intended to be minimum standards that parties are encouraged to exceed by providing enhanced services or faster response times. On March 15, GISB also filed a draft set of data elements describing the specific information that would be used by industry participants to conduct the 10 high priority business transactions.

Subsequently, on April 9, 1996, GISB's Executive Committee approved the final version of the data sets. GISB filed the data sets with the Commission on April 12, 1996, along with a revision to business practice standard 1.2.2 to clarify the usage codes employed in the data sets. GISB explains that the data sets are to be implemented using the current PI–GRID™ and DUNS numbers.[7] GISB reports that, as part of its process of trying to improve the standards, the Executive Committee unanimously has adopted the recommendation of its Common Codes Subcommittee to revise and enhance the common code structures to produce greater efficiency.

GISB also states that it has begun the process of mapping the data sets into ASC X12 language and preparing an implementation guide.[8] GISB states that its task forces have committed to completing this effort by May 31, 1996. GISB notes that if this effort reveals the need for changes to the data sets, it will so inform the Commission.

GISB says it mailed out ballots to its membership on April 12, 1996, for ratification of the business practice standards and data sets. An affirmative vote by 67% of those returning ballots is needed for ratification, and members have 30 days to respond.

On March 15, 1996 (or shortly thereafter), 40 parties filed comments on the GISB standards.[9] On the whole, the commenters found that GISB's standards would significantly improve the efficiency of the gas market, but they raised questions with respect to specific standards.

IV. Discussion

A. Proposed Incorporation of the GISB Standards by Reference

The Commission commends the industry and GISB for the work they have put into this process and the significant progress they have made towards standardization. GISB's standards go beyond merely standardizing the data sets for electronic communication of the ten high priority data elements; the standards regularize the means by which the entire industry will conduct business across the interstate pipeline grid.

The following is just a small sample of what would be accomplished by the adoption of these standards. All pipelines would permit pooling on their systems, which will simplify nominations by permitting producers and shippers to aggregate gas packages. All pipelines would permit at least one intra-day nomination, which will allow shippers to change the amount of gas they receive during a day to better fit changing needs. All pipelines would adopt a standard set of information covering the ten high priority data elements, so that shippers will be able to communicate using the same information for the same transactions no matter the pipelines with which they deal. And all pipelines would support a standard Internet connection for communications with their customers, eliminating the disparity in log-in procedures and user interfaces faced by customers using the individual pipeline electronic bulletin boards.

The GISB standards represent a formidable step towards improved efficiency and competitiveness in the gas industry. Accordingly, the Commission is proposing to require interstate pipelines to comply with the GISB definitions, standards, and data sets by January 1, 1997.[10] Pipelines also may need to make tariff filings to amend current tariffs in sufficient time to comply with the new standards.

To adopt the GISB standards, the Commission proposes to add section 284.10 to its regulations. Section 284.10(b) would incorporate the GISB definitions, standards, and data sets by reference. GISB's previously approved standards for capacity release transactions also would replace the current requirement, in section 284.8(b)(5), that pipelines comply with standardized data sets and communication protocols. In addition, the EBB requirements of sections 284.8(b)(4) and 284.9(b)(4) would be moved to section 284.10(a).

Incorporation of the GISB standards by reference is consistent with the public policy of having federal agencies rely upon voluntary private standards

[6] The Commission also invited the submission of alternatives to the current requirement that pipelines provide information through an Electronic Bulletin Board (EBB). See 18 CFR 284.8(b)(4).

[7] The PI–GRID™ number is maintained by the Petroleum Information Corporation pursuant to a contract with major gas industry trade associations to provide and maintain a common code database. The DUNS number refers to the company codes published by Dun & Bradstreet Corporation. *See* Order No. 563–A, III FERC Stats. & Regs. Preambles, at 31,043.

[8] ASC X12 is a standardized format for electronic transmission of documents. Standards for the use of such documents are promulgated by the ANSI Accredited Standards Committee (ASC).

[9] The appendix lists those filing comments.

[10] The Commission is not proposing to adopt the principles articulated by GISB, because these do not purport to impose obligations on pipelines. The principles, however, will be used as guidance as to the intent of the standards.

whenever feasible.[11] Even though the Commission is proposing to incorporate the standards by reference, the Commission retains the ability, if it deems necessary, to modify pipelines' obligations by specifying in the regulations any deletions of, or revisions or additions to the GISB standards.

In its March 15, 1996 filing, GISB asserts that major efforts are required by all segments of the industry to meet the Commission's proposed January 1, 1997 compliance date. GISB, therefore, requested the Commission to issue its NOPR and final rule as quickly as procedural rules permit, with a target date of May 31, 1996, for issuance of the final rule.

