

Model Number: HI-STORM 100.

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Dated at Rockville, Maryland, this 22nd day of September, 2006.

For the Nuclear Regulatory Commission.

**Martin J. Virgilio,**

*Acting Executive Director for Operations.*

[FR Doc. E6-17079 Filed 10-13-06; 8:45 am]

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## DEPARTMENT OF ENERGY

### Office of Energy Efficiency and Renewable Energy

#### 10 CFR Part 431

[Docket No. EE-TP-98-550]

RIN 1904-AA85

#### Energy Conservation Program: Test Procedures for Distribution Transformers; Correction

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy.

**ACTION:** Final rule; technical corrections.

**SUMMARY:** The Department of Energy (DOE or the Department) published a final rule on April 27, 2006, amending Part 431 to prescribe test procedures and other provisions for distribution transformers, pursuant to sections 323(b)(10) and 346(a) of the Energy Policy and Conservation Act, as amended. (42 U.S.C. 6293(b)(10) and 6317(a)) This document corrects three typographical errors in the final rule.

**DATES:** This correction is effective October 16, 2006.

#### FOR FURTHER INFORMATION CONTACT:

Antonio Bouza, U.S. Department of Energy, Energy Efficiency and Renewable Energy, Building Technologies Program, EE-2J, 1000 Independence Avenue, SW., Washington, DC 20585-0121, (202) 586-4563, e-mail: [antonio.bouza@ee.doe.gov](mailto:antonio.bouza@ee.doe.gov).

Francine Pinto, Esq., U.S. Department of Energy, Office of General Counsel, GC-72, 1000 Independence Avenue, SW., Washington, DC 20585-0121, (202) 586-9507, e-mail: [Francine.Pinto@hq.doe.gov](mailto:Francine.Pinto@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:** The final rule that is the subject of this correction document established (1) Test procedures for measuring the energy efficiency of distribution transformers, (2) definitions to delineate the products covered by the test procedures, (3) provisions manufacturers must use to implement the test procedures, (4) calculation methods for determining the

efficiency of distribution transformers, and (5) enforcement provisions for this equipment. 71 FR 24971 (April 27, 2006).

#### Need for Corrections

As published in the final rule, the definition for the term “excitation current” which can also be referred to as “no-load current” contains a typographical error that may prove to be misleading, and needs to be corrected. In the final rule, the conjunction “or” appearing between the terms “excitation current” and “no-load current” was italicized, such that the two terms *excitation current* and *no-load current* appeared as one continuous phrase (i.e., *excitation current or no-load current*). The Department is concerned that the italicization of the word “or” may lead to confusion about the defined term. This technical correction document removes the italicization of the word “or.” The remainder of the definition (i.e., “means the current that flows in any winding used to excite the transformer when all other windings are open-circuited”) was correct in the final rule and is not amended by this technical correction.

In a comment submitted after the publication of the final rule, NEMA brought to the Department’s attention two typographical errors that have an impact on the calculation of distribution transformer efficiency and must be corrected. (NEMA, No. 61 at p. 1) In the final rule notice, Equation 5-1 was given as:

$$P_{lc} = P_{lc2} \left[ \frac{P_{os}}{P_{or}} \right] = P_{lc2} L^2$$

And an explanation of one of the terms in equation 5-1,  $P_{os}$ , was given as follows:

$P_{os}$  is the specified energy efficiency load level, where,  $P_{os} = P_{or} L^2$ , and

NEMA determined that there are typographical errors in both equation 5-1 and the explanation of the term  $P_{os}$ . The Department carefully reviewed this comment, and agrees with NEMA’s determination. In equation 5-1, the quantity contained in the square brackets should be squared (i.e., raised to the second power). In the explanation of the term  $P_{os}$ , the variable represented by the letter “L” should not be squared. These errors were present in the Department’s previous supplemental notice of proposed rulemaking for this test procedure (69 FR 45532), but were not identified at that time.

