

application for Commission certification as a qualifying cogeneration facility, as defined in section 3(18) of the Federal Power Act, is \$4,310.

(b) The fee filed under this section must be submitted in accordance with Subpart A of this part and § 292.207(b)(2) of this chapter.

23. Subpart F consisting of § 381.601 is added to read as follows:

Subpart F—Fees Applicable to the Public Utility Regulatory Policies Act of 1978

§ 381.601 5 Megawatt exemption application.

The fee established for a 5 Megawatt exemption application under section 405 of the Public Utility Regulatory Policies Act of 1978 and Part 4, Subpart K of this chapter is \$16,430. The fee must be submitted in accordance with Subpart A of this part.

PART 388—INFORMATION AND REQUESTS

24. The authority citation for Part 388 continues to read as follows:

Authority: Freedom of Information Act, 5 U.S.C. 552 (1982) as amended by Freedom of Information Reform Act of 1986; Administrative Procedure Act, 5 U.S.C. 551-557 (1982).

25. Section 388.104 is revised to read as follows:

§ 388.104 Informal advice from Commission staff.

(a) The Commission staff provides informal advice and assistance to the general public and to prospective applicants for licenses, certificates, and other Commission authorizations. Opinions expressed by the staff do not represent the official views of the Commission, but are designed to aid the public and facilitate the accomplishment of the Commission's functions. Inquiries may be directed to the chief of the appropriate office or division.

(b) Any inquiry directed to the Chief Accountant that requires a written response must be accompanied by the fee prescribed in § 381.301 of this chapter.

(c) A request directed to the Office of the General Counsel for a legal interpretation of any statute or implementing regulation under the jurisdiction of the Commission must be accompanied by the fee prescribed in § 381.305 of this chapter.

[FR Doc. 88-9462 Filed 4-28-88; 8:45 am]

BILLING CODE 6717-01-M

18 CFR Part 381

[Docket Nos. RM82-25-000 et al.]

Update of Filing Fees Under the Independent Offices Appropriations Act of 1952

April 6, 1988.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule.

SUMMARY: The Federal Energy Regulatory Commission, in accordance with § 381.104 of the Commission's regulations, issues an annual adjustment of the filing fees assessed under the authority of the Independent Offices Appropriations Act of 1952. The Commission updates these fees on the basis of data for fiscal year 1987.

EFFECTIVE DATE: May 31, 1988.

FOR FURTHER INFORMATION CONTACT: Lois D. Cashell, Office of the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, DC 20426, (202) 357-8400.

SUPPLEMENTARY INFORMATION:

In the Matter of: Fees Applicable to Producer Matters Under the Natural Gas Act, Docket No. RM82-25-000; Fees Applicable to Natural Gas Pipeline Rate Matters, Docket No. RM83-2-000; Fees Applicable to the Natural Gas Policy Act, Docket No. RM82-30-000; Fees Applicable to General Activities, Docket No. RM82-35-000; Fees Applicable to Natural Gas Pipelines, Docket No. RM82-31-000; Fees Applicable to Electric Utilities, Cogenerators, and Small Power Producers, Docket No. RM82-38-000; Revisions to the Purchased Gas Adjustment Regulations, Docket No. RM86-14-000; and Filing Fees Under The Independent Offices Appropriations Act of 1952, Docket No. RM87-26-000.

The Federal Energy Regulatory Commission (Commission), by its designee the Executive Director,¹ is issuing this final rule to update the filing fees the Commission assesses for specific services and benefits provided to identifiable beneficiaries. The Independent Offices Appropriations Act of 1952 (IOAA) authorizes the Commission to establish and collect these fees² and the Commission's regulations require an annual update of the IOAA fees based on data from the previous fiscal year.³ The Commission is establishing updated fees on the basis of the Commission's cost, completion, and work time data for fiscal year 1987.⁴

¹ 18 CFR 375.313(a) (1987).

² 31 U.S.C. 9701 (1982).

³ 18 CFR 381.104 (1987).

