DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 385

[Docket No. RM80-58-000]

Gulf States Utilities Company; Denial of Petition for Rulemaking

Issued: December 2, 1982.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Denial of petition for rulemaking.

SUMMARY: The Federal Energy Regulatory Commission (Commission) is denying, as unnecessary, a petition by Gulf States Utilities Company requesting an amendment of the Commission's Rules of Practice and Procedure to allow only "participants" to appeal actions taken by the staff pursuant to delegated authority. In a recent revision of the Rules of Practice and Procedure, the Commission amended the relevant rule (Rule 1902) in a manner consistent with the petitioner's request.

ADDRESS: Copies of the petition, related correspondence, and other documents are available for public inspection at the Commission's Division of Public Information, Room 1000, 825 North Capitol Street, NE., Washington, D.C. 20426.

FOR FURTHER INFORMATION CONTACT: Fredric D. Chanania, Office of the General Counsel, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426; (202) 357-8033.

SUPPLEMENTARY INFORMATION: On June 23, 1980, Gulf States Utilities Company ("Petitioner") filed with the Commission a petition for rulemaking to amend § 1.7(d) of the Rules of Practice and Procedure, 18, CFR 1.7(d).[1] The principal amendment sought by Petitioner is to allow only "participants," and not "interested persons," to appeal actions of the staff that fall within the scope of §1.7(d).[2] The Petitioner also proposed several minor editorial clarifications to § 1.7(d).

Section 1.7(d) has been revised and replaced by Rule 1902 of the current Rules of Practice and Procedure, 18 CFR 385.1902.[3] Rule 1902 now permits an appeal of a delegated staff action only by a "party," which is defined in Rule 102(c) as follows:

> "Party" means, with respect to a proceeding:
> (1) A person filing any application, petition, tariff or rate filing, complaint, or any protest under section 19a(i) of the Interstate Commerce Act (49 U.S.C. 19(a)(i));
> (2) Any respondent to a proceeding; or
> (3) Any person whose interver tion in a proceeding is effective under Rule 214.[4]

Rule 1902 now contains the substance of the major change sought by the Petitioner, and further amendment of Rule 1902 is, therefore, no longer necessary. In addition, when Rule 1902 was promulgated, the Commission made a number of editorial changes to the rule. To the extent Rule 1902 does not now contain the precise editorial changes proposed by the Petitioner, the Commission finds that Rule 1902 is sufficiently clear and that further changes are unnecessary and inappropriate.

The Commission orders, That the Petition of Gulf States Utilities Company for an Amendment to § 1.7(d) of Title 18, Code of Federal Regulations, is hereby denied.

By the Commission.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 82-33225 Filed 12-6-82; 8:45 am]

BILLING CODE 6717-01-M

[1] The filing is styled "Petition of Gulf States Utilities Company for an Amendment to Section 1.7(d) of Title 18, Code of Federal Regulations."

[2] Two comments in support of this change to § 1.7(d) were received from Iowa Southern Utilities Company and Interstate Power Company.

[3] The revised Rules of Practice and Procedure became effective on August 26, 1982. *See* Final Rule, "Revisions to Rules of Practice and Procedure to Expedite Trial-Type Hearings," Docket No. RM78-22-000, Order No. 225, issued April 28, 1982, 47 FR 19,014 (May 3, 1982). The final rule has been clarified and corrected on August 12, 1982. *See* Order No. 225-A, 47 FR 35,952 (Aug. 18, 1982).

[4] 18 CFR 385.102(c).

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 333

[Docket No. 75N-0183]

Topical Antimicrobial Drug Products for Over-the-Counter Human Use; Establishment of a Monograph; and Reopening of Administrative Record; Correction

AGENCY: Food and Drug Administration.

ACTION: Advance notice of proposed rulemaking and reopening of administrative record; correction.

SUMMARY: The Food and Drug Administration is making various corrections to its Advanced Notice of Proposed Rulemaking concerning establishment of a monograph for topical antimicrobial drug products for over-the-counter human use. That Notice of Proposed Rulemaking also reopened the Administrative record.

FOR FURTHER INFORMATION CONTACT: William E. Gilbertson, National Center for Drugs and Biologics (HRN-510), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4960.

SUPPLEMENTARY INFORMATION: In FR Doc. 82-24419 at page 39406 in the **Federal Register** of Tuesday, September 7, 1982 (47 FR 39406), the following changes are made:

1. On page 39407 in the first column:

a. In the second line, "repacking" is changed to "repackaging."

b. In the second complete paragraph, 16th line, "issued" is changed to "issues."

c. In the last paragraph, first line, "condition" is changed to "conditions."

2. On page 39408: In the first column, second complete paragraph, sixth line, "Thomas DeCilllis" is changed to "Thomas Decillis."

3. On page 39409 in the third column under "References," in Reference 1, two OTC volume numbers were omitted and should be added. They are 160221 and 160421.

Dated: November 30, 1982.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 82-33146 Filed 12-6-82; 8:45 am]

BILLING CODE 4160-01-M

21 CFR Part 333

[Docket No. 80N-0475]

Topical Antifungal Drug Products for Over-the-Counter Human Use; Establishment of a Monograph; and Reopening of Administrative Record; Correction

AGENCY: Food and Drug Administration.

ACTION: Advance notice of proposed rulemaking and reopening of administrative record; correction.

SUMMARY: The Food and Drug Administration is making various corrections to its Advanced Notice of Proposed Rulemaking concerning establishment of a monograph for topical antifungal drug products for over-the-counter human use. That Notice of Proposed Rulemaking also reopened the Administrative record.

FOR FURTHER INFORMATION CONTACT: William E. Gilbertson, National Center for Drug and Biologics (HFN-510), Food and Drug Administration, 5600 Fishers