

with a method approved by the Manager, Seattle ACO; or using a method approved in accordance with paragraph (p) of this AD.

#### New Requirements of This AD

##### Inspections and Repair

(m) Do initial and repetitive detailed inspections for cracking in the areas specified

in Table 1 of this AD using applicable internal and external detailed inspection methods; and repair all cracks, by doing all the applicable actions in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 747-53A2349, Revision 3, dated October 2, 2008, except as required by paragraph (n) of this AD. Do the initial and

repetitive inspections at the times specified in paragraph 1.E., "Compliance," of the service bulletin, except as required by paragraph (o) of this AD. Repair all cracks before further flight after detection.

TABLE 1—ADDITIONAL INSPECTIONS

Inspect the addition portion of area 1 and area 6 as specified in Boeing Alert Service Bulletin 747-53A2349, Revision 3, dated October 2, 2008 ("the service bulletin")—	For airplanes identified as these groups in the service bulletin—
In Area 1: Fuselage frames at body stations 260–520 in areas where the upper deck floor beams are attached (Figure 11 of the Accomplishments Instructions of the service bulletin).	1 through 7 inclusive.
In Area 6: Fuselage frames at body stations 400–500 in areas above the Main Entry Door 1 cutouts, from the upper chord of the upper deck floor beams to Stringer 8 (Figure 12 of the Accomplishment Instructions of the service bulletin).	6 and 7.

#### Exceptions to Certain Procedures

(n) If any crack is found during any inspection required by paragraph (m) of this AD, and Boeing Alert Service Bulletin 747-53A2349, Revision 3, dated October 2, 2008, specifies to contact Boeing for appropriate action: Before further flight, repair the crack using a method approved in accordance with the procedures specified in paragraph (p) of this AD.

(o) Where Boeing Alert Service Bulletin 747-53A2349, Revision 3, dated October 2, 2008, specifies a compliance time after the date on Boeing Alert Service Bulletin 747-53A2349, Revision 3, dated October 2, 2008, this AD requires compliance within the specified compliance time after the effective date of this AD.

#### Alternative Methods of Compliance (AMOCs)

(p)(1) The Manager, Seattle ACO, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to *Attn:* Ivan Li, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6437; fax (425) 917-6590. Or, e-mail information to *9-ANM-Seattle-ACO-AMOC-Requests@faa.gov*.

(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 principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically reference this AD.

(3) AMOCs approved previously in accordance with AD 2005-20-30 are approved as AMOCs with the corresponding provisions of this AD.

(4) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD, if it is approved by an Authorized Representative for the Boeing Commercial Airplanes Delegation Option Authorization Organization who has been

authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

Issued in Renton, Washington, on May 15, 2009.

**Ali Bahrami,**

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

[FR Doc. E9-12111 Filed 5-22-09; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

**[Docket No. FAA-2009-0476; Directorate Identifier 2008-NM-188-AD]**

**RIN 2120-AA64**

#### **Airworthiness Directives; Boeing Model 707 Airplanes, and Model 720 and 720B Series Airplanes**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The FAA proposes to supersede an existing airworthiness directive (AD) that applies to certain Boeing Model 707 airplanes, and Model 720 and 720B series airplanes. The existing AD currently requires repetitive detailed inspections to detect cracks and corrosion on any existing repairs and at certain body stations (STA) of the visible surfaces of the wing to body terminal fittings including the web, flanges, and ribs; and applicable related investigative and corrective actions. This proposed AD would retain the requirements of the existing AD and

would require repetitive ultrasonic inspections to detect any stress corrosion cracks within the outboard flange of the left and right body terminal fittings at STA 820, and related investigative and corrective actions if necessary. This proposed AD would also provide for an optional terminating action for the repetitive inspections. This proposed AD also adds two airplanes to the applicability. This proposed AD results from reports of cracks found in the wing to body terminal fittings during routine inspections. We are proposing this AD to detect and correct cracks and corrosion in the body terminal fittings above and below the floor, which could cause loss of support for the wing and could adversely affect the structural integrity of the airplane.

**DATES:** We must receive comments on this proposed AD by July 10, 2009.

**ADDRESSES:** You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Fax:* 202-493-2251.

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

- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H-65, Seattle, Washington 98124-2207; telephone 206-544-5000, extension 1; fax 206-766-5680; e-mail,

me.boecom@boeing.com; Internet, <https://www.myboeingfleet.com>. You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. For information on the availability of this material at the FAA, call 425-227-1221 or 425-227-1152.