⁴ The final rule in Filing Fees Under The Independent Offices Appropriations Act of 1952, Docket No. RM87-26-000, published April 29, 1988, established three new filing fees and updated

The adjusted fees announced in this final rule will become effective 30 days after publication in the Federal Register. The new fee schedule is as follows:

Fees Applicable to Producer Matters Under the Natural Gas Act	
1. Blanket certificates for small producers (codified at 18 CFR 381.201).....	\$540
2. Producer certificates of public convenience and necessity (18 CFR 381.202).....	1,920
3. Changes in producer rate schedules (18 CFR 381.203).....	510
Fees Applicable to Natural Gas Pipeline Rate Matters	
1. Pipeline tariff filings for general changes in rates and for changes other than in rates (18 CFR 381.204).....	4,320
2. Pipeline tariff filings that track certain costs:	
(a) Annual filing under § 154.305 (18 CFR 381.205(a))...	4,440
(b) Quarterly filing under § 154.308 (18 CFR 381.205(b))...	910
(c) Interim adjustment filing under § 154.309 (18 CFR 381.205(c)).....	910
(d) Any other tariff filing that tracks costs (18 CFR 381.205(d)).....	910
Fees Applicable to the Natural Gas Policy Act	
1. Adjustments under section 502(c) of the Natural Gas Policy Act (18 CFR 381.401).....	2,430
2. Review of jurisdictional agency determinations (18 CFR 381.402).....	75
3. Petitions for rate approval pursuant to § 284.123(b)(2) (18 CFR 381.403).....	1,990
4. Initial or extension reports for Title III transactions (18 CFR 381.404).....	410
Fees Applicable to General Activities	
1. Request for interpretation by the Office of the Chief Accountant (18 CFR 381.301).....	200
2. Petition for issuance of a declaratory order (except under Part I of the Federal Power Act) (18 CFR 381.302).....	11,670
3. Review of a Department of Energy remedial order:	
Amount in controversy	
\$0-9,999 (18 CFR 381.303(b)).....	100
\$10,000-29,999 (18 CFR 381.303(b)).....	600
\$30,000 or more (18 CFR 381.303(a)).....	10,260
4. Review of a Department of Energy denial of adjustment:	
Amount in controversy	
\$0-9,999 (18 CFR 381.304(b)).....	100
\$10,000-29,999 (18 CFR 381.304(b)).....	600

several other IOAA fees based on fiscal year 1987 cost, completion, and work time data. That rule established current levels for the fees found in 18 CFR 381.208(a), 381.302(a), 381.305(a), 381.402, 381.502(a), 381.505(a), and 381.601.

\$30,000 or more (18 CFR 381.304(a)).....	3,660
5. Written legal interpretations by the Office of the General Counsel (18 CFR 381.305).....	2,460
Fees Applicable to Natural Gas Pipelines	
1. Pipeline certificate applications (18 CFR 381.207(b)).....	19,450
2. Requests under the blanket certificate notice and protest procedures (18 CFR 381.208).....	2,120
3. Curtailment filings (18 CFR 381.209(b)).....	4,060
Fees Applicable to Electric Utilities, Cogenerators, and Small Power Producers	
1. Rate schedule filings under sections 205 and 206 of the Federal Power Act (18 CFR 381.502).....	^a 5,780
2. Certification of qualifying status as a small power production facility (18 CFR 381.505).....	6,560
3. Certification of qualifying status as a cogeneration facility (18 CFR 381.505).....	4,310
4. Extension of equipment testing periods (18 CFR 381.506).....	1,110
5. Applications to assume obligation or liability as guarantor or for the negotiated placement of securities (18 CFR 381.507).....	3,430
6. Authorization to issue equity or debt securities (18 CFR 381.508).....	2,010
7. Corporate applications involving one or more jurisdictional utilities (18 CFR 381.509).....	8,420
8. Applications to hold interlocking positions (18 CFR 381.510).....	1,100
Fees Applicable to the Public Utility Regulatory Policies Act of 1978	
1. 5 Megawatt exemption application (18 CFR 381.601).....	16,430

^a No fee is assessed for rate schedule filings that have no effect on the rate a utility charges or that involve only rate decreases.

List of Subjects in 18 CFR Part 381

Natural gas, Reporting and recordkeeping requirements.

In consideration of the foregoing, the Commission amends Part 381 in Chapter I, Title 18 *Code of Federal Regulations*, as set forth below.

Vincent E. Mason,
Executive Director.

PART 381—FEES

1. The authority citation for Part 381 continues to read as follows:

Authority: Department of Energy Organization Act, 42 U.S.C. 7101-7352 (1982); E.O. 12009, 3 CFR 1978 Comp. p. 142; Independent Offices Appropriations Act, 31 U.S.C. 9701 (1982); Natural Gas Act, 15 U.S.C. 717-717w (1982); Federal Power Act, 16 U.S.C. 791-828c (1982); Public Utility Regulatory Policies Act, 16 U.S.C. 2601-2645 (1982); Interstate Commerce Act, 49 U.S.C. 1-27 (1976).

