

**(c) Effective Date**

This AD becomes effective March 26, 2014.

**(d) Compliance**

You are responsible for performing each action required by this AD within the specified compliance time unless it has already been accomplished prior to that time.

**(e) Required Actions**

(1) Within 25 hours time in service (TIS), inspect each cable assembly to determine if there is a false cut on the body of the barrel assembly, as depicted in Figure 1 of Bell Alert Service Bulletin No. 204B-12-68, dated October 10, 2012.

(2) If there is a false cut, before the first flight of each day, inspect the cable assembly for separation of the barrel assembly from the body. If there is any separation, before further flight, replace the cable assembly.

(3) Within 100 hours TIS, replace the cable assembly with an airworthy cable assembly that does not have a false cut in the body. Replacing the cable assembly is terminating action for the inspections required by paragraph (e)(2) of this AD.

**(f) Alternative Methods of Compliance (AMOCs)**

(1) The Manager, Rotorcraft Certification Office, FAA, may approve AMOCs for this AD. Send your proposal to: Helene Gandy, Aviation Safety Engineer, Rotorcraft Certification Office, Rotorcraft Directorate, FAA, 2601 Meacham Blvd., Fort Worth, Texas 76137; telephone (817) 222-5413; email 7-AVS-ASW-170@faa.gov.

(2) For operations conducted under a 14 CFR part 119 operating certificate or under 14 CFR part 91, subpart K, we suggest that you notify your principal inspector, or lacking a principal inspector, the manager of the local flight standards district office or certificate holding district office before operating any aircraft complying with this AD through an AMOC.

**(g) Subject**

Joint Aircraft Service Component (JASC) Code: 6720: Tail Rotor Control System.

**(h) Material Incorporated by Reference**

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Bell Alert Service Bulletin No. 204B-12-68, dated October 10, 2012.

(ii) Reserved.

(3) For Bell service information identified in this AD, contact Bell Helicopter Textron, Inc., P.O. Box 482, Fort Worth, TX 76101; telephone (817) 280-3391; fax (817) 280-6466; or at <http://www.bellcustomer.com/files/>.

(4) You may view this service information at FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. For information on the availability of this material at the FAA, call (817) 222-5110.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Fort Worth, Texas, on January 31, 2014.

**Lance T. Gant,**

*Acting Directorate Manager, Rotorcraft Directorate, Aircraft Certification Service.*

[FR Doc. 2014-02961 Filed 2-18-14; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****18 CFR Part 375**

[Docket No. RM14-5-000; Order No. 795]

**Delegation of Authority Regarding Consideration of Notice of Penalty**

**AGENCY:** Federal Energy Regulatory Commission, DOE.

**ACTION:** Final rule.

**SUMMARY:** The Commission issues this Final Rule to revise its regulations to delegate authority to the Director of the Commission's Office of Electric Reliability to issue orders extending the period of time for consideration of Notices of Penalty filed by the Electric Reliability Organization. In addition, this Final Rule revises the Commission's regulations to remove the same authority, and certain related authority, that is currently delegated to the Director of the Commission's Office of Enforcement. These revisions are necessary to enable the Commission to process routine, non-controversial Notices of Penalty in a timely and efficient manner.

**DATES:** *Effective Date:* This Rule will become effective February 19, 2014.

**FOR FURTHER INFORMATION CONTACT:** Matthew Vlissides, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, (202) 502-8408, [Matthew.Vlissides@ferc.gov](mailto:Matthew.Vlissides@ferc.gov).

**SUPPLEMENTARY INFORMATION:**

*Before Commissioners:* Cheryl A. LaFleur, Acting Chairman; Philip D. Moeller, John R. Norris, and Tony Clark.

**Final Rule**

(Issued February 11, 2014)

1. The Commission issues this Final Rule to revise its delegations of

authority to allow for the efficient and timely processing of Notices of Penalty (Notices) issued by the North American Electric Reliability Corporation (NERC), the Commission-certified Electric Reliability Organization (ERO). Specifically, this Final Rule delegates authority to the Director of the Office of Electric Reliability to issue orders extending the period of time for consideration of Notices filed by the ERO. This Final Rule removes the same authority currently delegated to the Director of the Office of Enforcement to extend the period of time to consider Notices. This Final Rule also removes the authority delegated to the Director of the Office of Enforcement to direct NERC or applicable Regional Entities to submit information when necessary to process Notices without the need for Commission action.

