Securities Act file number in Item 3 refers to the registration statement filed to register an indefinite number of securities (beginning with either ''2–'' or ''33–'').

5. Item 4 requires issuers to report the date of the last day of the fiscal year for which the notice is filed. In the case of an issuer that ceases operations, the date it ceases operations is deemed the last day of its fiscal year for purposes of rule 24f–2.

6. Items 5 and 6 should be completed only if the issuer fails to file its Rule 24f–2 Notice within 180 days after the close of the issuer's fiscal year. In such cases, the issuer's declaration to register an indefinite number of shares will be terminated on the next business day, and the issuer should report the date of termination in Item 6. All such issuers must file a separate Form 24F–2 with respect to sales of securities made pursuant to the declaration during (1) the fiscal year for which the notice was not timely filed, and (2) the period after the close of the fiscal year but before the declaration was terminated. Issuers should check the box in Item 5 only if they are filing the form to report securities sold during the 180-day period after the close of the fiscal year but before the declaration was terminated.

B. Computation of Number of Securities

1. In response to Items 7 through 11, issuers may aggregate sales and redemptions of all classes or series for which the notice is being filed. Issuers must aggregate sales prices within each class or series. If the registration fee paid for securities reported in Items 7 and 8 was based on the offering price of those securities, issuers should report the offering price instead of the sale price.

2. Item 7 requires the issuer to report the number and dollar amount of securities of the same class or series as those for which the notice is being filed, if any, which were registered under the Securities Act other than pursuant to rule 24f–2. Such securities must have been registered prior to the fiscal year for which the notice is being filed and must remain unsold at the beginning of the fiscal year.

3. Item 8 refers to securities registered during the fiscal year other than pursuant to rule 24f–2. This item includes securities registered during the fiscal year by post-effective amendment pursuant to rule 24e–2.

4. Item 9 requires the issuer to report the securities sold during the fiscal year in reliance upon registration under rule 24f–2. This number must exclude securities registered other than under rule 24f–2 which were sold during the fiscal year, as reported in Item 8.

5. Item 10 should be completed only if the issuer is using the netting provision of Item 12. In such cases, the issuer should report the number and dollar amount of securities not registered under the Securities Act that were issued during the fiscal year in connection with dividend reinvestment plans.

6. Item 11 should be the sum of Items 7 through 9, but should not include Item 10. If the response does not equal the sum of those items, the issuer should attach to the form an explanation of the difference.

C. Computation of Registration Fees

1. Item 12 is a work sheet for calculating the filing fee due. Items 12 (i) and (ii) should be the same as the responses provided to Items 9 and 10, respectively.

2. The filing fee due shall be calculated in the manner specified in Section 6(b) of the Securities Act [15 U.S.C. 77f(b)]. Except as provided below, fees shall be based on the actual aggregate sale or redemption price at the date on which the securities were sold or redeemed. The $100 minimum fee prescribed by Section 6(b) does not apply to fees payable under rule 24f–2.

3. Lines (ii), (iii), (iv), and (v) of Item 12 (netting provisions) apply only to issuers that file the form not later than 60 days after the close of the fiscal year during which securities were sold. In such cases, the filing fee shall be based upon the net aggregate sale price for which such securities were sold during the issuer's previous fiscal year. Net aggregate sale price is the actual aggregate sale price, plus the value of shares issued in connection with dividend reinvestment plans, reduced by the difference between (1) the actual aggregate redemption or repurchase price of such securities of the registrant redeemed or repurchased by the issuer during the fiscal year, and (2) the actual aggregate redemption or purchase price of such redeemed or repurchased securities previously applied by the issuer pursuant to rule 24e–2(a) under the Act.

4. If the issuer's total redemptions and repurchases during the fiscal year exceed the issuer's sales during the fiscal year, the issuer may report on line (iii) of Item 12 only the amount of redemptions equal to sales during the fiscal year, as reported on line (i). The net aggregate sales price reported in line (v) of Item 12 cannot be less than zero.

5. The multiplier for calculation of the filing fee required by line (vi) of Item 12 is prescribed by Section 6(b) of the Securities Act. As of October 13, 1994, the multiplier was one twenty-ninth of one percent of the maximum aggregate offering price of the securities being registered. This multiplier is subject to change from time to time, without notice, by act of Congress through appropriations for the Commission or other laws. Issuers should determine the current fee rate prior to the time of filing by reference to Section 6(b) and any law or regulation affecting Section 6(b). Unless otherwise specified by act of Congress, the fee rate in effect at the time of filing applies to all securities sold during the fiscal year, regardless of whether the fee rate changed during the year.