§ 381.201 [Amended]

2. Section 381.201 is amended by removing \$500.00 and inserting \$540 in its place.

§ 381.202 [Amended]

3. Section 381.202 is amended by removing \$2,400.00 and inserting \$1,920 in its place.

§ 381.203 [Amended]

4. Section 381.203 is amended by removing \$400.00 and inserting \$510 in its place.

§ 381.204 [Amended]

5. Section 381.204 is amended by removing \$4,700 and inserting \$4,320 in its place.

§ 381.205 [Amended]

6. In § 381.205, paragraph (a) is amended by removing \$1800 and inserting \$4,440 in its place.

7. In § 381.205, paragraph (b) is amended by removing \$300 and inserting \$910 in its place.

8. In § 381.205, paragraph (c) is amended by removing \$300 and inserting \$910 in its place.

9. In § 381.205, paragraph (d) is amended by removing \$300 and inserting \$910 in its place.

§ 381.207 [Amended]

10. In § 381.207, paragraph (b) is amended by removing \$15,000 and inserting \$19,450 in its place.

§ 381.209 [Amended]

11. In § 381.209, paragraph (b) is amended by removing \$7,200 and inserting \$4,060 in its place.

§ 381.301 [Amended]

12. Section 381.301 is amended by removing \$100 and inserting \$200 in its place.

§ 381.303 [Amended]

13. In § 381.303, paragraph (a) is amended by removing \$7,300 and inserting \$10,260 in its place.

§ 381.304 [Amended]

14. In § 381.304, paragraph (a) is amended by removing \$5,800 and inserting \$3,660 in its place.

§ 381.401 [Amended]

15. Section 381.401 is amended by removing \$3,500 and inserting \$2,430 in its place.

§ 381.403 [Amended]

16. Section 381.403 is amended by removing \$4,900 and inserting \$1,990 in its place.

§ 381.404 [Amended]

17. Section 381.404 is amended by removing \$600 and inserting \$410 in its place.

§ 381.506 [Amended]

18. Section 381.506 is amended by removing \$1,900 and inserting \$1,110 in its place.

§ 381.507 [Amended]

19. Section 381.507 is amended by removing \$2,900 and inserting \$3,430 in its place.

§ 381.508 [Amended]

20. Section 381.508 is amended by removing \$1,200 and inserting \$2,010 in its place.

§ 381.509 [Amended]

21. Section 381.509 is amended by removing \$10,300 and inserting \$8,420 in its place.

§ 381.510 [Amended]

22. Section 381.510 is amended by removing \$2,700 and inserting \$1,100 in its place.

[FR Doc. 88-9460 Filed 4-28-88; 8:45 am]

BILLING CODE 6717-01-M

PANAMA CANAL COMMISSION

35 CFR Part 103

General Provisions Governing Vessels

AGENCY: Panama Canal Commission.

ACTION: Final rule.

SUMMARY: The Panama Canal Commission is today adopting a final rule amending 35 CFR 103.8, concerning preference in transit schedulings and order of transiting vessels. The changes take into account the agency's experience with the Panama Canal Transit Booking System over the last year and the corresponding needs of the shipping community.

EFFECTIVE DATE: April 29, 1988.

FOR FURTHER INFORMATION CONTACT:

Mr. Michael Rhode, Jr., Secretary, Panama Canal Commission, telephone: (202) 634-6441 (TDD), or Mr. John L. Haines, Jr., General Counsel, telephone in Balboa Heights, Republic of Panama, 011-507-52-7511.

SUPPLEMENTARY INFORMATION: On October 13, 1987 an interim rule was published in the *Federal Register* (52 FR 37952) setting forth several changes to the booking system regulations based on numerous requests from Canal users that the Canal Commission revise the tie-breaking procedures, relax the

arrival time for restricted vessels and change the cancellation provision in the present rules. Interested parties were given the opportunity to submit written comments by November 12, 1987. During that time period, the agency received no comments.

Following is a summary of how the rules published today modify the rules which have been in effect concerning preference in the transit schedule and order of transiting vessels:

The Commission's present regulations in 35 CFR 103.8(g) require a 2-day notice of cancellation of transit bookings. This section is revised by deleting the 2-day period and requiring only that notice be provided prior to the required arrival time.

It also revises the schedule of cancellation fees by providing a sliding scale depending on the length of the advance notice of cancellation.

The Commission has determined that these rules do not constitute a major change within the meaning of Executive Order 12291 dated February 17, 1981 (47 FR 13193). The bases for that determination are, first, that the rule, when implemented would not have an annual effect on the economy of \$100 million or more per year, and secondly, that the rule would not result in a major increase in costs or prices for consumers, individual industries, local government agencies or geographic regions. Further, the agency has determined that implementation of the rule will have no adverse effect on competition, employment, investment, productivity, innovation or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Finally, the Commission has determined that this rule is not subject to the requirements of sections 603 and 604 of Title 5, United States Code, in that its promulgation will not have a significant impact on a substantial number of small entities, and the Administrator of the Commission so certifies pursuant to 5 U.S.C. 605(b).

