

■ 6. Section 286.103 is revised to read as follows:

**§ 286.103 Notice to audited person.**

An audit conducted by the Commission's staff under authority of the Natural Gas Policy Act may result in a notice of deficiency or audit report or similar document containing a finding or findings that the audited person has not complied with a requirement of the Commission with respect to, but not limited to, the following: A filed tariff or tariffs, contracts, data, records, accounts, books, communications or papers relevant to the audit of the audited person; matters under the Standards of Conduct or the Code of Conduct; and the activities or operations of the audited person. The notice of deficiency, audit report or similar document may also contain one or more proposed remedies that address findings of noncompliance. Where such findings, with or without proposed remedies, appear in a notice of deficiency, audit report or similar document, such document shall be provided to the audited person, and the finding or findings, and any proposed remedies, shall be noted and explained. The audited person shall timely indicate in a written response any and all findings or proposed remedies, or both, in any combination, with which the audited person disagrees. The audited person shall have 15 days from the date it is sent the notice of deficiency, audit report or similar document to provide a written response to the audit staff indicating any and all findings or proposed remedies, or both, in any combination, with which the audited person disagrees, and such further time as the audit staff may provide in writing to the audited person at the time the document is sent to the audited person. The audited person may move the Commission for additional time to provide a written response to the audit staff and such motion shall be granted for good cause shown. Any initial order that the Commission subsequently may issue with respect to the notice of deficiency, audit report or similar document shall note, but not address on the merits, the finding or findings, or the proposed remedy or remedies, or both, in any combination, with which the audited person disagreed. The Commission shall provide the audited person 30 days to respond to the initial Commission order concerning a notice of deficiency, audit report or similar document with respect to the finding or findings or any proposed remedy or remedies, or both, in any combination, with which it disagreed.

**PART 349—DISPOSITION OF CONTESTED AUDIT FINDINGS AND PROPOSED REMEDIES**

■ 7. The authority citation for part 349 is revised to read as follows:

**Authority:** 42 U.S.C. 7101-7352; 49 U.S.C. 1, *et seq.*

■ 8. Section 349.1 is revised to read as follows:

**§ 349.1 Notice to audited person.**

An audit conducted by the Commission or its staff under authority of the Interstate Commerce Act may result in a notice of deficiency or audit report or similar document containing a finding or findings that the audited person has not complied with a requirement of the Commission with respect to, but not limited to, the following: A filed tariff or tariffs, contracts, data, records, accounts, books, communications or papers relevant to the audit of the audited person; and the activities or operations of the audited person. The notice of deficiency, audit report or similar document may also contain one or more proposed remedies that address findings of noncompliance. Where such findings, with or without proposed remedies, appear in a notice of deficiency, audit report or similar document, such document shall be provided to the audited person, and the finding or findings, and any proposed remedies, shall be noted and explained. The audited person shall timely indicate in a written response any and all findings or proposed remedies, or both, in any combination, with which the audited person disagrees. The audited person shall have 15 days from the date it is sent the notice of deficiency, audit report or similar document to provide a written response to the audit staff indicating any and all findings or proposed remedies, or both, in any combination, with which the audited person disagrees, and such further time as the audit staff may provide in writing to the audited person at the time the document is sent to the audited person. The audited person may move the Commission for additional time to provide a written response to the audit staff and such motion shall be granted for good cause shown. Any initial order that the Commission subsequently may issue with respect to the notice of deficiency, audit report or similar document shall note, but not address on the merits, the finding or findings, or the proposed remedy or remedies, or both, in any combination, with which the audited person disagreed. The Commission shall provide the audited

person 30 days to respond to the initial Commission order concerning a notice of deficiency, audit report or similar document with respect to the finding or findings or any proposed remedy or remedies, or both, in any combination, with which it disagreed.

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**DEPARTMENT OF LABOR**

**Mine Safety and Health Administration**

**30 CFR Parts 48, 50, and 75**

**RIN 1219-AB46**

**Emergency Mine Evacuation**

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Extension of comment period.

**SUMMARY:** The Mine Safety and Health Administration is extending the comment period for the Emergency Temporary Standard on Emergency Mine Evacuation published on March 9, 2006 (71 FR 12252). This action is in response to a request from the public.

**DATES:** The comment period will close on June 29, 2006.

**FOR FURTHER INFORMATION CONTACT:** Patricia W. Silvey, Acting Director; Office of Standards, Regulations, and Variances, MSHA; phone: (202) 693-9440; facsimile: (202) 693-9441; E-mail: [Silvey.Patricia@dol.gov](mailto:Silvey.Patricia@dol.gov).

**SUPPLEMENTARY INFORMATION:** The Mine Safety and Health Administration (MSHA) received a request to extend the public comment period for 60 days so that interested parties could adequately address issues contained in MSHA's opening statement. MSHA is conducting this rulemaking under the statutory requirement that the Agency must publish the Final Rule no later than December 9, 2006, that is, 9 months following the publication of the ETS. MSHA is granting a 30-day extension of the comment period (from May 30, 2006, to June 29, 2006) to allow all interested parties additional time to provide input into this important rulemaking. The comment period will close on June 29, 2006; MSHA welcomes comment from all interested parties.

Dated: May 18, 2006.

**David G. Dye,**

*Acting Assistant Secretary for Mine Safety and Health.*

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