

Part A, Subpart III, Section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

### Regulatory Findings

We have determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect 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.

For the reasons discussed above, I certify that the 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. 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.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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. The Federal Aviation Administration (FAA) amends § 39.13 by removing amendment 39-13869 (69 FR 67043, November 16, 2004) and adding the following new airworthiness directive (AD):

**Boeing:** Docket No. FAA-2007-0203; Directorate Identifier 2007-NM-105-AD.

### Comments Due Date

(a) The FAA must receive comments on this AD action by January 3, 2008.

### Affected ADs

(b) This AD supersedes AD 2004-23-14.

### Applicability

(c) This AD applies to Boeing Model 767-200, -300, -300F, and -400ER series airplanes, certificated in any category, as identified in Boeing Alert Service Bulletin 767-24A0162, dated May 30, 2006.

### Unsafe Condition

(d) This AD results from a report of loss of all direct current (DC) power generation during a flight, due to inadequate electrical ground path between the ground bracket of the left and right transformer rectifier unit (TRUs)/main battery charger (MBC) and the structure. We are issuing this AD to prevent depletion of the main battery while in flight, resulting from the loss of both TRUs and the MBC, and consequent loss of all DC power, which could impact the safe flight and landing of the airplane due to the loss of function or malfunction of essential/critical systems and displays in the cockpit.

### Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

### Requirements of AD 2004-23-14

#### Rework and Measure Resistance

(f) For Model 767-200, -300, and -300F series airplanes, as listed in Boeing Alert Service Bulletin 767-24A0119, Revision 2, dated August 19, 2004; on which the actions of Boeing Service Bulletin 767-24-0119, dated May 14, 1998, and/or Revision 1, dated December 16, 1999, have been done: Within 45 days after December 1, 2004 (the effective date of AD 2004-23-14), rework the ground stud bracket of the TRUs and structure mounting surface, and measure the resistance from the bracket to the structure and the grounding lug to the bracket using a bonding meter, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 767-24A0119, Revision 2, dated August 19, 2004, as revised by Boeing Information Notice 767-24A0119 IN 01, dated October 21, 2004, except as provided by paragraph (g) of this AD.

(g) Step 4, Sheet 3 of Figure 1 in the Accomplishment Instructions of the service bulletin only specifies to install one collar with part number (P/N) BACC30M6. However, a collar with P/N BACC30BL6 (as listed in paragraph 2.C., "Parts Necessary for Each Airplane" of the service bulletin) may be used as an alternative method of compliance (AMOC).

#### New Actions Required by This AD

#### Rework, Installation, Measurement, as Applicable

(h) For all airplanes: Within 36 months after the effective date of this AD, rework the existing ground stud bracket of the TRUs/MBC, measure the resistance, and install a

new ground stud bracket of the TRUs by doing all the applicable actions specified in the Accomplishment Instructions of Boeing Alert Service Bulletin 767-4A0162, dated May 30, 2006.

### AMOCs

(i)(1) The Manager, Seattle Aircraft Certification Office, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

Issued in Renton, Washington, on November 7, 2007.

**Ali Bahrami,**

*Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. E7-22543 Filed 11-16-07; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 91

[Docket No. FAA-2007-29305; Notice No. 07-15]

RIN 2120-AI92

### Automatic Dependent Surveillance—Broadcast (ADS-B) Out Performance Requirements to Support Air Traffic Control (ATC) Service; Extension of Comment Period

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM); extension of comment period.

**SUMMARY:** This action extends the comment period for an NPRM that was published on October 5, 2007. In that document, the FAA proposed performance requirements for certain avionics equipment on aircraft operating in specified classes of airspace within the United States National Airspace System. This extension is a result of requests from the Air Transport Association of America, Inc., Air Carrier Association of America, Civil Aviation Aerospace Industries Association, National Air Carrier Association, and Regional Airline Association; Aircraft Owners and Pilots Association; and Cargo Airline Association to extend the comment period to the proposal.

**DATES:** The comment period for the NPRM published on October 5, 2007 (72

FR 56947), scheduled to close on January 3, 2008, is extended until March 3, 2008.

**ADDRESSES:** You may send comments identified by Docket Number FAA-2007-29305 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- *Mail:* Send comments to Docket Operations, M-30, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.