Today’s technical correction document amends equation 5-1, raising the contents of the square brackets to

the second power, so the corrected equation reads as follows:

$$P_{lc} = P_{lc2} \left[ \frac{P_{os}}{P_{or}} \right]^2 = P_{lc2} L^2$$

Similarly, this technical correction document amends the explanation of the term  $P_{os}$  to remove the square from the variable L, so the corrected equation reads as follows:

$P_{os}$  is the specified energy efficiency load level, where  $P_{os} = P_{or} L$ , and

#### List of Subjects in 10 CFR Part 431

Administrative practice and procedure, Distribution transformers, Energy conservation.

■ Accordingly, 10 CFR part 431 is amended by making the following technical corrections:

#### PART 431—ENERGY EFFICIENCY PROGRAM FOR CERTAIN COMMERCIAL AND INDUSTRIAL EQUIPMENT

■ 1. The authority citation for part 431 continues to read as follows:

**Authority:** 42 U.S.C. 6291-6317.

■ 2. In § 431.192, revise the definition of “excitation current” to read as follows:

#### § 431.192 Definitions.

\* \* \* \* \*

*Excitation current or no-load current* means the current that flows in any winding used to excite the transformer when all other windings are open-circuited.

\* \* \* \* \*

■ 3. In section 5.1 of Appendix A to Subpart K of Part 431, revise equation 5-1 and the explanation for the term  $P_{os}$  to read as follows:

#### Appendix A to Subpart K of Part 431—Uniform Test Method for Measuring the Energy Consumption of Distribution Transformers

\* \* \* \* \*

#### 5.1 Output Loading Level Adjustment.

\* \* \* \* \*

$$P_{lc} = P_{lc2} \left[ \frac{P_{os}}{P_{or}} \right]^2 = P_{lc2} L^2 \quad (5-1)$$

Where:

\* \* \* \* \*

$P_{os}$  is the specified energy efficiency load level, where  $P_{os} = P_{or} L$ , and

\* \* \* \* \*

Issued in Washington, DC, on October 2, 2006.

Alexander A. Karsner,

*Assistant Secretary, Energy Efficiency and Renewable Energy.*

[FR Doc. E6-16998 Filed 10-13-06; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2006-25896; Directorate Identifier 2006-NE-33-AD; Amendment 39-14775; AD 2006-20-06]

RIN 2120-AA64

#### Airworthiness Directives; General Electric Company CF34-10E Series Turbofan Engines; Correction

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; correction.

**SUMMARY:** This document makes a correction to Airworthiness Directive (AD) 2006-20-06. That AD applies to General Electric Company (GE) CF34-10E series turbofan engines. We published AD 2006-20-06 in the **Federal Register** on September 29, 2006 (71 FR 57403). The issue date of the AD was inadvertently omitted. This document adds the AD issue date. In all other respects, the original document remains the same.

**DATES:** *Effective Date:* Effective October 16, 2006.

**FOR FURTHER INFORMATION CONTACT:** Tara Fitzgerald, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; telephone (781) 238-7130; fax (781) 238-7199.

**SUPPLEMENTARY INFORMATION:** A final rule AD, FR Doc. 06-8284, that applies to GE CF34-10E series turbofan engines was published in the **Federal Register** on September 29, 2006 (71 FR 57403). The following correction is needed:

#### § 39.13 [Corrected]

■ On page 57405, in the first column, after compliance paragraph (q), add "Issued in Burlington, Massachusetts, on September 21, 2006."

Issued in Burlington, MA, on October 6, 2006.