6. Issuers are cautioned that rounding the percentage used to compute the fee may result in payment of an incorrect amount. No part of the filing fee is refundable. Fees must be paid by United States postal money order, certified bank check, or cash. Issuers should refer to rule 0–8 under the Act [17 CFR 270.0–8] and rule 3a under the Commission's Rules of Informal and Other Procedures [17 CFR 202.3a] for instructions on payment of fees to the Commission.

D. Signature and Filing Form; Exhibit

1. The form shall be signed on behalf of the issuer by an authorized officer of the issuer. The issuer shall file five copies of the completed form, at least one of which has been manually signed, with the Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. Acknowledgement of receipt by the Commission may be obtained by enclosing a self-addressed stamped postcard identifying the issuer and the form filed.

2. This form must be accompanied by the appropriate filing fee and an opinion of counsel indicating whether the securities were legally issued, fully paid, and non-assessable, and payment of the filing fee. (See paragraph (b)(1) of rule 24f–2.) A copy of the opinion of counsel should be attached to each copy of the form filed with the Commission. Electronic filers are reminded that the filing fee must reach the Commission not later than the day the Rule 24f–2 Notice is filed with the Commission.

3. This form will be deemed filed with the Commission on the date on which it is actually received by the Commission. Except in the case of a Rule 24f–2 Notice filed by means of ''direct transmission'' (as such term is defined in rule 11 of Regulation S–T [17 CFR 232.11], this form shall be deemed to have been timely filed if the issuer establishes that it timely transmitted the form and required fees to a third party company or governmental entity providing delivery services in the ordinary course of business, which guaranteed delivery of the form to the Commission no later than the required filing date. The Commission will not accept for filing any form accompanied by insufficient payment for the filing fee. Forms accompanied by insufficient payment shall be returned to the issuer for proper payment and shall not be deemed filed until receipt by the Commission of proper payment.

[FR Doc. 95–2901 Filed 2–6–95; 8:45 am]
BILLING CODE 8010–01–P

DEPARTMENT OF THE INTERIOR

Minerals Management Service

30 CFR Chapter II

RIN 1010–AB57

Notice of Establishment of the Indian Gas Valuation Negotiated Rulemaking Committee

AGENCY: Minerals Management Service, Interior.

ACTION: Establishment of advisory committee.

SUMMARY: As required by Section 9(a)(2) of the Federal Advisory Committee Act (FACA), 5 U.S.C. App., the Department of the Interior (Department) is giving notice of the establishment of the Indian Gas Valuation Negotiated Rulemaking Committee (Committee) to develop specific recommendations with respect to Indian gas valuation pursuant to its responsibilities imposed by the Federal Oil and Gas Royalty Management Act of

1982, 30 U.S.C. 1701 *et seq.* (FOGRMA). The Department has determined that the establishment of this Committee is in the public interest and will assist the Agency in performing its duties under FOGRMA. Copies of the Committee's charter will be filed with the appropriate committees of Congress and the Library of Congress in accordance with section 9(c) of FACA.

FOR FURTHER INFORMATION CONTACT: Mr. Donald T. Sant, Deputy Associate Director for Valuation and Operations, Minerals Management Service, Royalty Management Program, P.O. Box 25165, MS–3900, Denver, Colorado, 80225–0165, telephone number (303) 231–3899, fax number (303) 231–3194.

SUPPLEMENTARY INFORMATION: Through an informal study group, MMS has conducted discussions to receive input on the current gas market and identify the challenges facing royalty valuation of gas produced from Indian leases for royalty purposes. The discussions have gone well and needs for regulatory changes have been identified. The MMS now believes that using a negotiated rulemaking committee to make specific recommendations with respect to Indian gas valuation would help the agency in developing a rulemaking. The Department is, therefore, establishing the Indian Gas Valuation Negotiated Rulemaking Committee.