Lists of Subjects in 35 CFR Part 103

Panama Canal, Vessels, Booking system, Navigation (Water).

PART 103—[AMENDED]

Accordingly, the interim rule amending 35 CFR Part 103 which was published at 52 FR 37952 on October 13, 1987, is adopted as a final rule without change.

Authority: 22 U.S.C. 3811, E.O. 12215, 45 FR 36043 and 44 U.S.C. 3501.

Dated: April 11, 1988.

D.P. McAuliffe,

Administrator, Panama Canal Commission.

[FR Doc. 88-9477 Filed 4-28-88; 8:45 am]

BILLING CODE 3640-04-M

POSTAL RATE COMMISSION

39 CFR Part 3001

[Docket Nos. RM88-1 and R87-1; Order No. 783]

Amendment to Domestic Mail Classification Schedule: Postal Rate and Fee Changes, 1987

Issued April 19, 1988.

AGENCY: Postal Rate Commission.

ACTION: Final rule.

SUMMARY: In accordance with the March 22, 1988, adoption of the Postal Rate Commission's recommended Docket No. R87-1 decision by the Governors of the Postal Service, the Commission is publishing the changes made in the Domestic Mail Classification Schedule (DMCS). The DMCS is found as Appendix A to Subpart C of the Commission's rules of practice and procedure (39 CFR 3001.61 through 3001.68). In addition to the changes in rates and fees made as a result of Docket No. R87-1, a number of changes (both editorial and substantive) were made in the classification provisions for postal services.

EFFECTIVE DATE: April 3, 1988.

ADDRESSES: Correspondence should be sent to Charles L. Clapp, Secretary of the Commission, 1333 H. Street NW., Suite 300, Washington, DC 20268 (telephone: 202/789-6840).

FOR FURTHER INFORMATION CONTACT: David F. Stover, General Counsel, 1333 H. Street NW., Suite 300, Washington, DC 20268 (telephone: 202/789-6820).

SUPPLEMENTARY INFORMATION: On March 22, 1988, the Governors of the Postal Service approved a decision (Docket No. R87-1) of the Commission recommending general postal rate and fee increases as well as a number of changes in the DMCS. The effective date for the changes is April 3, 1988. On May 7, 1987, the Postal Service initiated a proceeding, pursuant to 39 U.S.C. 3622-3623, requesting rate increases and changes in some of the provisions in the DMCS. The Commission invited interested parties to comment and participate in the proceeding. 52 FR 18498-18533. Many comments were filed; additionally, 62 intervenors and the Commission's Office of the Consumer Advocate participated. The

Commission held three sets of formal hearings, receiving testimony from 116 witnesses. In addition to oral argument, interested parties submitted briefs and reply briefs.

In addition to the changes in rates, Docket No. R87-1 resulted in a number of changes in the classification system governing the provision of postal services. Many of these changes are not substantive, but rather reflect changes in editorial style or make possible the elimination of references to situations described in the DMCS as prospective but which already have occurred. Additionally, changes have been made with regard to the provisions for second class which conforms the classification to statutory amendments (Pub. L. 99-272 section 15104).

A number of the classification changes are substantive. Among the substantive classification changes are: Addition of an Express Mail letter rate, addition of second-day Express Mail service, simplification of the Express Mail rate schedule by eliminating zone-related charges, permitting flexibility with regard to available pickup service and guaranteed delivery time for Express Mail, discount for presorted ZIP + 4 pre-barcode First-Class letters, additional presort discounts for First Class, nonadvertising incentive added for nonprofit and classroom second-class mail, calculating allowable sample and complimentary copies of second class by pieces rather than weight, ZIP + 4 and pre-barcode discount options for bulk third class, extension of availability of work sharing discounts to nonprofit bulk third class, greater flexibility permitted for mailer preparation requirements for bulk bound printed matter, discount for pre-barcode business reply with advance deposit, return receipt for merchandise as a stand-alone service, elimination of embossing requirement for stamped envelopes, and elimination of the requirement that annual fees be paid on a calendar year basis.

The amendments to the DMCS which are published in this order reflect the Governors' March 22, 1988, decision. Consistent with the Commission's explanation in the rulemaking (Docket No. RM85-1) which led to the publication of the DMCS in the *Federal Register*, this addition is published as a final rule, since procedural safeguards and ample opportunities to have different viewpoints considered have already been afforded to all interested persons.