

found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in Related Information.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(j) Related Information

(1) For more information about this AD, contact Jacob Fitch, Aviation Safety Engineer, Fort Worth ACO Branch, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; phone: (817) 222-4130; fax: (817) 222-5245; email: jacob.fitch@faa.gov.

(2) For service information identified in this AD, contact Mooney International Corporation, 165 Al Mooney Road, North Kerrville, TX 78028; phone: (800) 456-3033; email: support@mooney.com. You may view this referenced service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. For information on the availability of this material at the FAA, call (816) 329-4148.

Issued on March 1, 2021.

Ross Landes,

Deputy Director for Regulatory Operations, Compliance & Airworthiness Division, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2011-0449; Project Identifier AD-2020-01464-R]

RIN 2120-AA64

Airworthiness Directives; Bell Helicopter Textron Canada Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Proposed rule; withdrawal.

SUMMARY: The FAA is withdrawing a notice of proposed rulemaking (NPRM) that proposed to adopt a new airworthiness directive (AD) that would have applied to certain Bell Helicopter Textron Canada Model 206A, 206B, and 206B3 helicopters. The NPRM was prompted by the need for corresponding operating limitations prohibiting flight, including hover, with the litter doorpost removed when certain litter kits are installed. The NPRM would have required revising the Operating Limitations, Section 1, of the existing Rotorcraft Flight Manual (RFM) for your

helicopter to add an operating limitation when a litter kit is installed to prohibit flight with the doorpost removed to prevent loss of structural integrity of the fuselage. Since issuance of the NPRM, the FAA has determined that an unsafe condition no longer exists. Accordingly, the NPRM is withdrawn.

DATES: The FAA is withdrawing the proposed rule published May 13, 2011 (76 FR 27958), as of March 9, 2021.

ADDRESSES:

Examining the AD Docket

You may examine the AD docket on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2011-0449; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD action, any comments received, and other information. The street address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT:

Kristi Bradley, Aviation Safety Engineer, General Aviation & Rotorcraft Section, International Validation Branch, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222-5110; email kristin.bradley@faa.gov.

SUPPLEMENTARY INFORMATION:

Discussion

The FAA has issued an NPRM that proposed to amend 14 CFR part 39 by adding an AD that would apply to the specified products. The NPRM was published in the **Federal Register** on May 13, 2011 (76 FR 27958). The NPRM was prompted by the need for corresponding operating limitations prohibiting flight, including hover, with the litter doorpost removed when certain litter kits are installed.

The NPRM proposed to require revising the existing RFM for your helicopter by inserting into the Operating Limitations, Section 1, of the existing RFM for your helicopter the following statement: "Flight, including hover, with litter doorpost removed is prohibited." This revision would have been made by pen and ink changes, inserting a copy of this AD into the existing RFM for your helicopter, or inserting a copy of the RFM Supplement (RFMS) dealing with Litter Kits into the existing RFM for your helicopter as follows: For Model 206A helicopters—inserting RFMS BHT-206A-FMS-8, dated December 30, 2009, into RFM BHT-206A-FM-1, dated July 2, 2009;

for Model 206B helicopters—inserting RFMS BHT-206B-FMS-8, dated December 30, 2009, into RFM BHT-206B-FM-1, dated July 2, 2009; and for Model 206B3 helicopters—inserting RFMS BHT-206B3-FMS-2, dated December 30, 2009, into RFM BHT-206B3-FM-1, dated March 24, 2010. The proposed actions were intended to add an operating limitation when a litter kit is installed to prohibit flight with the doorpost removed to prevent loss of structural integrity of the fuselage.

Actions Since the NPRM Was Issued

Since issuance of the NPRM, reevaluation of current fleet safety data indicates that there is not an unsafe condition and AD action is no longer necessary. There are no recent records of safety issues related to the unsafe condition previously described. Therefore, the FAA has determined that AD action is not required. Withdrawal of the NPRM constitutes only such action and does not preclude the agency from issuing future rulemaking on this issue, nor does it commit the agency to any course of action in the future.

The FAA's Aircraft Certification Service has also changed its organizational structure. The new structure replaces product directorates with functional divisions. We have revised some of the office titles and nomenclature throughout this proposed AD to reflect the new organizational changes. Additional information about the new structure can be found in the Notice published on July 25, 2017 (82 FR 34564).

Lastly, the identification of "Directorate Identifier 2010-SW-021-AD" has been changed to "Project Identifier AD 2020-01464-R."

Comments

The FAA gave the public the opportunity to comment on the NPRM. The FAA received no comments on the NPRM or on the determination of the cost to the public.

FAA's Conclusions

Upon further consideration, the FAA has determined that the NPRM is unnecessary. Accordingly, the NPRM is withdrawn.

Regulatory Findings

Since this action only withdraws an NPRM, it is neither a proposed nor a final rule. This action therefore is not covered under Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Withdrawal

■ Accordingly, the notice of proposed rulemaking, Docket No. FAA–2011–0449, which was published in the **Federal Register** on May 13, 2011 (76 FR 27958), is withdrawn.

Issued on February 26, 2021.