Background

Since the publication of the March 1, 1988, gas valuation regulations many of MMS's constituents have expressed concern about the valuation basis for Indian gas royalties. Concern has focused upon the scope of the Secretary of the Interior's (Secretary) discretion to determine the values of lease substances for royalty purposes in a manner consistent with the Federal trust responsibility to Indian beneficiaries. Moreover, the implementation of specific valuation methodologies in paragraph 3(c) of standard Indian oil and gas leases, such as, dual accounting, and major portion analysis, has been problematic. Those difficulties include issues of comparability, certainty, and access to information. As part of Vice President Gore's National Performance Review (NPR), the Royalty Management Program recently initiated a Reinvention Laboratory Team to examine ways to streamline the royalty management process. One of the overall recommendations of that team was to improve the gas valuation process on Indian lands.

Statutory Provisions

FOGRMA (30 U.S.C. 1701 *et seq.*), Indian Mineral Development Act of 1982 (25 U.S.C. 2101–2108; and 25 U.S.C. 2 and 9), 30 CFR Part 206 (1993), 25 CFR Part 225 (1994), and Indian oil and gas lease and agreement terms.

The Committee and Its Process

To carry out the Secretary's trust responsibility to Indian mineral lessors, the MMS met during the winter and spring of 1994 with representatives of several tribes and allottee associations to receive input about the current gas market and identify regulatory changes needed to add certainty and simplicity to valuation, for royalty purposes, of gas produced from Indian leases. The purpose of the meetings was to ensure that Indian mineral lessors receive the maximum revenues from mineral resources on their land consistent with the Secretary's trust responsibility and lease terms. An informal study group format was used to obtain and clarify varying viewpoints. The first work product of the study group was publication, on August 4, 1994, of an Advance Notice of Proposed Rulemaking soliciting comments on new methodologies being considered to establish value on production from Indian leases. The materials received to date during the input sessions are available for inspection and copying at the address referenced above for Mr. Donald T. Sant. Members of the study group currently include tribal and allottee representatives involving from time to time the Navajo Nation, the Jicarilla Apache Tribe, the Native American Rights Fund, the Shoshone and Arapaho Tribes of the Wind River Reservation, the Northern Ute Tribe, the Southern Ute Tribe, the Council of Energy Resource Tribes, the Bureau of Indian Affairs (BIA), and MMS. To get specific input from the oil and gas industry, the study group anticipates adding new members representing the interests of large, medium, and small operators. New members will include representatives from Conoco Inc.—a large integrated company with significant production from Indian lands, Meridian Oil Inc.—a large independent company producing gas from Indian lands, Mid-Continent Oil and Gas Association—a trade association with members from both the major and independent oil and gas industry, and a private sector attorney from Holmes, Roberts and Owens—with clients that produce gas from Indian lands in the Rocky Mountain area.

The MMS and the study group participants believe that the input sessions have been mutually beneficial. As a result, MMS now believes it would be appropriate for the study group to transform itself and make specific regulatory recommendations for implementing a rulemaking regarding Indian gas valuation. The Department is therefore establishing the Indian Gas Valuation Negotiated Rulemaking Committee.

The recently enacted Negotiated Rulemaking Act of 1990 (Pub. L. 101–648) contemplates a ''convening'' process which involves identifying the potential parties and issues, publishing a notice of intent to form a committee, waiting 30 days for comments to be submitted responding to the notice, and only then proceeding with the establishment of the committee provided it meets the criteria of the Act. In this case, the study group process has served the same function as the convening—parties that would be significantly affected and the issues in controversy have been identified. The study group's discussions have also enabled the MMS to determine that the criteria for negotiated rules, as spelled out in the Negotiated Rulemaking Act, are met for this rule:

- The rule is needed, since royalty payors have considerable difficulty in complying with the current regulations at the time royalties are due, particularly in the current gas market.
- A limited number of identifiable interests will be significantly affected by the rule. Those parties are oil and gas companies who produce gas and pay royalties on Indian leases and Indian tribes and allottees who receive royalties from gas produced from Indian leases located on their lands.
- Representatives can be selected to adequately represent these interests, as reflected above.
- The interests are willing to negotiate in good faith to attempt to reach a consensus on a proposed rule.
- There is reasonable likelihood that the Committee will reach consensus on a proposed rule within a reasonable time. This determination has been made based on discussions of the study group, and hence is built on the developments to date.
- The use of the negotiation will not delay the development of the rule if time limits are placed on the negotiation. Indeed, its use will expedite it and the ultimate acceptance of the rule.

The Department is not proposing to issue a separate notice of intent to form a negotiated rulemaking committee for this rule. Given the evolution of this committee, the publication of such a notice would only slow down the

rulemaking process and the functions of the notice of intent have either already been met or are provided for in this notice. Moreover, the Negotiated Rulemaking Act specifically provides that its provisions are not mandatory.

