

effective September 15, 2012, is amended as follows:

Paragraph 2006 United States area navigation routes  
\* \* \* \* \*

Q-1 Point Reyes, CA to ELMAA, WA [Amended]

Point Reyes, CA (PYE)	VORTAC	(Lat. 38°04'47" N., long. 122°52'04" W.)
ETCHY, CA	WP	(Lat. 39°05'28" N., long. 123°08'05" W.)
TACOS, CA	WP	(Lat. 39°57'32" N., long. 123°10'28" W.)
ENVIE, CA	WP	(Lat. 41°20'09" N., long. 123°12'32" W.)
ELENN, CA	WP	(Lat. 41°37'10" N., long. 123°13'07" W.)
EBINY, OR	WP	(Lat. 42°28'50" N., long. 123°15'01" W.)
EASON, OR	WP	(Lat. 44°30'00" N., long. 123°19'44" W.)
ERAVE, WA	WP	(Lat. 46°54'35" N., long. 123°24'06" W.)
ELMAA, WA	Fix	(Lat. 47°08'53" N., long. 123°24'35" W.)

Issued in Washington, DC, on October 16, 2012.  
**Gary A. Norek,**  
*Manager, Airspace Policy and ATC Procedures Group.*  
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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Docket No. FAA-2012-0586; Airspace Docket No. 12-ASO-29]

**Establishment of Class E Airspace; La Belle, FL**

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

**SUMMARY:** This action establishes Class E Airspace at La Belle, FL, to accommodate the new Area Navigation (RNAV) Global Positioning System (GPS) Standard Instrument Approach Procedures at La Belle Municipal Airport. This action enhances the safety and airspace management of Instrument Flight Rules (IFR) operations within the National Airspace System.

**DATES:** Effective 0901 UTC, January 10, 2013. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P. O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-6364.

**SUPPLEMENTARY INFORMATION:**

**History**

On July 5, 2012, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to

establish Class E airspace at La Belle, FL (77 FR 39652) Docket No. FAA-2012-0586. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9W dated August 8, 2012, and effective September 15, 2012, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

**The Rule**

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 establishes Class E airspace extending upward from 700 feet above the surface at La Belle, FL, to provide the controlled airspace required to accommodate the new RNAV GPS Standard Instrument Approach Procedures developed for La Belle Municipal Airport. This action is necessary for the safety and management of IFR operations at the airport.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. 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 United States Code. Subtitle I, 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 establishes controlled airspace at La Belle Municipal Airport, La Belle, FL.

**Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," paragraph 311a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

**Lists of Subjects in 14 CFR Part 71:**

Airspace, Incorporation by reference, Navigation (Air).

**Adoption of the Amendment**

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

**PART 71 —DESIGNATION OF CLASS A, B, C, D AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE 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 7400.9W, Airspace Designations and Reporting Points, dated August 8, 2012, effective September 15, 2012, 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 La Belle, FL [New]**

La Belle Municipal Airport, FL  
(lat. 26°44'26" N., long. 81°25'42" W.)

That airspace extending upward from 700 feet above the surface within a 6.7-mile radius of La Belle Municipal Airport.

Issued in College Park, Georgia, on October 11, 2012.

**Barry A. Knight,**

*Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.*

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

**18 CFR Parts 4, 5, 16, 33, 34, 35, 157, 348, 375, 385 and 388**

[Docket No. RM12-2-000; Order No. 769]

**Filing of Privileged Materials and Answers to Motions**

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

**ACTION:** Final rule.

**SUMMARY:** In this Final Rule, the Commission revises its rules and regulations relating to the filing of privileged material in keeping with the Commission's efforts to comply with the Paperwork Reduction Act, the Government Paperwork Elimination Act and the E-Government Act of 2002. First, the Commission establishes two categories of privileged material for filing purposes: Privileged material and critical energy infrastructure information. This revision will expand the ability to file electronically by permitting electronic filing of materials subject to Administrative Law Judge protective orders as appropriate. Second, the Commission revises its regulations to provide a single set of uniform procedures for filing privileged materials. These revisions continue the Commission's effort to reassess and

streamline its regulations to ensure that they are efficient, effective and up to date.

Also, the Commission revises Rule 213(d) of its Rules of Practice and Procedure, which establishes the timeline for filing answers to motions, to clarify that the standard fifteen day reply time will not apply to motions requesting an extension of time or a shortened time period for action. Instead, the Commission proposes to set the time for responding to such motions at five days, unless another time period is established by notice based on the circumstances.

**DATES:** *Effective Date:* This final rule is effective December 28, 2012.

**FOR FURTHER INFORMATION CONTACT:** Christopher Cook (Technology/Procedural Information), Office of the Executive Director, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, Telephone: (202) 502-8102. Richard M. Wartchow (Legal Information), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, Telephone: (202) 502-8744.

**SUPPLEMENTARY INFORMATION:**

**Order No. 769**

*Final Rule*

**Table of Contents**

	Paragraph Nos.
I. Background .....	3
A. Electronic Filing Procedures .....	3
B. Notice of Proposed Rulemaking and Comments .....	9
II. Regulations for Filing Privileged Materials .....	12
A. Designation of Confidential Materials as "Privileged" .....	20
1. Comments .....	21
2. Commission Response .....	22
B. Establishing Separate Regulations Governing CEII Information .....	24
C. Form and Use of Protective Agreement .....	29
1. Comments .....	30
2. Commission Response .....	36
D. Consistency With Discovery Procedures Used in Administrative Proceedings .....	44
1. Comments .....	45
2. Commission Response .....	46
E. Procedures for Distributing Privileged Information .....	48
1. Comments .....	49
2. Commission Response .....	55
F. NERC Notices of Penalty and Other Communications .....	61
1. Comments .....	61
2. Commission Response .....	64
G. Electronic Filing Procedures .....	66
H. Prospective Effect .....	68
I. Changes to Text of Proposed Regulations .....	70
1. Changes Adopted .....	71
2. Proposed Changes Not Accepted .....	77
III. Revised Time for Filing Answers to Motions for Extensions of Time or Expedited Action Dates .....	81
1. Comments .....	83
2. Commission Response .....	85
IV. Information Collection Statement .....	88
V. Environmental Analysis .....	91
VI. Regulatory Flexibility Act .....	92