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Additionally, any person may obtain a copy of this notice by submitting a request to the Federal Aviation Administration (FAA), Office of Air Traffic Airspace Management, ATA-400, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-8783. Communications must identify both docket numbers for this notice. Persons interested in being placed on a mailing list for future NPRMs should contact the FAA's Office of Rulemaking (202) 267-9677, to request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

### The Proposal

This action proposes to amend Title 14, Code of Federal Regulations (14 CFR), Part 71 by amending the Class E airspace area for IFR operations in the Corpus Christi, TX area. This action would incorporate Aransas County Airport and San Jose Island Airport, Rockport, TX, into the Corpus Christi, TX airspace area. Also, with the addition of RNAV SIAPs at Mustang each Airport, Port Aransas, TX; and T.P. McCampbell Airport, Ingleside, TX controlled airspace 700 feet or more above the surface of the earth is necessary for IFR operations at these airports. The area would be depicted on appropriate aeronautical charts.

Class E airspace areas are published in Paragraph 6005 of FAA Order 7400.9S, dated October 3, 2008, and effective October 31, 2008, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. The FAA's authority to issue rules regarding aviation safety is

found in Title 49 of the U.S. Code. Subtitle 1, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends controlled airspace at Corpus Christi, TX.

### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (Air).

### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR Part 71 as follows:

#### **PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS**

1. The authority citation for Part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

#### **§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9S, Airspace Designations and Reporting Points, dated October 3, 2008, and effective October 31, 2008, is amended as follows:

*Paragraph 6005, Class E Airspace Extending Upward From 700 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

#### **ASW TX E5 Corpus Christi, TX [Amended]**

Corpus Christi International Airport, TX (Lat. 27°46'13" N., long. 97°30'04" W.)  
Corpus Christi NAS/Truax Field, TX (Lat. 27°41'34" N., long. 97°17'25" W.)  
Port Aransas, Mustang Beach Airport, TX (Lat. 27°48'43" N., long. 97°05'20" W.)  
Rockport, San Jose Island Airport, TX (Lat. 27°56'40" N., long. 96°59'06" W.)  
Rockport, Aransas County Airport, TX (Lat. 28°05'12" N., long. 97°02'41" W.)  
Ingleside, T.P. McCampbell Airport, TX (Lat. 27°54'47" N., long. 97°12'41" W.)  
Robstown, Nueces County Airport, TX (Lat. 27°46'43" N., long. 97°41'26" W.)  
Corpus Christi VORTAC, TX (Lat. 27°54'14" N., long. 97°26'42" W.)

That airspace extending upward from 700 feet above the surface within a 7.5 mile

radius of Corpus Christi International Airport and within 1.4 miles each side of the 200° radial of the Corpus Christi VORTAC extending from the 7.5 mile radius to 8.5 miles north of the airport, and within 1.5 miles each side of the 316° bearing from the airport extending from the 7.5 mile radius to 10.1 miles northwest of the airport, and within an 8.8-mile radius of Corpus Christi NAS/Truax Field, and within a 6.3-mile radius of Mustang Beach Airport, and within a 6.4-mile radius of T.P. McCampbell Airport, and within a 6.3-mile radius of Nueces County Airport, and within a 7.6-mile radius of Aransas County Airport, and within a 6.5-mile radius of San Jose Island Airport, and within 8 miles west and 4 miles east of the 327° bearing from the San Jose Island Airport extending from the airport to 20 miles northwest of the airport, and within 8 miles east and 4 miles west of the 147° bearing from the airport extending from the airport to 16 miles southeast of the airport, excluding that portion more than 12 miles from and parallel to the shoreline.

\* \* \* \* \*

Issued in Fort Worth, TX on November 17, 2008.

**Walter L. Tweedy,**

*Acting Manager, Operations Support Group,  
ATO Central Service Area.*

[FR Doc. E8-28074 Filed 11-25-08; 8:45 am]

**BILLING CODE 4910-13-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 71**

**[Docket No. FAA-2008-1140; Airspace  
Docket No. 08-ASW-24]**

#### **Proposed Amendment of Class D and Class E Airspace; Corpus Christi Naval Air Station/Truax Field, TX**

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This action proposes to amend the geographic coordinates of the Class D and E Airspace areas for Corpus Christi Naval Air Station (NAS)/Truax Field, Corpus Christi, TX. The FAA's National Aeronautical Charting Office is requesting this action to enhance the safety and management of Instrument Flight Rules (IFR) aircraft operations at Corpus Christi NAS/Truax Field.

**DATES:** 0901 UTC. Comments must be received on or before January 12, 2009.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001. You must identify the docket number FAA-2008-1140/Airspace Docket No. 08-ASW-24,

at the beginning of your comments. You may also submit comments on the Internet at <http://www.regulations.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5527), is on the ground floor of the building at the above address.