The Negotiated Rulemaking Act does anticipate an outreach to ensure that people who were not contacted during the convening process can come forward to explain why they believe they would be significantly affected and yet not represented on the Committee or to argue why they believe the rule should not be negotiated. The MMS believes that the interests who would be significantly affected by this rule will be represented when representatives from Conoco Inc., Meridian Oil Inc., Mid-Continent Oil and Gas Association, and as attorney with clients from the oil and gas industry join the informal study group already in place which includes representatives from the Indian tribes, allottee associations, BIA, and MMS. If anyone believes that their interests will not be adequately represented by these organizations, they must demonstrate and document that assertion through an application submitted no later than 10 calendar days following publication of this notice. You may fax your documentation to (303) 231–3194.

Certification

I hereby certify that the Indian Gas Valuation Negotiated Rulemaking Committee is in the public interest in connection with the performance of duties imposed on the Department of the Interior by 30 U.S.C. 1701 *et. seq.*

Dated: January 31, 1995.

Bruce Babbitt,

Secretary of the Interior.

[FR Doc. 95–2876 Filed 2–6–95; 8:45 am]

BILLING CODE 4130–MR–M

POSTAL SERVICE

39 CFR Part 111

System Certification Program (SCP)

AGENCY: Postal Service.

ACTION: Proposed program; extension of comment period.

SUMMARY: The Postal Service published in the **Federal Register** (59 FR 60927–60930) on November 29, 1994, a proposal for the System Certification Program. The proposed program would evaluate and recognize the overall ability of mailers to prepare high-quality mailings consistently and to enhance the ability of the Postal Service to verify and accept these mailings efficiently. The Postal Service requested comments by January 30, 1995. Owing to the needs of the mailing public, from whom several requests for additional time were received, the Postal Service is extending the comment period to March 1, 1995.

DATES: Comments must be received on or before March 1, 1995.

ADDRESSES: Written comments should be mailed or delivered to the Manager, Business Mail Acceptance, 475 L'Enfant Plaza SW, room 8430, Washington, DC 20260–6808. Copies of all written comments will be available for inspection and photocopying between 9 a.m. and 4 p.m., Monday through Friday, at the above address.

FOR FURTHER INFORMATION CONTACT: George T. Hurst, (202) 268–5232.

Stanley F. Mires,

Chief Counsel, Legislative.

[FR Doc. 95–2914 Filed 2–6–95; 8:45 am]

BILLING CODE 7710–12–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[KY–069–2–6785b; FRL–5118–2]

Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Commonwealth of Kentucky

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes to approve the State implementation plan (SIP) revision submitted by the Commonwealth of Kentucky through the Natural Resources and Environmental Protection Cabinet approving the redesignation to attainment and maintenance plan of the Paducah area because it meets the maintenance plan and redesignation requirements. EPA also proposes to approve the 1990 baseline emissions inventory of the area. In the final rules section of this **Federal Register**, the EPA is approving the Commonwealth's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

DATES: To be considered, comments must be received by March 9, 1995.

ADDRESSES: Written comments on this action should be addressed to Scott Southwick, at the EPA Regional Office listed below. Copies of the documents relative to this action are available for public inspection during normal business hours at the following locations. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day.

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460

Environmental Protection Agency, Region IV, Air Programs Branch, 345 Courtland Street NE, Atlanta, GA 30365

Commonwealth of Kentucky, Natural Resources and Environmental Protection Cabinet, Department for Environmental Protection, Division for Air Quality, 803 Schenkel Lane, Frankfort, KY 40601

FOR FURTHER INFORMATION CONTACT: Scott Southwick of the EPA Region IV Air Programs Branch at (404) 347–3555 extension 4207 and at the above address.

SUPPLEMENTARY INFORMATION: For additional information see the direct final rule which is published in the rules section of this **Federal Register**.

Dated: November 28, 1994.

Patrick M. Tobin,

Acting Regional Administrator.

[FR Doc. 95–2776 Filed 2–6–95; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF THE INTERIOR

Office of the Secretary

43 CFR Part 11

RIN 1090–AA21

Natural Resource Damage Assessments: Type A Procedure for Great Lakes Environments

AGENCY: Department of the Interior.

ACTION: Proposed rule; extension of comment period.

SUMMARY: On August 8, 1994, the Department of the Interior issued a