- *Fax:* Fax comments to Docket Operations at 202-493-2251.

- *Hand Delivery:* Bring comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For more information on the rulemaking process, see the

**SUPPLEMENTARY INFORMATION** section of this document.

*Privacy:* We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide.

Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78) or you may visit <http://DocketsInfo.dot.gov>.

*Docket:* To read background documents or comments received, go to <http://www.regulations.gov> at any time or to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Cindy Nordlie, ARM-108, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267-7627.

**SUPPLEMENTARY INFORMATION:**

*Comments Invited:* The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. We also invite comments relating to the economic, environmental, energy, or federalism impacts that might result

from adopting the proposals in this document. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, please send only one copy of written comments, or if you are filing comments electronically, please submit your comments only one time.

We will file in the docket all comments we receive, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, we will consider all comments we receive on or before the closing date for comments. We will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. We may change this proposal in light of the comments we receive.

**Availability of Rulemaking Documents**

You can get an electronic copy using the Internet by:

- (1) Searching the Federal eRulemaking Portal at <http://www.regulations.gov>;

- (2) Visiting the Office of Rulemaking's Web page at <http://www.faa.gov/avr/arm/index.cfm>; or

- (3) Accessing the Government Printing Office's Web page at <http://www.gpoaccess.gov/fr/index.html>.

You can also get a copy by sending a request to the Federal Aviation Administration, Office of Rulemaking, ARM-1, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-9680. Make sure to identify the docket number, notice number, or amendment number of this rulemaking.

**Proprietary or Confidential Business Information**

Do not file in the docket information that you consider to be proprietary or confidential business information. Send or deliver this information directly to the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this document. You must mark the information that you consider proprietary or confidential. If you send the information on a disk or CD-ROM, mark the outside of the disk or CD-ROM and also identify electronically within the disk or CD-ROM the specific information that is proprietary or confidential.

Under 14 CFR 11.35(b), when we are aware of proprietary information filed with a comment, we do not place it in the docket. We hold it in a separate file

to which the public does not have access, and place a note in the docket that we have received it. If we receive a request to examine or copy this information, we treat it as any other request under the Freedom of Information Act (5 U.S.C. 552). We process such a request under the DOT procedures found in 49 CFR part 7.

**Background**

On October 5, 2007, the Federal Aviation Administration (FAA) issued Notice No. 07-15, Automatic Dependent Surveillance—Broadcast (ADS-B) Out performance requirements to support Air Traffic Control (ATC) service (72 FR 56947; October 5, 2007). Comments to that document were to be received on or before January 3, 2008.

By request submitted to the docket on October 19, 2007, the Air Transport Association of America, Inc., Air Carrier Association of America, Civil Aviation Aerospace Industries Association, National Air Carrier Association, and Regional Airline Association requested that the FAA extend the comment period for Notice No. 07-15 for 60 days. The organizations requesting an extension noted that commenters "will have to develop as much information as possible as to future costs associated with implementing a final rule in order to provide meaningful input." They also noted that the holiday season falls within the comment period and that the comment period is scheduled to close just after New Year's Day. Because of the importance of the rulemaking, in terms of advancing Air Traffic modernization, and the potential costs on the aviation industry that would result from a final rule, they requested that the public comment period be extended for an additional 60 days.

In addition, on November 1, 2007, the Aircraft Owners and Pilots Association submitted a request to extend the comment period for Notice No. 07-15 for 60 days. They noted that additional "time is needed to assess questions surrounding making a final rule that is financially feasible for general aviation, improves ATC services at general aviation airports, results in user cost avoidance, and improves general aviation safety."

On November 5, 2007, the Cargo Airline Association submitted a request to extend the comment period for Notice No. 07-15 for 60 days. They noted the extension was needed to provide meaningful input to the rulemaking process.

The FAA concurs with the petitioners' request for an extension of the comment period on Notice No. 07-15 for an additional 60 days, until

March 3, 2008. We must balance the length of the comment period against the need to proceed expeditiously with a key component in managing the anticipated growth in the use of the National Airspace System. The FAA believes an additional 60 days would be adequate for commenters to collect cost and operational data necessary to provide meaningful comment to Notice No. 07-15. The FAA does not anticipate any further extension of the comment period for this rulemaking.