Gaetano A. Sciortino,

Deputy Director for Strategic Initiatives, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2021–04508 Filed 3–8–21; 8:45 am]

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DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****18 CFR Parts 4 and 5**

[Docket No. RM20–21–000]

Removing Profile Drawing Requirement for Qualifying Conduit Notices of Intent and Revising Filing Requirements for Major Hydroelectric Projects 10 MW or Less

AGENCY: Federal Energy Regulatory Commission, Department of Energy.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Federal Energy Regulatory Commission (Commission) is proposing to revise its regulations governing the filing requirements for qualifying conduits and certain major hydroelectric power projects. Specifically, the Commission is proposing to remove the requirement that a notice of intent to construct a qualifying conduit include a profile drawing showing the source of the hydroelectric potential in instances where a dam would be constructed in association with the facility and extend the licensing requirements that currently apply to major projects up to 5 MW to major projects 10 MW or less, consistent with the amended definition of a small hydroelectric power project in the Hydropower Regulatory Efficiency Act of 2013.

DATES: Comments are due May 10, 2021

ADDRESSES: You may send comments, identified by RM20–21–000, by one of the following methods:

- *Electronic Filing (eFiling) at the Commission's website:* <http://www.ferc.gov>.
- *U.S. Postal Service Mail:* Persons unable to file electronically may mail

similar pleadings to the Federal Energy Regulatory Commission, Office of the Secretary, 888 First Street NE, Washington, DC 20426.

- Delivery of filings other than by eFiling or the U.S. Postal Service should be delivered to the Federal Energy Regulatory Commission, Office of the Secretary, 12225 Wilkins Avenue, Rockville, Maryland 20852.

Instructions: For detailed instructions on submitting comments and additional information on the rulemaking process, see the Comment Procedures section of this document.

FOR FURTHER INFORMATION CONTACT:

Heather Campbell (Technical Information) Office of Energy Projects, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, (202) 502–6182, heather.e.campbell@ferc.gov
 Kelly Houff (Technical Information) Office of Energy Projects, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, (202) 502–6063, kelly.houff@ferc.gov

John Matkowski (Technical Information) Office of Energy Projects, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, (202) 502–8576, john.matkowski@ferc.gov

Rachael Warden (Legal Information) Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, (202) 502–8717, rachael.warden@ferc.gov

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I. Background and Discussion

1. By this Notice of Proposed Rulemaking, the Federal Energy Regulatory Commission (Commission or FERC) proposes to amend Parts 4 and 5 of its regulations governing the filing requirements for qualifying conduits and certain major hydroelectric power projects.

2. The Commission, under Part I of the Federal Power Act (FPA), licenses hydropower projects that are developed by non-Federal entities including individuals, private entities, states,

municipalities, electric cooperatives, and others.

3. The Hydropower Regulatory Efficiency Act of 2013 (2013 HREA)¹ was signed into law on August 9, 2013. As explained below, changes implemented in response to the 2013 HREA form the basis for these proposed revisions to the Commission's regulations.

A. Qualifying Conduits

4. The 2013 HREA amended section 30 of the FPA to create a subset of small conduit facilities that are categorically excluded from the licensing and exemption requirements of the FPA. In September 2014, the Commission issued Order No. 800, which became effective February 23, 2015, defining a “qualifying conduit hydropower facility” at section 4.30(b)(26) of its regulations.² Subsequently, section 30 of the FPA was amended by the America's Water Infrastructure Act of 2018.³

5. In accordance with section 30(a)(2)(A),⁴ any person, State, or municipality proposing to construct a “qualifying conduit hydropower facility” must file a notice of intent demonstrating the facility meets the following “qualifying criteria”:⁵

- Be located on and use only the hydroelectric potential of a non-federally-owned conduit;
- have a proposed installed capacity that does not exceed 40 Megawatts (MW);⁶ and
- be proposed for construction and, as of the date of enactment of the 2013 HREA, not be licensed under, or exempted from, the licensing requirements of Part I of the FPA.

6. Under the 2013 HREA, as amended by the America's Water Infrastructure Act of 2018,⁷ the Commission is required to determine whether proposed projects meet the criteria to be considered qualifying conduit hydropower facilities. Qualifying conduit hydropower facilities are not required to be licensed or exempted by

¹ Public Law 113–23, 127 Stat. 493 (2013).

² See *Revisions and Technical Corrections to Conform the Commission's Regulations to the Hydropower Regulatory Efficiency Act of 2013*, Order No. 800, 79 FR 59105 (Oct. 1, 2014), 148 FERC ¶ 61,197 (2014).

³ Public Law 115–270, 132 Stat. 3765 (2018).

⁴ 16 U.S.C. 823a(a)(2)(A).

⁵ *Id.* 823a(a)(3)(C). The qualifying conduit hydropower facility must also meet the requirements for a small conduit facility as defined in section 30(a)(3)(A) of the FPA. *Id.* 823a(a)(3)(A).

⁶ The 2013 HREA required that qualifying conduit hydropower facilities not exceed 5 MW. This limit was revised to 40 MW at section 3002(2) in the America's Water Infrastructure Act of 2018 (codified at 16 U.S.C. 823a(a)(3)(C)(ii)).

⁷ Public Law 115–270, 132 Stat. 3765.