**FOR FURTHER INFORMATION CONTACT:**

Scott Enander, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd, Fort Worth, TX 76193-0530; telephone: (817) 222-5582.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2008-1140/Airspace Docket No. 08-ASW-24." The postcard will be date/time stamped and returned to the commenter.

**Availability of NPRMs**

An electronic copy of this document may be downloaded through the Internet at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at [http://www.faa.gov/airports\\_airtraffic/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/).

Additionally, any person may obtain a copy of this notice by submitting a request to the Federal Aviation Administration (FAA), Office of Air Traffic Airspace Management, ATA-400, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-8783. Communications must identify both docket numbers for this

notice. Persons interested in being placed on a mailing list for future NPRMs should contact the FAA's Office of Rulemaking (202) 267-9677, to request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

**The Proposal**

This action proposes to amend Title 14, Code of Federal Regulations (14 CFR), Part 71 by bringing current the geographic coordinates for Class D, E2 and E4 Airspace for the Corpus Christi NAS/Truax Field, Corpus Christi, TX. These coordinates would be depicted on appropriate aeronautical charts.

Class D surface areas are published in Paragraph 5000 of FAA Order 7400.9S, dated October 3, 2008, and effective October 31, 2008, which is incorporated by reference in 14 CFR 71.1.

Class E2 surface areas are published in Paragraph 6002 of FAA Order 7400.9S, dated October 3, 2008, and effective October 31, 2008, which is incorporated by reference in 14 CFR 71.1.

Class E4 airspace areas designated as extensions to a Class D surface area are published in Paragraph 6004 of FAA Order 7400.9S, dated October 3, 2008, and effective October 31, 2008, which is incorporated by reference in 14 CFR 71.1. The Class D and E airspace designations listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority

described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend controlled airspace at Corpus Christi NAS/Truax Field, Corpus Christi, TX.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (Air).

**The Proposed Amendment**

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR Part 71 as follows:

**PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS**

1. The authority citation for Part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9S, Airspace Designations and Reporting Points, dated October 3, 2008, and effective October 31, 2008, is amended as follows:

*Paragraph 5000 Class D Airspace.*

\* \* \* \* \*

**ASW TX D Corpus Christi NAS/Truax Field, TX [Amended]**

Corpus Christi NAS/Truax Field, TX  
(Lat. 27°41'34" N., long. 97°17'25" W.)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 4.3-mile radius of Corpus Christi NAS/Truax Field; excluding that airspace within the Corpus Christi International Airport, TX, Class C airspace area. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

*Paragraph 6002 Class E Airspace Designated as Surface Areas.*

\* \* \* \* \*

**ASW TX E2 Corpus Christi NAS/Truax Field, TX [Amended]**

Corpus Christi NAS/Truax Field, TX  
(Lat. 27°41'34" N., long. 97°17'25" W.)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 4.3-mile radius of Corpus Christi NAS/Truax Field; excluding that airspace

within the Corpus Christi International Airport, TX, Class C airspace area. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

*Paragraph 6004 Class E Airspace Areas Designated as an Extension to a Class D Surface Area.*

\* \* \* \* \*

#### **ASW TX E4 Corpus Christi NAS/Truax Field, TX [Amended]**

Corpus Christi NAS/Truax Field, TX

(Lat. 27°41'34" N., long. 97°17'25" W.)

Corpus Christi VORTAC

(Lat. 27°54'14" N., long. 97°26'42" W.)

Truax VORTAC

(Lat. 27°41'11" N., long. 97°17'41" W.)

That airspace extending upward from the surface within 1.3 miles each side of the 012° radial of the Truax VORTAC extending from the 4.3-mile radius of Corpus Christi NAS/Truax Field to 5 miles north of the airport and within 2.1 miles each side of the 119° radial of the Truax VORTAC extending from the 4.3-mile radius to 6.2 miles southeast of the airport and within 2.3 miles each side of the 147° radial of the Corpus Christi VORTAC extending from the 4.3-mile radius of the airport to 6.3 miles southeast of the airport and within 2.1 miles each side of the 329° radial of the Truax VORTAC extending from the 4.3-mile radius of the airport to 6.2 miles northwest of the airport; excluding that airspace within the Corpus Christi International Airport, TX, Class C airspace area.

\* \* \* \* \*

Issued in Fort Worth, TX on November 14, 2008.

**Roger M. Trevino,**

*Acting Manager, Operations Support Group,  
ATO Central Service Center.*

[FR Doc. E8-28073 Filed 11-25-08; 8:45 am]

**BILLING CODE 4910-13-P**

## **COMMODITY FUTURES TRADING COMMISSION**

### **17 CFR Part 4**

**RIN 3038-AC67**

### **Electronic Filing of Disclosure Documents**

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Proposed rules.