Since GISB did not submit the data sets until April 12, 1996, and final approval of the business practice standards and the data sets by the GISB members will not take place until mid-May 1996, the Commission cannot meet the suggested May 31, 1996 date and still afford a meaningful opportunity for comment.[12] The Commission, however, recognizes the importance of this undertaking and is committed to moving this proceeding as quickly as possible. The Commission, for example, is issuing this NOPR at the earliest opportunity after having received GISB's final data sets.

GISB states that the standards were based on the Commission's January 1, 1997 target compliance date, with the exception of the Internet protocols, for which GISB proposes a compliance date of April 1, 1997. Other commenters, however, expressed concern about the effect on shippers and consumers if pipeline compliance is set for January 1, 1997, and failures occur during the midst of the winter heating season.

The Commission considers prompt implementation of these standards to be a high priority for the industry and does not want to unduly delay the beneficial effects of implementing these standards. Affected parties are fully aware of the standards and can begin to plan for implementation now. The Commission, therefore, proposes to adhere to the January 1, 1997 compliance date. The Commission recognizes, however, the concerns expressed by some parties regarding mid-winter implementation. Parties objecting to this proposed date for compliance should provide a fully developed staggered implementation plan or other approach that will ensure rapid implementation of the most important standards. INGAA, for instance, submitted a proposed phased implementation plan that puts off implementation of some of the important nomination and other standards until June of 1997. The Commission believes this is too long.

Adoption of the GISB standards does not mean that the work of standardization is done. As GISB and the industry recognize, standardization is an ongoing, continuous process and not all the needed standards could be developed within the timeframe established by the Commission in the ANOPR. The Commission, therefore, is also setting September 30, 1996 as a date for GISB and the industry to submit detailed proposals for standards in the additional areas identified by GISB and the commenters, such as expansion of Internet protocols to include all electronic information provided by the pipelines (perhaps to replace pipeline cost-of-service EBBs[13]), title transfer tracking, allocations and rankings of gas packages, treatment of compressor fuel, operational balancing agreements, routing models, imbalance resolution, operational flow orders, multi-tiered allocations and confirmations, and additional pooling standards.

B. Electronic Delivery Mechanism

GISB has not yet completed the technical process of mapping the data sets to the ASC X12 formats and preparing the associated implementation guide, but has committed to do so by May 31, 1996. The Commission expects that these documents will go through the GISB consensus process for obtaining industry input and approval. Once completed, the Commission proposes to incorporate these documents in its regulations.

In addition, GISB's standard for providing for Internet communication is tentative and depends on the outcome of further examination of security and other issues. The Commission requests comment from GISB and others specifying the delivery mechanism and related standards and protocols that would be used on January 1, 1997, if the Internet approach is not adopted. Comments also should address whether additional standards are needed for Internet communication, such as the use of file transfer protocol (FTP), and the timetable for developing those standards.

C. Comments

The comments on the GISB standards that were received contemporaneously with GISB's filing fall into essentially four categories: Suggestions to delete or revise standards; requests for clarification as to the scope of standards; requests for waivers; and requests for additional standards that GISB either did not adopt or did not consider. Given the information the Commission has at this point in the process, the objections raised do not appear to justify any change or revision to the industry's consensus proposals in this NOPR. A benefit of having these comments is that they may help focus the industry's comments on this proposed rule.

1. Requests for Revisions

Since a consensus of all segments of the natural gas industry has found that the standards are necessary and achieve a reasonable balance between the needs of all segments and areas of the country, the Commission is hesitant to revise them. The industry, not the Commission, is in the best position to evaluate and balance the industry's concerns, and the Commission sees no evidence that an appropriate balance has not been struck. For example, some LDCs and shippers on the West Coast contend their efficiency would be improved by moving the start of the nomination process from 11:30 a.m. to 12:30 p.m. Iroquois, on the other hand, contends that 10:30 a.m. would be preferable for East Coast shippers. Similarly, several Midwest LDCs contend their pipelines' previous 12:00 noon gas day makes their nomination and scheduling process easier than GISB's 9:00 a.m. gas day, but apparently the rest of the industry prefers the 9:00 a.m. gas day. The GISB standards, therefore, appear to effect a reasonable compromise between the positions of the various industry segments.[14]

Some commenters are concerned that GISB's deadlines do not provide sufficient flexibility. NGC/Conoco/Vastar/Coastal contend uniform nomination deadlines should not be adopted; they prefer varied nomination schedules, because, they argue, varied schedules would permit parties bumped on one pipeline to renominate on other pipelines.

