

by submitting a request to the Federal Aviation Administration, Manager, Airspace Branch, ASO-520, Air Traffic Division, P.O. Box 20636, Atlanta, Georgia 30320. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A, which describes the application procedure.

### The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to amend Class E airspace at Daytona Beach, FL. The VOR RWY 8 SIAP at the Ormond Beach Municipal Airport has been amended to a VOR or GPS RWY 17 SIAP. As a result, the airspace for the Ormond Beach Municipal Airport must be amended from a 6.4- to a 7.3-mile radius to accommodate the SIAP and for Instrument Flight Rules (IFR) operations at the airport. Additionally, the airspace extension for the previous VOR RWY 8 SIAP will be removed. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface are published in Paragraph 6005 of FAA Order 7400.9E dated September 10, 1997, and effective September 16, 1997, 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.

### 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, CLASS B, CLASS C, CLASS D, AND CLASS 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 7400.9E, Airspace Designations and Reporting Points, dated September 10, 1997, and effective September 16, 1997, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### ASO FL E5 Daytona Beach, FL [Revised]

Daytona Beach International Airport, FL  
(Lat. 29°10'48" N, long. 81°03'27" W)  
Spruce Creek Airport

(Lat. 29°04'49" N, long. 81°02'48" W)  
Ormond Beach Municipal Airport  
(Lat. 29°18'04" N, long. 81°06'50" W)  
Ormond Beach VORTAC  
(Lat. 29°18'12" N, long. 81°06'46" W)

That airspace extending upward from 700 feet or more above the surface of the earth within a 10-mile radius of Daytona Beach International Airport, within a 6.4-mile radius of Spruce Creek Airport and within a 7.3-mile radius of Ormond Beach Municipal Airport.

\* \* \* \* \*

Issued in College Park, Georgia, on April 8, 1998.

#### Wade T. Carpenter,

*Acting Manager, Air Traffic Division,  
Southern Region.*

[FR Doc. 98-10677 Filed 4-21-98; 8:45 am]

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## FEDERAL TRADE COMMISSION

### 16 CFR Part 901

#### Request for Comments Concerning Procedures for State Application for Exemption From the Fair Debt Collection Practices Act

**AGENCY:** Federal Trade Commission.

**ACTION:** Request for public comments.

**SUMMARY:** The Federal Trade Commission ("Commission") requests public comments about the overall costs and benefits and the continuing needs for its Procedures for State Application

for Exemption from the Provisions of the Fair Debt Collection Practices Act ("FDCPA"), hereinafter known as "Procedures."

**DATES:** Written comments will be accepted until June 22, 1998.

**ADDRESSES:** Comments should be directed to: Secretary, Federal Trade Commission, Room H-159, Sixth Street and Pennsylvania Ave., N.W., Washington, D.C. 20580. Comments should be identified as "Procedures for Exemption from FDCPA, 16 CFR Part 901—Comment."

**FOR FURTHER INFORMATION CONTACT:** John F. LeFevre, Attorney, Federal Trade Commission, Washington, D.C. 20580, telephone number (202) 326-3209 or Tom Kane, Attorney, Federal Trade Commission, Washington, D.C. 20580, telephone number (202) 326-2304, E-mail [tkane@ftc.gov].

#### SUPPLEMENTARY INFORMATION:

### I. Background

#### A. The Fair Debt Collection Practices Act

The Fair Debt Collection Practices Act, 15 U.S.C. § 1691 *et seq.* ("FDCPA"), prohibits a number of deceptive, unfair and abusive practices by third party debt collectors. Section 817 of the FDCPA requires that the Commission exempt from its requirements "any class of debt collection practices within any state if the Commission determines that under the law of the state, the class of debt collection practices is subject to requirements substantially similar to those imposed by [the FDCPA], and that there is adequate provision for enforcement." The Commission has received one application for exemption from Sections 803-812 of the FDCPA from the State of Maine for debt collection practices conducted within that State and granted that exemption.<sup>1</sup>