**Examining the AD Docket**

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone 800-647-5527) is in the ADDRESSES section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Berhane Alazar, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6577; fax (425) 917-6590.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the ADDRESSES section. Include "Docket No. FAA-2009-0476; Directorate Identifier 2008-NM-188-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the

closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

**Discussion**

On August 6, 2008, we issued AD 2008-17-10, amendment 39-15648 (73 FR 50703, August 28, 2008), for certain Boeing Model 707 airplanes, and Model 720 and 720B series airplanes. That AD requires repetitive detailed inspections to detect cracks and corrosion on any existing repairs and at certain body stations (STA) of the visible surfaces of the wing to body terminal fittings including the web, flanges and ribs; and applicable related investigative and corrective actions. That AD resulted from reports of cracks found in the wing to body terminal fittings during routine inspections. We issued that AD to detect and correct cracks and corrosion in the body terminal fittings, which could cause loss of support for the wing and could adversely affect the structural integrity of the airplane.

**Relevant Service Information**

We have reviewed Boeing 707 Alert Service Bulletin A3524, Revision 1, dated September 18, 2008. (AD 2008-17-10 refers to Boeing 707 Special Attention Service Bulletin 3524, dated July 18, 2007, as the appropriate source of service information for accomplishing the required actions in that AD.) Revision 1 of this service bulletin adds procedures, for certain airplanes, to do repetitive ultrasonic inspections for stress corrosion cracks within the

outboard flange of the left and right body terminal fittings at STA 820, and if necessary, related investigative and corrective actions. The related investigative action is an inspection to determine whether the modification or repair meets the specifications of Boeing 707/720 Service Bulletin 2912, Revision 1, dated March 13, 1970. The corrective action is contacting Boeing for repair instructions. Revision 1 of Boeing 707 Alert Service Bulletin A3524 also adds two airplanes to the effectivity.

Boeing 707 Alert Service Bulletin A3524, Revision 1, refers to Boeing 707/720 Service Bulletin 2912, Revision 1, dated March 13, 1970, as an additional source of service information for doing certain inspections and repairs.

**FAA's Determination and Requirements of the Proposed AD**

We have evaluated all pertinent information and identified an unsafe condition that is likely to develop on other airplanes of the same type design. For this reason, we are proposing this AD, which would supersede AD 2008-17-10 and would retain the requirements of the existing AD. This proposed AD would also add, for certain airplanes, repetitive ultrasonic inspections to detect any stress corrosion cracks within the outboard flange of the left and right body terminal fittings at STA 820, and related investigative and corrective actions if necessary. This proposed AD would also add two airplanes to the applicability.

**Costs of Compliance**

There are about 128 airplanes of the affected design in the worldwide fleet. The following table provides the estimated costs for U.S. operators to comply with this proposed AD.

ESTIMATED COSTS

Action	Work hours	Average labor rate per hour	Cost per airplane	Number of U.S.-registered airplanes	Fleet cost
Inspections (required by AD 2008-17-10).	20 .....	\$80	\$1,600 per inspection cycle.	11 .....	\$17,600 per inspection cycle.
Inspections (new proposed action).	20 to 30, depending on group.	80	\$1,600 to \$2,400 per inspection cycle.	Up to 13 .....	Up to \$31,200 per inspection cycle.

**Authority for This Rulemaking**

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more

detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, 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, Incorporation by reference, 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 FAA amends § 39.13 by removing amendment 39–15648 (73 FR 50703, August 28, 2008) and adding the following new AD:

**Boeing:** Docket No. FAA–2009–0476; Directorate Identifier 2008–NM–188–AD.

#### Comments Due Date

(a) The FAA must receive comments on this AD action by July 10, 2009.

#### Affected ADs

(b) This AD supersedes AD 2008–17–10.

#### Applicability

(c) This AD applies to Model 707–100 long body, –200, –100B long body, and –100B short body series airplanes; Model 707–300, –300B, –300C, and –400 series airplanes; and

Model 720 and 720B series airplanes; certificated in any category; as identified in Boeing 707 Alert Service Bulletin A3524, Revision 1, dated September 18, 2008.

#### Subject

(d) Air Transport Association (ATA) of America Code 57: Wings.

#### Unsafe Condition

(e) This AD results from new findings of cracks found in the wing to body terminal fittings during routine inspections. We are issuing this AD to detect and correct cracks and corrosion in the body terminal fittings above and below the floor, which could cause loss of support for the wing and could adversely affect the structural integrity of the airplane.