[11] See National Technology Transfer and Advancement Act of 1995, Pub L. 104–113, § 12(d), 110 Stat. 775 (1996), and OMB Circular A–119, ''Federal Participation in the Development and Use of Voluntary Standards'' (Oct. 20, 1993) (an earlier version is available at 47 FR 49496 (Nov. 1, 1992)).

[12] Although GISB fully expects membership approval of the standards, the Commission's 30 day comment period in this proceeding affords an opportunity for comment in the event that the membership vote results in any changes or revisions to the standards.

[13] 18 CFR 161.3(h), 250.16(c)(2)284.8(b)(4), 284.106(c)(4), 284.223(b) (requiring pipelines to post capacity information, affiliate discount reports, the affiliate capacity allocation log, and an index of customers on EBBs).

[14] The GISB standards do not appear to preclude the Midwest LDCs from reaching agreements with their pipelines to provide greater nomination flexibility if that is required in their region.

The GISB standards, however, do not appear to unduly restrict flexibility. The standards would require each pipeline to permit one intra-day nomination four hours prior to gas flow. The standards also establish a seven-day-a-week, 24-hour-a-day nomination process and specify that nominations submitted after the nomination deadline should still be processed by the pipeline. Thus, as long as pipelines have available capacity, shippers should be permitted to nominate gas on those pipelines even if the nomination deadline has passed or they have not previously submitted a nomination for that day. The Commission solicits comments as to whether this interpretation is correct or whether an additional standard may be needed requiring pipelines to permit nominations any time they have unscheduled capacity.

Of course, during the comment period, GISB and the industry have an additional opportunity to review the standards that have been challenged and submit revisions. The Commission also will be able to review these matters again in light of comments on both sides of the issues.

In addition, the Commission requests clarification of GISB's statement that all of its standards should be considered minimums and that parties are encouraged to exceed these standards. The Commission is not sure whether GISB intends that pipelines and their customers can mutually agree to change all of the GISB standards or whether some standards should be considered inviolate, because any change would have adverse repercussions for non-contracting parties.

2. Requests for Clarification

The requests for clarification generally involve questions about how the standards are to be implemented. For instance, some shippers contend that GISB's standard for one intra-day nomination should apply to all receipt and delivery points and all services, while others contend that pipelines should be permitted to offer services without this flexibility for a lower price. CNG Transmission similarly contends that the requirement for pipelines to provide pooling should apply only to direct feed deliveries, not to supplies received from upstream pipelines.

The Commission expects pipelines to make a good faith effort to implement these standards as broadly as possible to provide their customers with the services they need to operate in an integrated gas market. Providing more specific answers to implementation questions may not be possible on a generic basis, since operational conditions and customers' requirements may differ depending on the pipelines. The Commission expects pipelines to consult, and reach agreement, with their shippers on the mechanics of implementation. This process should resolve most of these disputes. But, if problems still exist, the Commission can address them when pipelines file revised tariffs to incorporate the standards or through the complaint process.

3. Requests for Waivers

Several pipelines have requested waivers of certain standards that they find impractical on their systems. In particular, they argue that they may not be able to provide, with their current equipment, certain measurement data as quickly as the standards specify. They maintain that installing updated equipment would be unnecessarily expensive.

As a general matter, the Commission is hesitant to grant exceptions to industry-wide standards, because such exceptions run counter to the reason for establishing standards in the first place: that the industry requires uniform procedures to achieve the greatest efficiency in transporting gas across an integrated pipeline grid. The Commission, however, will consider requests for waivers based on the facts of the individual situation. Agreement to a waiver by a pipeline's customers would be an important factor in considering any waiver request.

4. Requests for Additional Standards

GISB recognizes that additional work is needed to consider standards in the additional areas listed earlier,[15] but has not yet established deadlines for consideration of such standards. A number of the commenters argue that standards in these areas are extremely important, but they do not suggest that development of standards in these areas is a prerequisite to implementation of the current GISB standards.

The Commission recognizes that, in the time provided, the industry could not reach agreement on all the issues necessary to enhance the efficiency of the gas marketplace. Although adoption of standards in these additional areas need not take place coincident with the standards GISB has filed, prompt attention to these issues appears important to the continued development of an efficient gas marketplace. For a fully competitive gas market to exist, participants need to be able to buy and sell gas freely. The ability do so, however, can be restricted if these transactions are not accurately reflected in the scheduling, confirmation, and accounting procedures used by the industry. Similarly, shippers should be able to contract for gas at a lower price if they are willing to assume a greater risk of curtailment. Thus, shippers and producers must be able to assign different priorities to gas packages to reflect those choices.

