

(ii) A battery failure sensing and warning system with a means for automatically disconnecting the battery from its charging source in the event of battery failure.

(8) Any Li-Poly battery installation whose function is required for safe operation of the airplane, must incorporate a monitoring and warning feature that will provide an indication to the appropriate flight crewmembers, whenever the capacity and SOC of the batteries have fallen below levels considered acceptable for dispatch of the airplane.

(9) The Instructions for Continued Airworthiness (ICAW) must contain recommended manufacturers maintenance and inspection requirements to ensure that batteries, including single cells, meet a safety function level essential to the aircraft's continued airworthiness.

(i) The ICAW must contain operating instructions and equipment limitations in an installation maintenance manual.

(ii) The ICAW must contain installation procedures and limitation in a maintenance manual, sufficient to ensure that cells or batteries, when installed according to the installation procedures, still meet safety functional levels, essential to the aircraft's continued airworthiness. The limitation must identify any unique aspects of the installation.

(iii) The ICAW must contain corrective maintenance procedures to functionally check battery capacity at manufacturers' recommended inspection intervals.

(iv) The ICAW must contain scheduled servicing information to replace batteries at manufacturers' recommended replacement time.

(v) The ICAW must contain maintenance inspection requirements to visually check for a battery and/or charger degradation.

(10) Batteries in a rotating stock (spares) that have experienced degraded charge retention capability or other damage due to prolonged storage must be functionally checked at manufacturers' recommended inspection intervals.

(11) System Safety Assessment process should address the software and complex hardware levels for the sensing, monitoring and warning systems, if these systems contain complex devices. The functional hazard assessment (FHA) for the system is required based on the intended functions described. The criticality of the specific functions will be determined by the safety assessment process for compliance with 14 CFR part 23, § 23.1309, and Advisory

Circular 23.1309–1C contains acceptable means for accomplishing this requirement. For determining the failure condition, the criticality of a function will include the mitigating factors. The failure conditions must address the loss of function and improper operations.

It should be noted that these special conditions are not intended to replace 14 CFR part 23, § 23.1353 in the certification basis of the Spectrum model S–40 airplanes. The proposed special conditions would apply only to Li-Poly batteries and battery installations. The battery requirements of 14 CFR part 23, § 23.1353 would remain in effect for batteries and battery installations on the Spectrum airplane that do not utilize Li-Poly chemistry.

Issued in Kansas City, Missouri on November 20, 2008.

**John Colomu,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. E8–28491 Filed 12–1–08; 8:45 am]

**BILLING CODE 4910–13–P**

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG–156779–06]

RIN 1545–BG27

#### Determining the Amount of Taxes Paid for Purposes of Section 901; Hearing Cancellation

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Cancellation of notice of public hearing on proposed rulemaking by cross-reference to temporary regulations.

**SUMMARY:** This document cancels a public hearing on proposed rulemaking by cross-reference to temporary regulations that provide guidance relating to the determination of the purposes of the foreign tax credits. The text of those temporary regulations also serves as the text of these proposed regulations.

**DATES:** The public hearing, originally scheduled for December 11, 2008 at 10 a.m. is cancelled.

**FOR FURTHER INFORMATION CONTACT:** Regina Johnson of the Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration) at (202) 622–7180 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:** A notice of proposed rulemaking by cross-

reference to temporary regulations and a notice of public hearing that appeared in the **Federal Register** on Wednesday, July 16, 2008 (73 FR 40792) announced that a public hearing was scheduled for December 11, 2008, at 10 a.m. in the IRS Auditorium, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, DC. The subject of the public hearing is under section 901 of the Internal Revenue Code.

The public comment period for these regulations expired on October 14, 2008. Outlines of topics to be discussed at the hearing were due on November 20, 2008. The notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing instructed those interested in testifying at the public hearing to submit a request to speak, and an outline of the topics to be addressed. As of Friday, November 25, 2008, no one has requested to speak. Therefore, the public hearing scheduled for December 11, 2008, is cancelled.

**Guy Traynor,**

*Federal Register Liaison, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).*

[FR Doc. E8–28522 Filed 12–1–08; 8:45 am]

**BILLING CODE 4830–01–P**

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## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

#### 29 CFR Part 1926

[Docket ID–OSHA–2007–0066]

RIN 1218–AC01

#### Cranes and Derricks in Construction

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Notice of Proposed Rulemaking; extension of written comment period.

**SUMMARY:** On October 9, 2008, OSHA published a Notice of Proposed Rulemaking (NPRM) titled “Cranes and Derricks in Construction.” The period for submitting written comments is being extended 45 days to allow parties affected by the rule more time to review the proposed rule and collect information and data necessary for comments.