#### Compliance

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

#### Restatement of Requirements of AD 2008–17–10

##### *Inspections and Corrective Actions*

(g) For airplanes identified in Boeing 707 Special Attention Service Bulletin 3524, dated July 18, 2007: Within 24 months after October 2, 2008 (the effective date of AD 2008–17–10), do detailed inspections and applicable related investigative and corrective actions, by accomplishing all the actions specified in the Accomplishment Instructions of Boeing 707 Special Attention Service Bulletin 3524, dated July 18, 2007; or Boeing 707 Alert Service Bulletin A3524, Revision 1, dated September 18, 2008; except as provided by paragraph (h) of this AD. After the effective date of this AD, use only Boeing 707 Alert Service Bulletin A3524, Revision 1, dated September 18, 2008. Repeat the detailed inspections thereafter at intervals not to exceed 24 months. Do all applicable related investigative and corrective actions before further flight.

(h) If any crack or corrosion is found during any inspection required by paragraph (g) of this AD, and Boeing 707 Special Attention Service Bulletin 3524, dated July 18, 2007; or Boeing 707 Alert Service Bulletin A3524, Revision 1, dated September 18, 2008; specifies to contact Boeing for appropriate action: Before further flight, repair the terminal fittings using a method approved in accordance with the procedures specified in paragraph (o) of this AD.

##### *No Information Submission*

(i) Although Boeing 707 Special Attention Service Bulletin 3524, dated July 18, 2007; and Boeing 707 Alert Service Bulletin A3524, Revision 1, dated September 18, 2008; specify to submit information to the manufacturer, this AD does not include that requirement.

#### New Requirements of This AD

##### *Inspections*

(j) For Group 1 and Group 2 airplanes identified in Boeing 707 Alert Service Bulletin A3524, Revision 1, dated September 18, 2008, on which a modification or repair

was done in accordance with Boeing 707/720 Service Bulletin 2912, Revision 1, dated March 13, 1970: At the later of the times specified in paragraphs (j)(1) and (j)(2) of this AD, do an ultrasonic inspection to detect any stress corrosion cracks within the outboard flange of the left and right body terminal fittings at body station (STA) 820, and all applicable related investigative and corrective actions, by accomplishing all the actions specified in the Accomplishment Instructions of Boeing 707 Alert Service Bulletin A3524, Revision 1, dated September 18, 2008, except as provided by paragraph (m) of this AD. Repeat the ultrasonic inspection thereafter at intervals not to exceed 24 months or 2,000 flight cycles, whichever occurs first. Do all applicable related investigative and corrective actions before further flight.

(1) Within 24 months or 2,000 flight cycles after the effective date of this AD, whichever occurs first.

(2) Within 24 months or 2,000 flight cycles after doing the repair or modification, whichever occurs first.

(k) For Group 3 and 4 airplanes identified in Boeing 707 Alert Service Bulletin A3524, Revision 1, dated September 18, 2008: Within 2,000 flight cycles or 24 months after the effective date of this AD, whichever occurs first, do an ultrasonic inspection to detect any stress corrosion cracks within the outboard flange of the left and right body terminal fittings at STA 820, and all applicable corrective actions, by accomplishing all the actions specified in the Accomplishment Instructions of Boeing 707 Alert Service Bulletin A3524, Revision 1, dated September 18, 2008, except as provided by paragraph (m) of this AD. Repeat the ultrasonic inspection thereafter at intervals not to exceed 24 months or 2,000 flight cycles, whichever occurs first. Do all applicable corrective actions before further flight.

(l) For Group 4 airplanes identified in Boeing 707 Alert Service Bulletin A3524, Revision 1, dated September 18, 2008: Within 24 months after the effective date of this AD, do detailed inspections for corrosion and cracking of the body terminal fittings at STA 820, and all applicable related investigative and corrective actions, by accomplishing all the actions specified in the Accomplishment Instructions of Boeing 707 Alert Service Bulletin A3524, Revision 1, dated September 18, 2008, except as provided by paragraph (m) of this AD. Repeat the detailed inspections thereafter at intervals not to exceed 24 months. Do all applicable related investigative and corrective actions before further flight.

##### *Exception to Certain Procedures*

(m) If any crack or corrosion is found during any inspection required by paragraph (j), (k), or (l) of this AD, and Boeing 707 Alert Service Bulletin A3524, Revision 1, dated September 18, 2008, specifies to contact Boeing for appropriate action: Before further flight, repair the terminal fittings using a method approved in accordance with the procedures specified in paragraph (o) of this AD.

**Note 1:** Boeing 707 Alert Service Bulletin A3524, Revision 1, dated September 18,

2008, refers to Boeing 707/720 Service Bulletin 2912, Revision 1, dated March 13, 1970, as an additional source of service information for doing certain inspections and repairs.