The industry is better able than the Commission to craft solutions that will most effectively resolve the issues at the lowest overall cost. Now that the press of developing the bulk of the standards has receded, the Commission expects the industry to focus its attention on these additional areas. The Commission recognizes that some of these issues are complex and have vexed the industry for some time. But that is all the more reason for all segments of the industry and GISB to continue to work cooperatively and creatively to develop solutions that fairly balance the concerns of all the participants. For example, when faced with the task of creating a database for common transaction points, the industry decided upon a nationwide solution by using the Petroleum Information Corporation to create and administer the common code data base. Similar creativity should be employed here.

Because of the importance shippers place on resolving these issues, the Commission is soliciting detailed proposals for standards in these areas from GISB and the industry, by September 30, 1996. The Commission would prefer that the industry reach consensus agreement through GISB on proposed standards (or a consensus that a standard is not needed). However, if with this additional time, the industry is unable to reach consensus, the Commission is willing to resolve these issues. In the event consensus is not reached, the Commission will expect the September 30, 1996 reports to be sufficiently comprehensive that they fully describe the problems faced by the industry and explain whether a uniform response is needed or not, discuss the potential solutions to the problems that have been considered, and provide analysis of the benefits and disadvantages of the proposed solutions.

D. Capacity Release

The Commission has been examining the operation of its capacity release mechanism in a number of proceedings.[16] As part of this process,

[15] See text accompanying note 13, *supra.*

[16] Release of Firm Capacity on Interstate Natural Gas Pipelines, Order No. 577, 60 FR 16979 (Apr. 4, 1995), III FERC Stats. & Regs. Preambles ¶ 31,017 (Mar. 29, 1995). *See also* Petition Of United

Commission staff, in the fall of 1994, conducted informal discussions with all segments of the gas industry about the way in which the system operates, discussions which helped form the basis for changes in the program.[17]

Although GISB did not propose changes to the major policy aspects of the Commission regulations (such as the cap on the price for released capacity and the requirement for bidding on pipeline EBBs[18]), GISB did address important issues regarding the operation of the capacity release program. Of particular interest, GISB proposes a standard timeframe within which pipelines would process capacity release transactions and has created standardized data sets permitting uploads of capacity release transactions. Under GISB's timeline, replacement shippers would be able to nominate under a short-term release (less than five months) within one day of notifying the pipeline of the release.[19] This same schedule applies whether the release is subject to bidding or is exempt from the bidding process.[20]

To assist in the Commission's consideration of the capacity release mechanism, the Commission is requesting comment on how adoption of GISB's proposals would affect concerns previously expressed about the capacity release program. Comments should not focus on whether the Commission should revise its basic capacity release policies, such as the price cap or bidding, but should center on the effect of adopting the GISB standards on previously identified problems with the capacity release system. Comments should address how effectively GISB's proposals deal with concerns about the speed and other mechanics of the pipeline bidding process, the difficulty in coordinating releases across multiple pipelines, and the lack of comparability between the capacity release procedures and the process of obtaining pipeline interruptible or short-term firm capacity.

Few comments address GISB's capacity release provisions. TransCapacity requests clarification of standard 5.3.11 which states that ''replacement shipper initiates confirmation of prearranged deals electronically.'' TransCapacity contends that the standard, as worded, does not require pipelines to accept replacement shipper confirmations through file uploads; it would permit pipelines to specify EBB confirmations or some other electronic means.

TransCapacity appears to raise a valid concern. The reason for developing standardized data sets for uploads of pre-arranged deals was to increase the efficiency of the capacity release mechanism by permitting parties to avoid the use of pipeline EBBs to transmit release transactions to the pipelines. On some pipelines, apparently, submission of the pre-arranged deal is not sufficient to conclude the transaction; the pipeline requires the replacement shipper to confirm that transaction. Comments should consider whether the efficiency sought to be achieved through uploads of pre-arranged deals would be compromised if pipelines are not required to permit uploads of confirmations by the replacement shipper or its agent.

INGAA suggests that the Commission consider removing the requirement that bidding take place through the pipeline and, instead, establish a mechanism under which bidding could take place through third-party computer service providers. Comments should address whether this proposal would introduce greater efficiency in the capacity release system. One of the principal arguments for permitting bidding on third-party boards was that third-parties have an incentive to process transactions much faster than the pipelines, which sometimes had bidding and posting periods lasting several days. GISB's standards would require pipelines to process bids in one day, and comments should address whether this change reduces the need for third-party bidding. In addition, comments should consider the possible effect on releasers and replacement shippers if, instead of having the assurance that all biddable deals for a pipeline are posted on that pipeline's system, they also have to monitor postings on third-party boards.