**I. Background**

2. The Energy Policy Act of 2005 added section 215 to the Federal Power Act (FPA), which requires a Commission-certified Electric Reliability Organization to develop mandatory and enforceable Reliability Standards, subject to Commission review and approval.<sup>1</sup> Pursuant to FPA section 215(e)(1), the ERO may impose a penalty on a user, owner or operator of the Bulk-Power System for a violation of a Reliability Standard approved by the Commission. Pursuant to FPA section 215(e)(4), the Commission authorized NERC, in its capacity as the ERO, to delegate authority to impose such penalties to eight Regional Entities through Commission-approved Delegation Agreements. Under FPA section 215(e), NERC must file each Notice with the Commission. The penalty is subject to Commission review upon its own motion or upon application by the entity subject to the proposed penalty within 30 days. If no review is sought or initiated, the penalty takes effect by operation of law.

3. In Order No. 728, the Commission determined that, in many cases involving the assessment of zero dollar penalties, Notices could be processed without a Commission vote.<sup>2</sup> Previously, when the Commission received a Notice, it was analyzed within thirty days by staff from the Office of Enforcement, the Office of Electric Reliability, and the Office of General Counsel, who then recommended to the Commission whether the Notice should become

<sup>1</sup> 16 U.S.C. 824o.

<sup>2</sup> *Delegations for Notices of Penalty*, Order No. 728, FERC Stats. & Regs. ¶ 31,298, at P 5 (2009) (cross-referenced at 129 FERC ¶ 61,094 (2009)).

effective by operation of law. The Commission would conduct a vote and, if it decided that no further action was warranted, the Commission instructed the Secretary to issue a public notice to that effect. In Order No. 728, the Commission stated that, in proceedings involving non-controversial zero dollar penalties, a Notice could be processed more efficiently by allowing the Secretary, without a formal Commission vote, to issue a notice indicating that the Commission will take no further action.

4. In Order No. 728, the Commission delegated authority to the Director of the Office of Enforcement to direct NERC or applicable Regional Entities to submit further information on a Notice where the Commission did not have sufficient information to reach a decision on the Notice. The Commission also delegated to the Director of the Office of Enforcement the authority to extend the period of time to consider Notices for the purpose of obtaining additional information from NERC and Regional Entities. Sections 375.311(u) and (v) of the Commission's regulations delegate these authorities to the Director of the Office of Enforcement. Order No. 728 also stated a policy that "Notices will not need a formal Commission vote only in zero dollar penalty cases that do not raise significant concerns or other issues," and specified various types of issues that would still require a formal Commission vote.<sup>3</sup>

## II. Discussion

5. The Commission believes that its internal processes will be more efficient if the Office of Electric Reliability is the lead office for reviewing and processing Notices. Accordingly, this Final Rule revises the delegations to the Director of the Office of Electric Reliability and Director of the Office of Enforcement. Specifically, this Final Rule transfers the authority to extend the period of time to consider Notices for the purpose of obtaining additional information, which is currently delegated to the Director of the Office of Enforcement in section 375.311(v) of the Commission's regulations, to the Director of the Office of Electric Reliability. In addition, this Final Rule removes the related authority delegated to the Director of the Office of Enforcement to require NERC or applicable Regional Entities to provide information necessary to review and process Notices, which is currently delegated in section 375.311(u) of the Commission's regulations.<sup>4</sup>

6. New section 375.303(a)(2)(vi) delegates to the Director of the Office of Electric Reliability the authority to extend the period of time to review Notices.

## III. Information Collection Statement

7. Office of Management and Budget (OMB) regulations require OMB to approve certain information collection requirements imposed by agency rule.<sup>5</sup> This Final Rule contains no new or revised information collections. Therefore, OMB review of this Final Rule is not required.

## IV. Environmental Analysis

8. 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.<sup>6</sup> Excluded from this requirement are rules that are procedural, ministerial, or internal administrative and management actions, programs or decisions.<sup>7</sup> This Final Rule falls within this exception; consequently, no environmental consideration is necessary.

## V. Regulatory Flexibility Act

9. The Regulatory Flexibility Act of 1980 (RFA)<sup>8</sup> generally requires a description and analysis of final rules that will have significant economic impact on a substantial number of small entities. This Final Rule concerns a matter of internal agency procedure and it will not have such an impact. An analysis under the RFA is therefore not required.