**SUMMARY:** The Commodity Futures Trading Commission (Commission or CFTC) is proposing to amend its regulations applicable to the filing of Disclosure Documents by commodity pool operators (CPOs) and commodity trading advisors (CTAs) with the National Futures Association (NFA). In response to a petition from NFA, the

CFTC is proposing that CPOs and CTAs be required to file their Disclosure Documents electronically with NFA (Proposal).

**DATES:** Comments must be received on or before December 26, 2008.

**ADDRESSES:** Comments on the Proposal should be sent to David A. Stawick, Secretary, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581. Comments may be sent by facsimile transmission to (202) 418-5521, or by e-mail to [secretary@cftc.gov](mailto:secretary@cftc.gov). Reference should be made to "Proposal Regarding Electronic Filing of Disclosure Documents." Comments also may be submitted by connecting to the Federal eRulemaking Portal at <http://www.regulations.gov> and following the comment submission instructions.

#### **FOR FURTHER INFORMATION CONTACT:**

Barbara S. Gold, Associate Director, Compliance and Registration Section, Division of Clearing and Intermediary Oversight, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581, telephone number: (202) 418-5450; facsimile number: (202) 418-5528; and electronic mail: [bgold@cftc.gov](mailto:bgold@cftc.gov).

#### **SUPPLEMENTARY INFORMATION:**

### **I. Background**

#### **A. CPO and CTA Disclosure Documents**

Part 4 of the Commission's regulations<sup>1</sup> governs the operations and activities of CPOs and CTAs. Regulations 4.21 and 4.31 respectively require each CPO and CTA registered or required to be registered with the Commission to deliver a Disclosure Document to prospective pool participants and clients. Regulations 4.24 and 4.25 specify the informational content of the CPO Disclosure Document, and Regulations 4.34 and 4.35 specify the informational content for the CTA Disclosure Document. Regulations 4.26 and 4.36 respectively pertain to the use, amendment and filing of CPO and CTA Disclosure Documents. Specifically, under Regulations 4.26(d) and 4.36(d), the CPO or CTA must file one copy of the Disclosure Document, and any supplements and amendments thereto, with NFA.<sup>2</sup> These regulations do not,

however, prescribe any particular manner of filing.

#### **B. The NFA Petition**

By letter dated July 21, 2008, NFA petitioned the Commission to amend Regulations 4.26 and 4.36 in order to require that CPOs and CTAs file Disclosure Documents electronically through NFA's electronic Disclosure Document filing system (Petition).<sup>3</sup> In its Supporting Arguments, NFA explained the reasoning behind the Petition as follows:

Currently, while there is nothing to prohibit a firm from filing a disclosure document in hardcopy form, the vast majority of CPO and CTA registrants file disclosure documents with NFA primarily via electronic mail due to its expediency and convenience. While the use of electronic mail has been a significant improvement over hardcopy submissions in terms of filing efficiency, the current approach still requires a considerable amount of staffing resources and has other disadvantages, e.g., the inability of registrants to obtain the status of the review of their filing without calling NFA and the lack of a central location for storing past filings. Accordingly, NFA has developed a new Internet-based electronic filing system for disclosure documents that will be significantly less resource intensive while also streamlining and enhancing the filing process for registrants. In order to realize the proposed benefits, however, registrants must be required to file their documents electronically through NFA's new system. Consequently, NFA is petitioning the Commission to amend its regulations accordingly.

The Commission understands that, as with NFA's other electronic filing systems,<sup>4</sup> the Disclosure Document system was designed to be easy and secure, such that Disclosure Documents, supplements and amendments will be uploaded through the system as either Word or PDF documents. Thus, although the CPO or CTA must have an Internet connection to access the system, it could use any public Internet site, such as those available in most public libraries. Moreover, CPOs and CTAs will access the system using the same designated login and password that they currently use for NFA's Online

CPOs and CTAs pursuant to Regulations 4.26(d) and 4.36(d). See 62 FR 52088 (Oct. 6, 1997).

<sup>3</sup> The Petition also adds the word "each" before the existing words "trading program" in paragraph (d)(1) of Regulation 4.36 to make that paragraph read parallel to the existing phrase "each trading program" in paragraph (d)(2) of Regulation 4.36.

The Commission previously authorized NFA to accept notices of exemptions or exclusions claimed under Part 4 and required that these notices be filed electronically. See *Id.* and 72 FR 1658 (Jan. 16, 2007), respectively.

<sup>4</sup> For example, NFA has adopted "Easyfile" for introducing broker and commodity pool financial statements required to be filed with it.

<sup>1</sup> 17 CFR Part 4 (2008). The Commission's regulations can be accessed through the CFTC's Web site, <http://www.cftc.gov>.

<sup>2</sup> NFA is a registered futures association pursuant to section 17 of the Commodity Exchange Act (Act), 7 U.S.C. 21 (2000). The Act also may be accessed through the CFTC's Web site.

The Commission previously authorized NFA to conduct reviews of Disclosure Documents filed by