V. Environmental Analysis

The Commission is required to prepare an Environmental Assessment or an Environmental Impact Statement for any action that may have a significant adverse effect on the human environment.[21] The Commission has categorically excluded certain actions from these requirements as not having a significant effect on the human environment.[22] The action taken here falls within categorical exclusions in the Commission's regulations for rules that are clarifying, corrective, or procedural, for information gathering, analysis, and dissemination, and for sales, exchange, and transportation of natural gas that requires no construction of facilities.[23] Therefore, an environmental assessment is unnecessary and has not been prepared in this rulemaking.

VI. Regulatory Flexibility Act Certification

The Regulatory Flexibility Act of 1980 (RFA)[24] generally requires a description and analysis of final rules that will have significant economic impact on a substantial number of small entities. The proposed regulations would impose requirements only on interstate pipelines, which are not small businesses, and, these requirements are, in fact, designed to reduce the difficulty of dealing with pipelines by all customers, including small businesses. Accordingly, pursuant to section 605(b) of the RFA, the Commission hereby certifies that the regulations proposed herein will not have a significant adverse impact on a substantial number of small entities.

VII. Information Collection Requirement

The Commission considers the prompt implementation of these standards to be a high priority for the industry, and GISB and others in the natural gas industry have requested that the Commission process this proposed rule as quickly as possible. The Commission believes that the normal clearance procedures for review and approval by the Office of Management and Budget (OMB) could delay the proposed date for pipelines to comply with the rule. Therefore, the Commission is submitting this proposed information collection/requirement for emergency processing under Section 5 CFR 1320.13 of OMB's regulations. The Commission requests OMB to approve the proposed data collection requirements no later than 5 p.m., May 24, 1996. Comments to OMB regarding the subject NOPR should be sent as soon as possible in order that OMB have sufficient time for its review.

Title: FERC–545, Gas Pipeline Rates: Rate Change (Non-formal).

Distribution Companies and Associated Gas Distributors For A Rulemaking To Promote Growth And Development Of The Secondary Market, Docket No. RM94–10–000, filed December 9, 1993.

[17] *See* Order No. 577, III FERC Stats. & Regs. Preambles at 31,313.

[18] 18 CFR 284.243.

[19] Specifically, pipelines would need to be notified by 1 p.m. for shippers to nominate the next day.

[20] Capacity release deals are exempt from bidding if they are for a period of 31 days or less or are at the maximum rate. 18 CFR 284.243(h).

[21] Order No. 486, Regulations Implementing the National Environmental Policy Act, 52 FR 47897 (Dec. 17, 1987), FERC Stats. & Regs. Preambles 1986–1990 ¶ 30,783 (1987).

[22] 18 CFR 380.4.

[23] See 18 CFR 380.4(a)(2)(ii), 380.4(a)(5), 380.4(a)(27).

[24] 5 U.S.C. 601–612.

Action: Proposed Data Collection/Requirements.

OMB Control No.: 1902–0154.

Docket No.: RM96–1–000.

Respondents: Interstate Natural Gas Pipelines (Not applicable to small businesses).

Frequency of Responses: One-time tariff filings (First year).

Title: FERC–549C, Standards for Business Practices of Interstate Natural Gas Pipelines.

Action: Proposed Data Collection/Requirements.

OMB Control No.: To be assigned by OMB.

Respondents: Interstate Natural Gas Pipelines (Not applicable to small businesses).

Frequency of Responses: One-time capital/start-up new business procedures (First year).

Necessity of Information: The Notice of Proposed Rulemaking solicits public comments to respond to the standards proposed to be established to govern four major business practices—nominations; allocations, balancing, and measurement; invoicing; and capacity release—as well as the mechanism for electronic communication between the pipelines and those doing business with the pipelines. The proposed data requirements incorporate by reference the standards submitted by GISB. Without the Commission's adoption of these standards to establish common business practices and a common language for communication across the pipeline grid, the speed and efficiency with which shippers can transact business across multiple pipelines would be severely compromised. Under the proposed rule, all pipelines would adopt a standard set of information covering the ten high priority data elements, so that shippers would be able to communicate using the same information for the same transactions regardless of the pipelines with which they are dealing. In addition, all pipelines would support a standard Internet connection for communications with their customers, eliminating the disparity in log-on procedures and user interfaces faced by customers using the individual pipeline electronic bulletin boards.

