

writ of certiorari to obtain supreme Court review of the judgment in part. No review was sought of the vacated cable television movie restrictions, and in fact the Commission adopted a Notice of Proposed Rule Making, 42 FR 34341, in Docket No. 21311, proposing repeal of the feature film restrictions on STV as well.<sup>1</sup> This proposal was based on the similarities in the intent and effect of the STV and pay cable rules. Both reflected the Commission's basic anti-siphoning policy.<sup>2</sup>

2. Before resolving what action to take regarding the parallel rules for STV, the Commission decided to await a decision by the U.S. Supreme Court on whether we have the authority to adopt pay cable rules limiting certain sports presentations, forbidding commercial advertising and limiting sports and films combined to 90 percent of programming. By letter dated October 3, 1977, the Commission was informed that its petition for a writ of certiorari was denied, leaving in effect the Court of Appeals decision vacating those pay cable programming restrictions.<sup>3</sup> Unless there is a justification for applying the parallel regulations on programming aired on STV when such do not apply to pay cable, there is no reason to maintain the STV restrictions.

3. With this in mind, comments are invited on whether there is any justification for retaining the STV restrictions embodied in § 73.643(b), (c) and (d) or whether in light of the fact that the parallel pay cable provisions have been vacated we should simply delete these STV provisions. Other statements which would be pertinent to the issue at hand are also welcomed.

4. Accordingly, it is proposed, That § 73.643 of the Commission's rules and regulations, be amended by deletion of paragraphs (b), (c) and (d) and by relettering paragraphs (e) and (f) as paragraphs (a) and (b).<sup>4</sup>

5. Pursuant to the applicable procedures set out in §§ 1.415 and 1.420 of the Commission's rules and regulations, interested parties may file comments on or before January 16, 1978, and reply comments on or before February 6, 1978. All submissions by parties to this proceed-

<sup>1</sup>The STV restrictions on the presentation of feature films is contained in § 73.643(a) of the Commission's rules.

<sup>2</sup>The anti-siphoning policy refers to the Commission's effort to prevent the loss of popular television programs to the general viewing audience as a result of being siphoned away from free television to pay services available to only a minority at a direct out of pocket cost.

<sup>3</sup>A petition for rehearing of the denial of certiorari is pending. However, in view of the denial of the original petition, it seems appropriate for the Commission to begin to consider what should be done with the STV rules in the event the parallel pay cable rules cannot be successfully reinstated following action by the Supreme Court.

<sup>4</sup>Paragraph (a) of § 73.643 of the rules was proposed for deletion in the above-mentioned Notice of Proposed Rule Making released in Docket No. 21311.

ing or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. Such reply comments shall be accompanied by a certificate of service.

6. In accordance with the provisions of § 1.420 of the Commission's rules and regulations, an original and five copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

7. All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street, NW., Washington, D.C.

8. Authority for the actions taken herein is contained in sections 2, 4(i), 301, and 303 of the Communications Act of 1934, as amended.

FEDERAL COMMUNICATIONS  
COMMISSION,  
WILLIAM J. TRICARICO,  
Acting Secretary.

[FR Doc.77-35406 Filed 12-7-77; 8:45 am]

[ 4910-60 ]

DEPARTMENT OF  
TRANSPORTATION

Materials Transportation Bureau

[ 49 CFR Parts 192, 195 ]

[ Notice 77-7, Docket No. 77-10 ]

TRANSPORTATION OF HAZARDOUS GAS  
OR LIQUID BY PIPELINE

Qualification and Design of Steel Pipe

AGENCY: Office of Pipeline Safety Operations (OPSO).

ACTION: Notice of Proposed Rulemaking.

SUMMARY: This Notice proposes to update the existing incorporation by reference of API Standard 5LS, "API Specification for Spiral-Weld Line Pipe," and API Standard 5LX, "API Specification for High-Test Line Pipe," to include in Part 192, the March 1976 Supplement and the 1977 edition of each document and in Part 195, the 1977 edition of each document.

DATE: Comments must be received by January 12, 1978. Late filed comments will be considered so far as practicable.

ADDRESS: Comments should identify the docket and notice numbers and be submitted in triplicate to the Director, Office of Pipeline Safety Operations, Department of Transportation, 2100 Second Street SW., Washington, D.C. 20530. Comments are available at OPSO Docket Room 6500.

FOR FURTHER INFORMATION CONTACT:

Peggy Hammond, 202-426-0135.

SUPPLEMENTARY INFORMATION: New steel pipe qualifies for use under

Part 192 if it is manufactured in accordance with a listed edition of a pipe specification listed in Section I of Appendix B to Part 192. At present, the 1975 edition is the latest listed edition of API Standard 5LS and API Standard 5LX. Pipe manufactured to a later published edition of a listed specification cannot be used under Part 192 until that edition is accepted and listed in Section I of Appendix B. Similarly, in Part 195, the 1975 edition is the latest edition of 5LS and 5LX referenced in § 195.106 regarding pipe design pressure.

By petition dated August 29, 1977, (Docket No. 77 10) the American Society of Mechanical Engineers (ASME) requested that the 1976 Supplements and the 1977 editions of API Standards 5LS and 5LX be incorporated by reference in Part 192 to permit the use of Grade X-70 pipe in the transportation of gas. Pending the incorporation by reference of these documents, Grade X-70 pipe is projected for use in the pipeline proposed by the Alcan Pipeline Company to transport Alaskan natural gas from the North Slope to the lower 48 States. This project was recently approved by Congress and the President in accordance with the Alaska Natural Gas Transportation Act of 1976 (15 U.S.C. 719).