#### Optional Terminating Action

(n) Replacing a body terminal fitting with a fitting made from 7075-T73 material, using a method approved in accordance with the procedures specified in paragraph (o) of this AD, terminates the repetitive inspections required by this AD for that fitting only.

#### Alternative Methods of Compliance (AMOCs)

(o)(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Berhane Alazar, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6577; fax (425) 917-6590; or, e-mail information to [9-ANM-Seattle-ACO-AMOC-Requests@faa.gov](mailto:9-ANM-Seattle-ACO-AMOC-Requests@faa.gov).

(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 principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically reference this AD.

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD, if it is approved by an Authorized Representative for the Boeing Commercial Airplanes Delegation Option Authorization Organization who has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

Issued in Renton, Washington, on May 15, 2009.

**Ali Bahrami,**

Manager, Transport Airplane Directorate,  
Aircraft Certification Service.

[FR Doc. E9-12112 Filed 5-22-09; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### 18 CFR Chapter I

[Docket No. PL09-4-000]

#### Smart Grid Policy; Notice of Extension of Time

May 21, 2009.

**AGENCY:** Federal Energy Regulatory  
Commission.

**ACTION:** Notice of extension of time.

**SUMMARY:** On March 19, 2009, the Federal Energy Regulatory Commission (Commission) issued a Proposed Policy Statement and Action Plan that, among other things, proposed an interim rate policy to encourage the development of smart grid systems. On May 19, 2009, the Commission issued a Notice Requesting Supplemental Comments regarding rate recovery for certain smart grid investments. The Commission is extending the date for filing these supplemental comments.

**DATES:** Comments are due June 2, 2009.

#### FOR FURTHER INFORMATION CONTACT:

Ray Palmer (Technical Information), Office of Energy Policy and Innovation, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-6569.

Elizabeth Arnold (Legal Information), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-8818.

#### SUPPLEMENTARY INFORMATION:

On March 19, 2009, the Federal Energy Regulatory Commission (Commission) issued a Proposed Policy Statement and Action Plan (Proposed Policy Statement) in the above-captioned proceeding that, among other things, proposed an interim rate policy to encourage the development of Smart Grid systems.<sup>1</sup> On May 19, 2009, the Commission issued a notice in this docket seeking supplemental comments regarding rate recovery for certain grid investments.<sup>2</sup> The Commission is hereby extending the comment deadline established in the May 19 Notice.

By this instant notice, the date for filing supplemental comments is extended to and including June 2, 2009.

**Kimberly D. Bose,**

Secretary.

[FR Doc. E9-12243 Filed 5-22-09; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 110

[Docket No. USCG-2008-1232]

RIN 1625-AA01

#### Anchorage; New and Revised Anchorage in the Captain of the Port Portland, OR, Area of Responsibility

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes the establishment of a new anchorage, modification of existing anchorages, and revision of the regulations governing anchorages in the Captain of the Port Portland, Oregon, area of responsibility. These changes are necessary to ensure sufficient anchorage opportunities in that area, and to clarify the locations of those anchorage opportunities. In addition, the changes will help prevent conflicts with navigable channels and other uses of anchorage waters.

**DATES:** Comments and related material must be received by the Coast Guard on or before July 27, 2009. Requests for public meetings must be received by the Coast Guard on or before June 25, 2009.

**ADDRESSES:** You may submit comments identified by docket number USCG-2008-1232 using any one of the following methods:

(1) *Federal eRulemaking Portal:*  
<http://www.regulations.gov>.

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

(3) *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 20590-0001.

(4) *Hand Delivery:* Same as mail address above, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

To avoid duplication, please use only one of these four methods. See the "Public Participation and Request for Comments" portion of the **SUPPLEMENTARY INFORMATION** section below for instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this proposed rule, call or e-mail MST1 Jaime Sayers, Waterways Management Branch, Coast Guard Sector Portland, telephone 503-240-9300, e-mail: [Jaime.A.Sayers@uscg.mil](mailto:Jaime.A.Sayers@uscg.mil). If you have questions on viewing or submitting

<sup>1</sup> *Smart Grid Policy*, 126 FERC ¶ 61,253 (2009). As the Proposed Policy Statement described, Smart Grid advancements will apply digital technologies to the electric transmission system and enable real-time coordination of information from various resources to bring new efficiencies to the grid. *Id.* P 1.

<sup>2</sup> *Smart Grid Policy*, 127 FERC ¶ 61,139 (2009) (May 19 Notice).