**DATES:** Comments must be submitted (postmarked or sent) by January 22, 2009.

**ADDRESSES:** You may submit written comments, identified by Docket No.

OSHA-2007-0066, by any of the following methods:

*Electronically:* You may submit comments and attachments electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions online for making electronic submissions.

*Fax:* If your comments, including attachments, do not exceed 10 pages, you may fax them to the OSHA Docket Office at (202) 693-1648.

*Mail, hand delivery, express mail, messenger or courier service:* You must submit three copies of your comments and attachments to the OSHA Docket Office, Docket No. OSHA-2007-0066 or RIN No. 1218-AC01, Technical Data Center, U.S. Department of Labor, Room N-2625, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-2350 (OSHA's TTY number is (877) 889-5627). Please contact the OSHA Docket Office for information about security procedures concerning delivery of materials by express delivery, hand delivery, and messenger service.

Deliveries (hand, express mail, messenger and courier service) are accepted during the Department of Labor's and Docket Office's normal business hours, 8:15 a.m.-4:45 p.m., e.t.

*Instructions:* All submissions must include the Agency name and the docket number for this rulemaking (Docket No. OSHA-2007-0066). All comments, including any personal information you provide, are placed in the public docket without change and may be made available online at <http://www.regulations.gov>. Therefore, OSHA cautions you about submitting personal information such as social security numbers and birthdates. For further information on submitting comments, plus additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

*Docket:* To read or download comments and materials submitted in response to this **Federal Register** notice, go to Docket No. OSHA-2007-0066 at <http://www.regulations.gov> or at the OSHA Docket Office at the above address. All comments and submissions are listed in the <http://www.regulations.gov> index; however, some information (e.g., copyrighted material) is not publicly available to read or download through that Web page. All comments and submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office.

For information on accessing exhibits referenced in the Cranes and Derricks in Construction proposal, see the "Public

Participation" heading in the **SUPPLEMENTARY INFORMATION** section of this document.

Electronic copies of this **Federal Register** document are available at <http://www.regulations.gov>. This document, as well as news releases and other relevant information, also are available at OSHA's Web page at <http://www.osha.gov>.

#### **FOR FURTHER INFORMATION CONTACT:**

General information and press inquiries: Contact Ms. Jennifer Ashley, Office of Communications, Room N-3647, OSHA, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-1999.

*Technical inquiries:* Contact Mr. Garvin Branch, Directorate of Construction, Room N-3468, OSHA, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-2020 or fax (202) 693-1689.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Extension of the Comment Period**

On October 9, 2008, at 73 FR 59713, OSHA published a Notice of Proposed Rulemaking (NPRM) titled "Cranes and Derricks in Construction." In this NPRM, OSHA announced a proposed rule for cranes and derricks in construction, provided an explanation of the rule and its economic analysis, and solicited comments from the public regarding various issues related to the safe operation of cranes and derricks. The period for submitting written comments was to expire on December 8, 2008. However, a significant number of stakeholders have requested an extension (ranging from 60-90 days) for submitting their written comments and information. Some of the stakeholders noted that the length of the **Federal Register** notice (over 200 pages), the number of specific requests for public comments included in the NPRM (estimated at 150), and the numerous reference materials related to the NPRM all require more time for review than initially provided. In addition to those reasons, stakeholders have noted that they have not previously had the opportunity to consider many of the issues about which OSHA requests public comments, and further note that the Preliminary Economic Analysis and Initial Regulatory Flexibility Analysis are complex, extensive, and will require a thorough and accurate assessment.

OSHA believes that a 45-day extension will be sufficient to accommodate these considerations, facilitate the submission of more thorough reviews, and provide OSHA with a complete record for this

proposed rule that will improve the information available to OSHA in developing a final rule. Accordingly, OSHA is extending the comment period by 45 days, and written comments must now be submitted (sent or postmarked) by January 22, 2009.

##### **II. Submission of Comments and Access to Comments**

You may submit comments in response to this document: (1) Electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal; (2) by facsimile (Fax); or (3) by hard copy. All comments, attachments, and other material must identify the Agency name and the OSHA docket number for this rulemaking (Docket No. OSHA-2007-0066). You may supplement electronic submissions by uploading document files electronically. If, instead, you prefer to mail additional materials in reference to an electronic or fax submission, you must submit three copies to the OSHA Docket Office (see **ADDRESSES** section of this notice). The additional materials must clearly identify your electronic comments by name, date, and docket number so OSHA can attach them to your comments.

Because of security-related procedures, the use of regular mail may cause a significant delay in the receipt of comments. For information about security procedures concerning the delivery of materials by hand, express delivery, messenger or courier service, please contact the OSHA Docket Office (see **ADDRESSES** section of this notice).