The FDCPA prohibits debt collectors from using false or misleading statements, harassing or abusive conduct or any unfair methods to collect debts. Among the practices which are specifically prohibited are making false threats to coerce payment (such as false threats of suit); using deceptive collection notices that falsely appear to be from an attorney or court; and engaging in any sort of harassment, such as threatening violence, using profanity and obscenities, or making continuous phone calls. The FDCPA also restricts the extent to which debt collectors may call a consumer at work and prohibits them from making calls to consumers

<sup>1</sup> Notice of Maine Exemption from the Fair Debt Collection Practices Act, 60 Fed. Reg. 68173 (December 27, 1995).

very early in the morning or late at night. With a few narrow exceptions, it prohibits collectors from contacting third parties and revealing the existence of a consumer's debt. In addition, the FDCPA prohibits collectors from adding charges to a debt unless the consumer involved agrees to them or they are permitted by law, and from filing suit against a consumer outside of the district of the consumer's residence or where the contract creating the debt was signed.

Under the FDCPA, if a consumer disputes the debt in writing, the collector is required to stop all collection efforts until the debt is verified. The FDCPA also states that if the consumer demands in writing that the debt collector cease all further collection efforts, the debt collector must comply even if the debt is valid. Finally, the FDCPA gives a consumer the right to bring suit against a debt collector in any court for violations of the FDCPA, and, if successful, to receive actual damages and additional damages up to \$1,000, as well as costs and attorney's fees.

The FDCPA is enforced primarily by the Federal Trade Commission. A violation of the FDCPA is deemed an unfair or deceptive practice in violation of the Federal Trade Commission Act. All of the functions and powers of the Federal Trade Commission Act are available to the Commission to enforce compliance with the FDCPA. The Commission may enforce the provisions of the FDCPA in federal court, seeking civil penalties and injunctive relief, as appropriate.

### B. The Procedures

The Commission promulgated procedures in 1979 for state applications for exemption from the provisions of the FDCPA, which are published in 16 CFR 901 (1995) ("Procedures"). Section 901.2 of the Procedures provides that any state may apply to the Commission for a determination that, under the laws of that State, (1) any class of debt collection practices within that State is subject to requirements that are substantially similar to, or provide greater protection for consumers than, those imposed under Sections 803 through 812 of the FDCPA; and (2) there is adequate provision for state enforcement of such requirements. Section 901.4 of the Procedures describes the criteria for making the determination. Section 901.4(a) requires that (1) the definitions and rules of construction in the state law import the same meaning and have the same application as those prescribed by the

FDCPA; (2) debt collectors provide all the applicable notifications under the state law that are required by the FDCPA; (3) debt collectors under the state law take all affirmative actions and abide by obligations substantially similar to, or more extensive than, those prescribed by the FDCPA; (4) debt collectors under the state law abide by the same or more stringent prohibitions as are prescribed by the FDCPA; (5) obligations and responsibilities imposed on consumers under the state law are no more costly, lengthy, or burdensome than corresponding obligations or responsibilities imposed on consumers by the FDCPA; and (6) consumers' rights and protections under the state law are substantially similar to, or more favorable than, those provided by the FDCPA. Section 901.4(b) requires that the Commission consider (1) the facilities, personnel and funding devoted to administrative enforcement of the state law; (2) provisions in the state law for civil liability for actions brought in the private sector as compared with Section 813 of the FDCPA; and (3) the statute of limitations for civil liability in the state law (for actions brought in the private sector) which should be substantially similar or longer than that in the FDCPA. The Commission must consider each provision of the state law in comparison with each corresponding provision in Sections 803 through 812 of the FDCPA, and not the state law as a whole in comparison with the FDCPA as a whole.

Section 901.3 of the Procedures requires that an application be accompanied by a variety of documents including (1) the state law; (2) a comparison of the provisions of the state law with various sections of the FDCPA; (3) a copy of the full text of the law that provides for its enforcement; (4) a comparison of provisions of the law that provides for enforcement with the provisions of Section 814 of the FDCPA; and (5) a statement identifying the state office designated to administer the state law, along with a description of the ability of that office to effectively administer the statute. If an application is filed in accordance with the Procedures, Section 901.5 states that the filing shall be published in the **Federal Register**. Section 901.6 provides that the Commission may grant an exemption under the provisions of the Procedures.