The Office of Management and Budget's (OMB) regulations require OMB to approve certain information collection requirements imposed by agency rule.[25] The information collection requirements in the proposed rule would be reported directly to the industry users. The implementation of these proposed data requirements will help the Commission carry out its responsibilities under the Natural Gas Act and coincide with the current regulatory environment which the Commission instituted with Order No. 636 and the restructuring of the natural gas industry. The Commission's Office of Pipeline Regulation uses the data in rate proceedings to review rate and tariff changes by natural gas companies for the transportation of gas and for general industry oversight.

The Commission is submitting notification of this proposed rule to OMB for emergency processing. Interested persons may obtain information on the reporting requirements by contacting the Federal Energy Regulatory Commission, 888 First Street N.E., Washington, DC 20426 [Attention: Michael Miller, Information Services Division, (202) 208–1415] or the Office of Management and Budget [Attention: Desk Officer for the Federal Energy Regulatory Commission (202) 395–3087].

VIII. Comment Procedures

The Commission invites interested persons to submit written comments on the matters proposed in this notice, including any related matters or alternative proposals that commenters may wish to discuss. The Commission also invites commenters to address the comments already filed in this proceeding and discuss why they may support the standards filed by GISB. An original and 14 copies of comments to this notice must be filed with the Commission no later than May 24, 1996. Comments should be submitted to the Office of the Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, and should refer to Docket No. RM96–1–000. Additionally, comments should be submitted on computer diskette in WordPerfect 5.1 format or in ASCII format, with the name of the filer and Docket No. RM96–1–000 on the outside of the diskette.

All written comments will be placed in the Commission's public files and will be available for inspection in the Commission's Public Reference Room at 888 First Street, NE, Washington, DC 20426, during regular business hours.

List of Subjects

18 CFR Part 161

Natural gas, Reporting and recordkeeping requirements.

18 CFR Part 250

Natural gas, Reporting and recordkeeping requirements.

18 CFR Part 284

Continental shelf, Natural gas, Reporting and recordkeeping requirements; Incorporation by reference.

By direction of the Commission.

Lois D. Cashell,

Secretary.

In consideration of the foregoing, the Commission proposes to amend Parts 161, 250, and 284, Chapter I, Title 18, Code of Federal Regulations, as set forth below.

PART 161—STANDARDS OF CONDUCT FOR INTERSTATE PIPELINES WITH MARKETING AFFILIATES

1. The authority citation for Part 161 continues to read as follows:

Authority: 15 U.S.C. 717–717w, 3301–3432; 42 U.S.C. 7101–7352.

§ 161.3 [Amended]

2. In § 161.3, paragraph (h)(2) is amended by removing the phrase ''§ 284.8(b)(4)'' and adding, in its place, the phrase ''§ 284.10(a)''.

PART 250—FORMS

1. The authority citation for Part 250 continues to read as follows:

Authority: 15 U.S.C. 717–717w, 3301–3432; 42 U.S.C. 7101–7352.

§ 250.16 [Amended]

2. In § 250.16, paragraph (c)(2) is amended by removing the phrase ''§ 284.8(b)(4)'' and adding, in its place, the phrase ''§ 284.10(a)''. ,

PART 284—CERTAIN SALES AND TRANSPORTATION OF NATURAL GAS UNDER THE NATURAL GAS POLICY ACT OF 1978 AND RELATED AUTHORITIES

1. The authority citation for Part 284 continues to read as follows:

Authority: 15 U.S.C. 717–717w, 3301–3432; 42 U.S.C 7101–7532; 43 U.S.C 1331–1356.

2. In § 284.8, paragraphs (b)(4) and (b)(5) are removed, paragraph (b)(6) is redesignated (b)(4), and paragraph (b)(3) is revised to read as follows:

§ 284.8 Firm transportation service.

* * * * *

(b) * * *

(3) An interstate pipeline that offers transportation service on a firm basis under subpart B or G of this part must provide all shippers with equal and timely access to information relevant to the availability of such service, including, but not limited to, the

[25] 5 CFR 1320.11.

availability of capacity at receipt points, on the mainline, at delivery points, and in storage fields, and whether the capacity is available directly from the pipeline or through capacity release. The information must be provided on an Electronic Bulletin Board with the features prescribed in § 284.10(a) and as required by § 284.10(b).

* * * * *

3. In § 284.9, paragraph (b)(4) is removed, paragraph (b)(5) is redesignated (b)(4), and paragraph (b)(3) is revised to read as follows:

§ 284.9 Interruptible transportation service

* * * * *

(b) * * *

(3) An interstate pipeline that offers transportation service on an interruptible basis under subpart B or G of this part must provide all shippers with equal and timely access to information relevant to the availability of such service. The information must be provided on an Electronic Bulletin Board with the features prescribed in § 284.10(a) and as required by § 284.10(b).