Peter A. White,

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. E6-17007 Filed 10-13-06; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare & Medicaid Services

#### 42 CFR Part 433

[CMS-2231-F]

RIN 0938-A031

#### Medicaid Program; State Allotments for Payment of Medicare Part B Premiums for Qualifying Individuals: Federal Fiscal Year 2006 and Fiscal Year 2007

**AGENCY:** Centers for Medicare & Medicaid Services (CMS), HHS.

**ACTION:** Final rule.

**SUMMARY:** This final rule sets forth the methodology and process used to compute and issue each State's allotments for fiscal years (FY) 2006 and FY 2007 that are available to pay Medicare Part B premiums for qualifying individuals. It also provides the final FY 2006 allotments and the preliminary FY 2007 allotments determined under this methodology.

We are also confirming the April 28, 2006 interim final rule as final.

**DATES:** Effective November 15, 2006, the interim rule amending 42 CFR part 433, which was published on April 28, 2006 (71 FR 25085), is adopted as final.

**FOR FURTHER INFORMATION CONTACT:** Richard Strauss, (410) 786-2019.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

##### A. Allotments Prior to FY 2005

Section 1902 of the Social Security Act (the Act) sets forth the requirements for State plans for medical assistance. Before August 5, 1997, section 1902(a)(10)(E) of the Act specified that the State Medicaid plan must provide for some or all types of Medicare cost sharing for three eligibility groups of low-income Medicare beneficiaries. These three groups included qualified Medicare beneficiaries (QMBs), specified low-income Medicare beneficiaries (SLMBs), and qualified disabled and working individuals (QDWIs).

A QMB is an individual entitled to Medicare Part A with income at or below the Federal poverty line (FPL) and resources below \$4,000 for an individual and \$6,000 for a couple. A SLMB is an individual who meets the QMB criteria, except that his or her income is above 100 percent of the FPL and does not exceed 120 percent of the FPL. A QDWI is a disabled individual

who is entitled to enroll in Medicare Part A under section 1818A of the Act, whose income does not exceed 200 percent of the FPL for a family of the size involved, whose resources do not exceed twice the amount allowed under the Supplementary Security Income (SSI) program, and who is not otherwise eligible for Medicaid. The definition of Medicare cost-sharing at section 1905(p)(3) of the Act includes payment for premiums for Medicare Part B.

Section 4732 of the Balanced Budget Act of 1997 (BBA), enacted on August 5, 1997, amended section 1902(a)(10)(E) of the Act to require States to provide for Medicaid payment of the Medicare Part B premiums for two additional eligibility groups of low-income Medicare beneficiaries, referred to as qualifying individuals (QIs).

Specifically, a new section 1902(a)(10)(E)(iv)(I) of the Act was added, under which States must pay the full amount of the Medicare Part B premium for qualifying individuals who are eligible QMBs but for the fact that their income level is at least 120 percent of the FPL but less than 135 percent of the FPL for a family of the size involved. These individuals cannot otherwise be eligible for medical assistance under the approved State Medicaid plan. The second group of QIs added under section 1902(a)(10)(E)(iv)(II) of the Act includes Medicare beneficiaries who would be QMBs except that their income is at least 135 percent but less than 175 percent of the FPL for a family of the size involved, who are not otherwise eligible for Medicaid under the approved State plan. These QIs were eligible for only a portion of Medicare cost sharing consisting of a percentage of the increase in the Medicare Part B premium attributable to the shift of Medicare home health coverage from Part A to Part B (as provided in section 4611 of the BBA).

Coverage of the second group of QIs ended on December 31, 2002, and in 2003, section 401 of the Welfare Reform Bill (Pub. L. 108-89), enacted on October 1, 2003, eliminated reference to the QI-2 benefit. In each of the years 2002 and 2003, continuing resolutions extended the coverage of the first group of QIs (whose income is at least 120 percent but less than 135 percent of the Federal poverty line) through the following fiscal year, but maintained the annual funding at the FY 2002 level.

In 2004, Public Law 108-448 was enacted, which continued coverage of this group through September 30, 2005, again with no change in funding.

The BBA also added a new section 1933 to the Act to provide for Medicaid payment of Medicare Part B premiums