### II. Regulatory Review Program

The Commission has determined to review all current Commission regulations periodically. These reviews seek information about the costs and benefits of the Commission's regulations and their regulatory and economic

impact. The information obtained assists the Commission in identifying regulations that warrant modification or rescission. Therefore, the Commission solicits comments on, among other things, the economic impact of and the continuing need for the Procedures; possible conflict between the Procedures and state, local, or other federal laws; and the effect on the Procedures of any technological, economic, or other industry changes.

### III. Request for Comment

The Commission solicits written public comments on the following questions:

(1) Is there a continuing need for the Procedures?

(a) What benefits have the Procedures provided to consumers covered by the FDCPA?

(b) Have the Procedures imposed costs on consumers?

(2) What changes, if any, should be made to the Procedures to increase the benefits of the Procedures to consumers covered by the FDCPA?

(a) How would these changes affect the benefits to consumers covered by the FDCPA?

(b) How would these changes affect the costs the Procedures impose on states considering applying for exemption?

(3) What significant burdens or costs, including costs of compliance, have the Procedures imposed on any state that has considered applying for exemption, or that has actually applied for exemption?

(a) Have the Procedures provided benefits to such states? If so, what benefits?

(4) What changes, if any, should be made to the Procedures to reduce the burdens or costs imposed on states considering applying for an exemption?

(a) How would these changes affect the benefits provided by the Procedures?

(5) Do the Procedures overlap or conflict with other federal, state, or local laws or regulations?

(6) Since the Procedures were issued, what effects, if any, have changes in new technology, such as the Internet or E-mail, or changes in other economic conditions, had on the Procedures?

(7) Section 901.4 of the Procedures requires that the Commission compare civil liability provisions of private suits in the state law and those contained in Section 813 of the FDCPA, but Section 901.6(d) prohibits the Commission from exempting any state from the provision of Section 813. Should Section 901.4 be changed to remove the requirement that civil liability provisions in the state law

and those contained in Section 813 of the FDCPA be compared?

(8) Are there any other changes that should be made to the Procedures? If so, please specify and state reasons for the changes.

#### **Lists of Subjects in 16 CFR Part 901**

Fair Debt Collection Practices Act.

**Authority:** 15 U.S.C. 41–58.

By direction of the Commission.

**Donald S. Clark,**

*Secretary.*

[FR Doc. 98–10699 Filed 4–21–98; 8:45 am]

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## **DEPARTMENT OF ENERGY**

### **Federal Energy Regulatory Commission**

#### **18 CFR Part 284**

[Docket No. RM96–1–008]

#### **Standards for Business Practices of Interstate Natural Gas Pipelines**

April 16, 1998.

**AGENCY:** Federal Energy Regulatory Commission.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Federal Energy Regulatory Commission (Commission) is proposing to amend § 284.10 of its regulations governing standards for conducting business practices and electronic communication with interstate natural gas pipelines. The Commission is proposing to incorporate by reference, in § 284.10(b)(1)(i), the standards relating to intra-day nominations promulgated March 12, 1998 by the Gas Industry Standards Board (GISB).

**DATES:** Comments are due May 22, 1998.

**ADDRESSES:** Federal Energy Regulatory Commission, 888 First Street, N.E., Washington DC, 20426.

**FOR FURTHER INFORMATION CONTACT:**

Michael Goldenberg, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 208–2294

Marvin Rosenberg, Office of Economic Policy, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426, (202) 208–1283

Kay Morice, Office of Pipeline Regulation, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426, (202) 208–0507

**SUPPLEMENTARY INFORMATION:** In addition to publishing the full text of

this document in the **Federal Register**, the Commission provides all interested persons an opportunity to inspect or copy the contents of this document during normal business hours in Room 2A, 888 First Street, N.E., Washington D.C. 20426. The complete text on diskette in WordPerfect format may be purchased from the Commission's copy contractor, La Dorn Systems Corporation. La Dorn Systems Corporation is located in the Public Reference Room at 888 First Street, N.E., Washington, D.C. 20426.