Comments and submissions in response to this **Federal Register** notice are posted without change at <http://www.regulations.gov> (Docket No. OSHA-2007-0066). Therefore, OSHA cautions commenters about submitting personal information such as social security numbers and dates of birth.

Although all submissions in response to this **Federal Register** notice, and all supporting materials cited in the Cranes and Derricks in Construction proposal, are listed in the <http://www.regulations.gov> and <http://dockets.osha.gov> indexes, some information (e.g., copyrighted material) is not publicly available to read or download from these Web pages. All submissions and supporting materials, including copyrighted material, are available for inspection and copying at the OSHA Docket Office.

Information on using the <http://www.regulations.gov> Web page to submit comments is available at the Web page's "User Tips" link. Contact the OSHA Docket Office for information

about materials not available through the Web pages, and for assistance in using the Internet to locate docket submissions.

Electronic copies of this **Federal Register** document are available at <http://www.regulations.gov>. This document, news releases and other relevant information are available at OSHA's Web page at <http://www.osha.gov>.

#### Authority and Signature

This document was prepared under the authority of Thomas M. Stohler, Acting Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, pursuant to sections 4, 6, and 8 of the OSH Act of 1970 (29 U.S.C. 653, 655, 657), Secretary of Labor's Order 5-2007 (72 FR 31159), and 29 CFR Part 1911.

Signed at Washington, DC, on November 25, 2008.

**Thomas M. Stohler,**

*Acting Assistant Secretary of Labor for Occupational Safety and Health.*

[FR Doc. E8-28608 Filed 12-1-08; 8:45 am]

BILLING CODE 4510-26-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 08-2544; MB Docket No. 08-230; RM-11504]

#### Television Broadcasting Services; Montgomery, AL

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a channel substitution proposed by Woods Communications Corporation ("Woods"), the licensee of WCOV-TV, analog channel 20, Montgomery, Alabama, and the permittee of WCOV-DT, post-transition DTV channel 16, Montgomery, Alabama. Woods requests the substitution of DTV channel 20 for post-transition DTV channel 16 at Montgomery.

**DATES:** Comments must be filed on or before January 2, 2009, and reply comments on or before January 16, 2009.

**ADDRESSES:** Federal Communications Commission, Office of the Secretary, 445 12th Street, SW., Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve counsel for petitioner as follows:

Aaron P. Shainis, Esq., Shainis & Peltzman, Chartered, 1850 M Street, NW., Suite 210, Washington, DC 20036.

#### FOR FURTHER INFORMATION CONTACT:

Adrienne Y. Denysyk,  
*adrienne.denysyk@fcc.gov*, Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 08-230, adopted November 18, 2008, and released November 20, 2008. The full text of this document is available for public inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY-A257, 445 12th Street, SW., Washington, DC 20554. This document will also be available via ECFS (<http://www.fcc.gov/cgb/ecfs/>). (Documents will be available electronically in ASCII, Word 97, and/or Adobe Acrobat.) This document may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 1-800-478-3160 or via e-mail <http://www.BCPIWEB.com>. To request this document in accessible formats (computer diskettes, large print, audio recording, and Braille), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Commission's Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4).

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding. Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Television, Television broadcasting.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR Part 73 as follows:

### PART 73—RADIO BROADCAST SERVICES

1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334, 336.

#### § 73.622 [Amended]

2. Section 73.622(i), the Post-Transition Table of DTV Allotments under Alabama, is amended by adding DTV channel 20 and removing DTV channel 16 at Montgomery.

Federal Communications Commission.

**Clay C. Pendarvis,**

*Associate Chief, Video Division, Media Bureau.*

[FR Doc. E8-28610 Filed 12-1-08; 8:45 am]

BILLING CODE 6712-01-P

## GENERAL SERVICES ADMINISTRATION

### 48 CFR Part 536

[GSAR 2008-G509; Docket 2008-0007; Sequence 24]

RIN 3090-A181

#### General Services Administration Acquisition Regulation; GSAR 2008-G509; Rewrite of Part 536, Construction and Architect-Engineer Contracts

**AGENCY:** Office of the Chief Acquisition Officer, General Services Administration (GSA).

**ACTION:** Proposed rule.

**SUMMARY:** The GSA is proposing to amend the GSA Acquisition Regulation (GSAR) to revise the language that provides requirements for contracting construction and architect-engineer services.

**DATES:** Interested parties should submit written comments to the Regulatory Secretariat on or before February 2, 2009 to be considered in the formulation of a final rule.

**ADDRESSES:** Submit comments identified by GSAR Case 2008-G509 by any of the following methods:

- Regulations.gov: <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by inputting "GSAR Case 2008-G509" under the heading "Comment or Submission". Select the link "Send a Comment or Submission" that corresponds with GSAR Case 2008-G509. Follow the instructions provided