* * * * *

4. Section 284.10 is added to read as follows:

§ 284.10 Standards for Pipeline Business Operations and Communications.

(a) *Electronic Bulletin Boards.* An interstate pipeline that is required by this chapter or by its tariff to display information on an Electronic Bulletin Board must provide for the following features on its board:

(1) Downloading by users,

(2) Daily back-up of information displayed on the board, which must be available for user review for at least three years,

(3) Purging of information on completed transactions from current files,

(4) Display of most recent entries ahead of information posted earlier, and

(5) On-line help, a search function that permits users to locate all information concerning a specific transaction, and a menu that permits users to separately access the notices of available capacity, the marketing affiliate discount information, the marketing affiliate capacity allocation log, and the standards of conduct information.

(b) *Incorporation by Reference of Business Practice and Electronic Communication Standards.* (1)(i) An interstate pipeline that transports gas under subpart B or G of this part must comply with the following business practice and electronic communication standards promulgated by the Gas Industry Standards Board, which are incorporated herein by reference in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51:

(A) Nominations Definitions 1.2.1 through 1.2.4 (Version 1), Standards 1.3.1 through 1.3.23 (Version 1), and Data Sets 1.4.1 through 1.4.5 (Version 1);

(B) Flowing Gas Standards 2.3.1 through 2.3.28 (Version 1) and Data Sets 2.4.1 through 2.4.4 (Version 1);

(C) Invoicing Definition 3.2.1 (Version 1), Standards 3.3.1 through 3.3.21 (Version 1), and Data Sets 3.4.1 through 3.4.3 (Version 1);

(D) Electronic Delivery Mechanisms Standards 4.3.1 through 4.3.4 (Version 1), except that pipelines must comply with Standards 4.3.1 and 4.3.2 by January 1, 1997;

(E) Capacity Release Definition 5.2.1 (Version 1), Standards 5.3.1 through 5.3.29 (Version 1), and Data Sets 5.4.1 through 5.4.20 (Version 1);

(F) Electronic Data Interchange Implementation Guide, Capacity Release (Version 1.0).

(ii) Copies of these standards may be obtained from the Gas Industry Standards Board, 1100 Louisiana, Suite 4925, Houston, TX 77002. Copies may be inspected and copied at the Federal Energy Regulatory Commission, Public Reference and Files Maintenance Branch, 888 First Street, N.E., Washington, DC 20426.

(2) Interstate pipelines must comply with these standards and protocols by January 1, 1997.

Note—The following appendix will not appear in the Code of Federal Regulations

APPENDIX.—RM96–1–000—COMMENTS FILED

Commenters	Abbreviations
American Forest & Paper Association	AF&PA.
Associated Gas Distributors	AGD.
Brooklyn Union Gas Company	Brooklyn Union.
Central Illinois Light Company	CILCO.
CNG Transmission Corporation	CNG Transmission.
CNG Energy Services Corporation	CNG ESC.
Coastal Gas Marketing Company	Coastal.
Colorado Interstate Gas Company and ANR Pipeline Company	CIG/ANR.
Consolidated Natural Gas System	CNG.
East Ohio Gas Co., Hope Gas, Inc., The Peoples Natural Gas Co., Virginia Natural Gas, Inc., & West Ohio Natural Gas Co..	CNG LDCs.
Energy Managers Association	EMA.
EnerSoft Corp. and NYMEX Technology Corp.	EnerSoft/NYMEX
Equitrans, L.P.	Equitrans.
GasEDI	GasEDI.
Gas Industry Standards Board	GISB.
GISB Services Segment Executive Committee Members	GISB Services Segment.
Independent Petroleum Association of America	IPAA.
Interstate Natural Gas Association of America	INGAA.
Iroquois Gas Transmission System, L.P.	Iroquois.
Koch Gateway Pipeline Company	Koch Gateway.
Midland Cogeneration Venture Limited Partnership	MCV.
Minnegasco	Minnegasco.
Natural Gas Clearinghouse, Conoco, Inc. and Vastar Gas Marketing, Inc.	NGC/Conoco/Vastar.
Natural Gas Council	Natural Gas Council.
Natural Gas Pipeline Company of America	Natural.
Natural Gas Supply Association	NGSA.
NorAm Energy Services, Inc.	NES.
Northern Distributor Group	NDG.