The Commission Issuance Posting System (CIPS), an electronic bulletin board service, also provides access to the texts of formal documents issued by the Commission. CIPS is available at no charge to the user. CIPS can be accessed over the Internet by pointing your browser to the URL address: <http://www.ferc.fed.us>. Select the link to CIPS. The full text of this document can be obtained in ASCII or WordPerfect format. CIPS also may be accessed using a personal computer with a modem by dialing 202–208–1397 if dialing locally or 1–800–856–3920 if dialing long distance. To access CIPS, set your communications software to 19200, 14400, 12000, 9600, 7200, 4800, 2400, or 1200 bps, full duplex, no parity, 8 data bits and 1 stop bit. The full text of this order will be available on CIPS in ASCII and WordPerfect 6.1 format. CIPS user assistance is available at 202–208–2474.

The Federal Energy Regulatory Commission (Commission) is proposing to amend § 284.10 of its regulations governing standards for conducting business practices and electronic communications with interstate natural gas pipelines. The Commission is proposing to adopt the consensus standards, promulgated March 12, 1998, by the Gas Industry Standards Board (GISB) dealing with intra-day nominations and revisions to nomination and confirmation procedures.

#### **I. Background**

In Order Nos. 587, 587–B, and 587–C<sup>1</sup> the Commission adopted regulations to standardize the business practices and communication methodologies of interstate pipelines in order to create a more integrated and efficient pipeline

<sup>1</sup> Standards For Business Practices of Interstate Natural Gas Pipelines, Order No. 587, 61 FR 39053 (Jul. 26, 1996), III FERC Stats. & Regs. Regulations Preambles ¶ 31,038 (Jul. 17, 1996), Order No. 587–B, 62 FR 5521 (Feb. 6, 1997), III FERC Stats. & Regs. Regulations Preambles ¶ 31,046 (Jan. 30, 1997), Order No. 587–C, 62 FR 10684 (Mar. 10, 1997), III FERC Stats. & Regs. Regulations Preambles ¶ 31,050 (Mar. 4, 1997).

grid. In those orders, the Commission incorporated by reference consensus standards developed by GISB, a private, consensus standards developer composed of members from all segments of the natural gas industry.

In Order No. 587, the Commission adopted a standard requiring pipelines to permit shippers to make at least one intra-day nomination per day.<sup>2</sup> An intra-day nomination is a nomination submitted after the initial nomination deadline at 11:30 a.m. to change a shipper's scheduled quantities for the next gas day.<sup>3</sup>

In Order No. 587–C, the Commission did not adopt additional standards approved by GISB concerning intra-day nominations, because the standards did not clearly outline the pipelines' obligations. The Commission further noted that pipelines had implemented GISB's previous intra-day standards in divergent ways, for instance, by establishing different times for submission of intra-day nominations. These differences prevented shippers from coordinating their intra-day nominations across the pipeline grid. The Commission gave GISB and the industry until September 1, 1997 to propose additional standards that would create the needed uniformity in intra-day procedures.

On September 2, 1997, GISB filed a report detailing its progress in reaching consensus on the intra-day standards. While GISB reported making significant progress in developing the standards, it highlighted conflicts between its members that were inhibiting completion of the standards. The disagreements concerned the circumstances under which intra-day nominations by shippers holding firm capacity should be given scheduling priority over previously scheduled interruptible service.

In Order No. 587–G, issued contemporaneously with this NOPR, the Commission resolved this conflict. It issued regulations requiring pipelines to accord an intra-day nomination submitted by a firm shipper scheduling priority over nominated and scheduled volumes for interruptible shippers. The Commission, however, deferred implementation of this requirement until GISB had developed, and the Commission had adopted, standards to implement the regulation.

On March 23, 1998, GISB filed with the Commission intra-day nomination standards approved, on March 12, 1998,

<sup>2</sup> 18 CFR 284.10(b)(1)(i) (1997), Nominations Related Standards 1.3.10.

<sup>3</sup> 18 CFR 284.10(b)(1)(i) (1997), Nominations Related Standards 1.2.4.