## VI. Document Availability

10. In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the Internet through the Commission's Home Page (<http://www.ferc.gov>) and in the Commission's Public Reference Room during normal business hours (8:30 a.m. to 5:00 p.m. Eastern time) at 888 First Street NE., Room 2A, Washington, DC 20426.

11. From the Commission's Home Page on the Internet, this information is available on eLibrary. The full text of this document is available on eLibrary

this delegated authority. Order No. 728, FERC Stats. & Regs. ¶ 31,298 at P 6 (cross-referenced at 129 FERC ¶ 61,094).

<sup>5</sup> 5 CFR part 1320.

<sup>6</sup> *Regulations Implementing the National Environmental Policy Act of 1969*, Order No. 486, 52 FR 47897 (Dec. 17, 1987), FERC Stats. & Regs. ¶ 30,783 (1987).

<sup>7</sup> 18 CFR 380.4(a)(1).

<sup>8</sup> 5 U.S.C. 601–612.

in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document (i.e., the sub docket number, 000) in the docket number field.

12. User assistance is available for eLibrary and the Commission's Web site during normal business hours from FERC Online Support at (202) 502–6652 (toll free at (866) 208–3676) or email at [ferconlinesupport@ferc.gov](mailto:ferconlinesupport@ferc.gov), or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Email the Public Reference Room at [public.reference@ferc.gov](mailto:public.reference@ferc.gov).

## VII. Effective Date and Congressional Notification

13. The provisions of 5 U.S.C. 801 regarding Congressional review of Final Rules do not apply to this Final Rule because the rule concerns internal agency procedure and practice and will not substantially affect the rights of non-agency parties.

14. These regulations are effective on February 19, 2014. The Commission finds that notice and public comments are unnecessary because this Final Rule concerns only internal agency procedure and practice. Therefore the Commission finds good cause to waive the notice period otherwise required before the effective date of this Final Rule.

## List of Subjects in 18 CFR Part 375

Authority delegations (Government agencies), Seals and insignia, Sunshine Act.

By the Commission.

**Nathaniel J. Davis, Sr.,**  
Deputy Secretary.

In consideration of the foregoing, the Commission amends part 375, chapter I, title 18, *Code of Federal Regulations*, as follows:

## PART 375—THE COMMISSION

■ 1. The authority citation for part 375 continues to read as follows:

**Authority:** 5 U.S.C. 551–557; 15 U.S.C. 717–717w, 3301–3432; 16 U.S.C. 791–825r, 2601–2645; 42 U.S.C. 7101–7352.

■ 2. In § 375.303 add paragraph (a)(2)(vi) to read as follows:

**§ 375.303 Delegations to the Director of the Office of Electric Reliability.**

\* \* \* \* \*

(a) \* \* \*

(2) \* \* \*

(vi) Issue an order extending the period of time for consideration of a Notice of Penalty filed under Section

<sup>3</sup> Order No. 728, FERC Stats. & Regs. ¶ 31,298 at P 8 (cross-referenced at 129 FERC ¶ 61,094).

<sup>4</sup> As discussed in Order No. 728, the Director of the Office of Electric Reliability already possesses

215(e) of the Federal Power Act for the purpose of directing the Electric Reliability Organization or the applicable Regional Entity to provide such information as is necessary to implement Section 215(e)(2) of the Federal Power Act (16 U.S.C. 824o(e)(2)) pursuant to § 39.2 and Part 40 of this chapter.

\* \* \* \* \*

#### § 375.311 [Amended]

■ 3. In § 375.311 remove paragraphs (u) and (v).

[FR Doc. 2014-03432 Filed 2-18-14; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### 20 CFR Part 619

RIN 1205-AB64

#### Federal-State Unemployment Insurance (UI) Program; Data Exchange Standardization as Required by Section 2104 of the Middle Class Tax Relief and Job Creation Act of 2012

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Final rule.

**SUMMARY:** The Department of Labor's (Department's) Employment and Training Administration (ETA) issues this final rule to designate in regulation data exchange standards, developed in consultation with an interagency work group established by the Office of Management and Budget (OMB), for Unemployment Insurance (UI) administration, as required by amendments to Title IX of the Social Security Act (SSA) made by the Middle Class Tax Relief and Job Creation Act of 2012 (the Act). These regulations establish data exchange standards for three categories of information: real-time applications on the Interstate Connection Network (ICON); the State Information Data Exchange System (SIDES); and implementation of the standards identified for ICON and SIDES in major Information Technology (IT) modernization projects to upgrade UI Benefits and Tax systems by State Workforce Agencies (SWAs) using Federal funds.