APPENDIX.—RM96–1–000—COMMENTS FILED—Continued

Commenters	Abbreviations
Northern Indiana Public Service Company, Northern Indiana Fuel and Light Company, and Kokomo Gas and Fuel Company.	Northern Indiana Distributors.
Northwest Industrial Gas Users	NWIGU.
Pacific Gas and Electric Company	PG&E.
Pacific Gas Transmission Company	PGT.
PanEnergy Companies	PanEnergy.
SABRE Decision Technologies	SDT.
Southern California Edison Company	Edison.
The Peoples Gas Light and Coke Company, North Shore Gas Company, and Northern Illinois Gas Company	Peoples.
TransCapacity Limited Partnership	TransCapacity.
United Distribution Companies	UDC.
Williams Interstate Natural Gas System	WINGS.
Williston Basin Interstate Pipeline Company	Williston.

[FR Doc. 96–10587 Filed 4–30–96; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 102, 130, 131, 133, 135, 136, 137, 139, 145, 146, 150, 152, 155, 156, 158, 160, 161, 163, 164, 165, 166, 168, and 169

[Docket No. 95N–0294]

Food Standards of Identity, Quality and Fill of Container; Common or Usual Name Regulations; Request for Comments on Existing Regulations

AGENCY: Food and Drug Administration, HHS.

ACTION: Advance notice of proposed rulemaking; extension of comment period.

SUMMARY: The Food and Drug Administration (FDA) is announcing that, while the comment period on the advance notice of proposed rulemaking that appeared in the Federal Register of December 29, 1995 (60 FR 67492), will end on April 29, 1996, the agency will keep the record open to receive comments on one aspect of this rulemaking. The agency is taking this action in response to several requests for an extension to allow comments on the issue of harmonization of the food standards of FDA and those of the Food Safety and Inspection Service (FSIS) of the U.S. Department of Agriculture.

DATES: Written comments by June 28, 1996.

ADDRESSES: Submit written comments to the Dockets Management Branch (HFA–305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1–23, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Felicia Satchell, Center for Food Safety and Applied Nutrition (HFS–158), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–205–5099.

SUPPLEMENTARY INFORMATION: In the Federal Register of December 29, 1995 (60 FR 67492), FDA issued an advance notice of proposed rulemaking entitled ''Food Standards of Identity, Quality and Fill of Container; Common or Usual Name Regulations; Request for Comments on Existing Regulations.'' Interested persons were given until April 29, 1996, to comment on aspects of the advance notice of proposed rulemaking on food standards that the agency published in December 1995.

FDA received several requests for an extension of the comment period to allow comments on the issue of harmonization of food standards issued by FDA and FSIS. After careful consideration, FDA has decided to extend the comment period to June 28, 1996, on this issue. The extension is only for this aspect of the rulemaking. The issue of harmonization was discussed in section V.A.8. FDA–FSIS Harmonization, found on page 67502 of the advance notice.

Interested persons may, on or before June 28, 1996, submit to the Dockets Management Branch (address above) written comments regarding this proposal. Two copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Dated: April 26, 1996.

William K. Hubbard,

Associate Commissioner for Policy Coordination.

[FR Doc. 96–10840 Filed 4–26–96; 4:15 pm]

BILLING CODE 4160–01–F

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD07–96–008]

RIN 2115–AE46

Special Local Regulations; Suncoast Kilo Run; Suncoast Offshore Challenge; Suncoast Offshore Grand Prix; Sarasota, FL

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish special local regulations for Suncoast Kilo Run, Suncoast Offshore Challenge and Suncoast Offshore Grand Prix, all events sponsored by the S.O.R.A. (Suncoast Racing Association). The Suncoast Kilo Run event would be held annually at 8 a.m. to 1 p.m. EDT (Eastern Daylight Time), on the first Friday of July. The Suncoast Offshore Challenge and Suncoast Offshore Grand Prix events would be held annually at 11 a.m. to 4 p.m. EDT, on the first Saturday and Sunday of July. These proposed regulations are intended to promote safe navigation on the waters in the Gulf of Mexico in the vicinity of Sarasota and on the waters in North Sarasota Bay, Florida, by controlling the traffic entering, exiting, and traveling within these waters. These proposed regulations are necessary to provide for the safety of life on navigable waters during the event.

DATES: Comments must be received on or before May 31, 1996.

ADDRESSES: Comments may be mailed to U.S. Coast Guard Group St. Petersburg, 600 8th Ave. S.E., St. Petersburg, Florida 33701–5099, or may be delivered to operations office at the same address between 8 a.m. and 4 p.m. EDT, Monday through Friday, except federal holidays. The telephone number is (813) 824–