#### Extension of Comment Period

In accordance with section 11.47(c) of title 14, Code of Federal Regulations, the FAA has reviewed the requests submitted by the: Air Transport Association of America, Inc., Air Carrier Association of America, Civil Aviation Aerospace Industries Association, National Air Carrier Association, and Regional Airline Association; Aircraft Owners and Pilots Association; and Cargo Airline Association for extension of the comment period to Notice No. 07-15. These petitioners have shown a substantive interest in the proposed rule and good cause for the extension. The FAA has determined that extension of the comment period is consistent with the public interest, and that good cause exists for taking this action.

Accordingly, the comment period for Notice No. 07-15 is extended until March 3, 2008.

Issued in Washington, DC, on November 13, 2007.

**Eddie Parish,**

*Acting Director, System Operations, Airspace and AIM Office.*

[FR Doc. E7-22544 Filed 11-16-07; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 167

[USCG-2007-0057]

### Port Access Route Study of Potential Vessel Routing Measures To Reduce Vessel Strikes of North Atlantic Right Whales

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of study; request for comments.

**SUMMARY:** The Coast Guard is conducting a Port Access Route Study (PARS) on the area east and south of Cape Cod, Massachusetts, to include the northern right whale critical habitat,

mandatory ship reporting system area, and the Great South Channel including Georges Bank out to the exclusive economic zone (EEZ) boundary. The purpose of the PARS is to analyze potential vessel routing measures that might help reduce ship strikes with the highly endangered North Atlantic right whale while minimizing any adverse effects on vessel operations. The recommendations of the study will inform the Coast Guard and may lead to appropriate international actions.

**DATES:** Comments and related material must reach the Docket Management Facility on or before January 18, 2008.

**ADDRESSES:** You may submit comments identified by Coast Guard docket number USCG-2007-0057 to the Docket Management Facility at the U.S. Department of Transportation. To avoid duplication, please use only one of the following methods:

(1) *Online:* <http://www.regulations.gov>.

(2) *Mail:* Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

(3) *Hand Delivery:* Room W12-140 on the Ground Floor of the West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

(4) *Fax:* 202-493-2251.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice of study, call Mr. George Detweiler, Coast Guard Division of Navigation Systems, 202-372-1566, or send e-mail to [George.H.Detweiler@uscg.mil](mailto:George.H.Detweiler@uscg.mil). If you have questions on viewing or submitting material to the docket, call Ms. Renee K. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

#### SUPPLEMENTARY INFORMATION:

#### Public Participation and Request for Comments

We encourage you to participate in this study by submitting comments and related materials. All comments received will be posted, without change, to <http://www.regulations.gov> and will include any personal information you have provided. We have an agreement with the Department of Transportation (DOT) to use the Docket Management Facility. Please see DOT's "Privacy Act" paragraph below.

*Submitting comments:* If you submit a comment, please include your name and address, identify the docket number for this notice (USCG-2007-0057) and give the reason for each comment. You may

submit your comments by electronic means, mail, fax, or delivery to the Docket Management Facility at the address under **ADDRESSES**; but please submit your comments by only one means. If you submit them by mail or delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments received during the comment period.

*Viewing comments and documents:* To view comments, go to <http://www.regulations.gov> at any time, click on "Search for Dockets," and enter the docket number for this notice in the Docket ID box, and click enter. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Privacy Act:* Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the Department of Transportation's Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477), or you may visit <http://DocketsInfo.dot.gov>.

#### Definitions

The following definitions should help you review this notice:

*Area to be avoided* or *ATBA* means a routing measure comprising an area within defined limits in which either navigation is particularly hazardous or it is exceptionally important to avoid casualties and which should be avoided by all vessels, or certain classes of vessels.

*Deep-water route* means a route within defined limits, which has been accurately surveyed for clearance of sea bottom and submerged obstacles as indicated on nautical charts.

*Inshore traffic zone* means a routing measure comprising a designated area between the landward boundary of a traffic separation scheme and the adjacent coast, to be used in accordance with the provisions of Rule 10(d), as amended, of the International Regulations for Preventing Collisions at Sea, 1972 (COLREGS).

*Precautionary area* means a routing measure comprising an area within defined limits where vessels must