**DATES:** *Effective date:* The rule will take effect on March 21, 2014. The Office of Management and Budget has pre-approved the information collection requirements contained in this rule

under the Paperwork Reduction Act and has assigned them control number 1205-0510.

**FOR FURTHER INFORMATION CONTACT:** Gay M. Gilbert, Administrator, Office of Unemployment Insurance, U.S. Department of Labor, 200 Constitution Avenue NW., Room S-4524, Washington, DC 20210; telephone (202) 693-3029 (this is not a toll-free number).

Individuals with hearing or speech impairments may access the telephone number above via TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339.

#### SUPPLEMENTARY INFORMATION:

The preamble to this final rule is organized as follows:

- I. Background—provides a brief description of the development of the rule.
- II. Summary of the Comments—provides an overview of the comments received.
- III. Section-by-Section Review—summarizes and discusses the regulations.
- IV. Administrative Information—sets forth the applicable regulatory requirements.

#### I. Background

On February 22, 2012, the President signed the Middle Class Tax Relief and Job Creation Act. Section 2104 of the Act amends Title IX, SSA (42 U.S.C. 1101 *et seq.*) by adding a new section 911, which requires the Department to issue rules, developed in consultation with an interagency workgroup established by the OMB, that establish data exchange standards for certain functions related to administration of the UI<sup>1</sup> program. Before enactment of this requirement for data exchange standardization, the Department had been a proponent of and strong advocate for the use of open source technologies and data exchange standards in the development of IT systems supporting critical UI functions (such as ICON and SIDES), and of SWAs' overall UI IT modernization efforts. Section 911, SSA, contains two major subsections, (a) and (b), each of which requires data exchange standards; these requirements are discussed in detail below.

Section 911(a)(1), SSA, requires that the Secretary of Labor “shall, *by rule*, designate a data exchange standard for any category of information required under title III [42 U.S.C. 501 *et seq.*], title XII [42 U.S.C. 1401 *et seq.*], or this title [IX] [42 U.S.C. 1101 *et seq.*].” 42 U.S.C. 1111(a)(1) (Emphasis added.) The Department explained in the Notice of

Proposed Rulemaking (NPRM), published in 78 FR 12655, Feb. 25, 2013, that this statutory language allows the Department to identify any category of information under the specified titles, by rule, for which to establish a data exchange standard. Section 911(b)(1), SSA, requires that the Secretary of Labor “shall, *by rule*, designate data exchange standards to govern the reporting required under [the same specified titles].” (Emphasis added.) 42 U.S.C. 1111(b)(1). This rule establishes data exchange standards for information required under section 303(a)(1), SSA, that meet the requirements of both sections 911(a)(1) and 911(b)(1), SSA.

Section 303(a)(1), SSA, commonly known as the “methods of administration” requirement, provides that State law, as a condition of the State receiving Unemployment Compensation (UC) administrative grants, must include “such methods of administration . . . as are found by the Secretary of Labor to be reasonably calculated to insure full payment of unemployment compensation when due.” The Department chose to establish data exchange standards for information required under section 303(a)(1), SSA, because this section is the foundational statutory authority for the Department's guidance to States on the administration of the UI program, including guidance on program operations and reporting requirements.

In the NPRM, the Department indicated that it did not propose establishing data exchange standards for categories of information under Titles IX and XII, SSA, because they provided fewer opportunities for establishment of data exchange standards that would benefit the UI system broadly, given that their focus is primarily on Unemployment Trust Fund (UTF) management issues. Title IX establishes the account structure for the UTF, and Title XII establishes the processes for States to obtain advances if their States' accounts in the UTF are depleted. As discussed in more detail in the Comment Section below in response to the comment received on the NPRM, the Department will continue to review all UI reporting and determine the application of appropriate data exchange standards, where feasible. In this rule, the Department addresses the data exchange systems that are most immediately well-positioned to facilitate implementation of the data exchange standard.

To meet the requirements of section 911, SSA, the Department is designating in this final rule that eXtensible Markup

<sup>1</sup> The Department's Office of Unemployment Insurance uses the term Unemployment Compensation (UC) when referring to UC benefits paid or UC laws, and the term Unemployment Insurance (UI) to refer to the UI program, administration, and operations.