OPSO concurs with ASME's position that both operating experience and test results, as discussed below, demonstrate that Grade X-70 pipe is acceptable for use in gas pipelines. OPSO believes that without any reduction in safety, the new material, which results in thinner walled pipe, will be more economical to use for certain installations than other grades of lower strength pipe which are now acceptable under Part 192.

The information submitted by ASME indicates that in Canada, the Alberta Trunkline System has used Grade X-70 pipe successfully since 1971. This pipeline has been hydrostatically tested without failure to as high as 1.25 times the maximum allowable operating pressure.

In the United States, the Columbia Gas Transmission Corporation participated in 1974 with the Bethlehem Steel Corporation in an experimental project involving 4,800 feet of 36-inch, 385-inch, Grade X-70 pipe. The project was to gain experience with new mill practices in the production of the higher strength, tougher steel and in field welding and bending of the Grade X-70 pipe. Columbia's report on the project (a copy of which is in the Docket) shows the following results:

1. The yield strengths of all four heats of steel used for the project exceeded 70,000 psi by at least 4,900 psi and as much as 14,500 psi, depending on the heat and test method used (strap or ring).

2. Fracture toughness properties were excellent. Drop Weight Tear Tests on all four heats exhibited 100 percent shear appearance at 0°F (-18°C). Also, the 3<sub>3</sub> Charpy V-Notch tests showed impact energies ranging from 44 to 56 ft.-lbs. (59.5 to 75.7 Joules) at 0°F (-18°C).

These results were far above the levels necessary to prevent a long propagating brittle or shear fracture in the pipe used in the experimental project.

3. No significant problems were encountered in girth welding, bending, or other field construction activities, including the qualification of Grade X-70 welding electrodes.

4. The pipeline was hydrostatically tested without failure to a minimum of 101 percent of the specified minimum yield strength (SMYS) and a maximum of 106 percent of SMYS.

As a further indication of the integrity of Grade X-70 pipe, the information submitted by ASME shows that in 1975, Italy, one of the largest manufacturers of X-70 pipe, produced over 400,000 tons with impact energies of 44.3 ft.-lbs. (60 Joules) at 32°F (0°C) and 29.5 ft.-lbs. (40 Joules) at -40°F (-40°C). One year earlier, similarly produced X-70 pipe had impact energies as high as 84.4 ft.-lbs. (115 Joules) at -40°F (-40°C) for thicknesses up to 1.28 in. (32 mm).

In addition to providing for the use of Grade X-70 pipe; the 1976 Supplements or 1977 editions of 5LS and 5LX contain a few other significant changes from earlier editions:

1. Paragraph 4.15 of 5LS and 5LX contains a new weld testing requirement to improve quality control. Under this requirement, each time welding is stopped during production of multiple length pipe, a flattening test must be performed on a test sample taken from the 90° position at the weld.

2. Paragraph 4.17 of 5LS also contains a new weld testing requirement. It provides that for each lot of 50 lengths or less of each size, wall thickness, or grade of pipe containing skelp-end-welds, one skelp-end-weld must be tested by the tensile elongation test or the guided bend test.

3. Under paragraph 8.5(f) of 5LS and 5LX, the term "depth of groove" is defined to clarify former ambiguities in depth measurement when internal weld beads are removed.

4. The procedure for repairing defects which occur during the manufacturing process is changed in paragraph 8.9 of 5LS and 5LX. The change, which is intended to reduce the stress in repair areas, requires that where the orientation of the defect permits, "the repair weld shall be placed in the circumferential direction."

In conjunction with the proposal to incorporate by reference the latest editions of 5LS and 5LX, the introductory language in Section II of Appendix A to Part 192, in Section I of Appendix B to Part 192, and in § 195.3(a) would also be amended. These amendments, which are editorial changes, would remove the present "July 1, 1976" deadline on the applicability of earlier listed editions of documents incorporated by reference. As a result, operators would be permitted to use available components which are manufactured, designed, or installed in accordance with the earlier editions, (regardless of the date involved) as long

as the manufacture, design, or installation in accordance with the earlier editions of the relevant document is adopted. This change would be necessary, for example, for operators to use pipe under Part 192 made in accordance with the 1976 Supplement to the 1975 edition of 5LS or 5LX if both the Supplements and the 1977 editions of those documents are adopted as proposed by this Notice.

**IMPACT EVALUATION:** OPSO has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under E.O. 11821, as amended, and OMB Cir. A-107.

#### PRINCIPAL AUTHORS

L. M. Furrow, A. O. Garcia, and R. L. Beauregard.

In consideration of the foregoing, it is proposed that Parts 192 and 195 be amended as follows:

1. Section II of Appendix A to Part 192 would be amended to read as follows:

#### APPENDIX A—INCORPORATED BY REFERENCE

II. *Documents incorporated by reference.* Numbers in parentheses indicate applicable editions. Only the latest listed edition applies except that an earlier listed edition may be followed with respect to pipe or components which are manufactured, designed, or installed in accordance with the earlier edition before the latest edition is adopted, unless otherwise provided in this part.

A. \* \* \*

(5) API Standard 5LS "API Specification for Spiral-Weld Line Pipe" (1967, 1970, 1971 plus Supp. 1, 1973 plus Supp. 1, 1975 plus Supp. 1, and 1977).

(6) API Standard 5LX "API Specification for High-Test Line Pipe" (1967, 1970, 1971 plus Supp. 1, 1973 plus Supp. 1, 1975 plus Supp. 1, and 1977).

2. Section I of Appendix B to Part 192 would be amended to read as follows:

#### APPENDIX B—QUALIFICATION OF PIPE

I. *Listed Pipe Specifications.* Numbers in parentheses indicate applicable editions. Only the latest listed edition applies except that an earlier listed edition may be followed with respect to pipe or components which are manufactured, designed, or installed in accordance with the earlier edition before the latest edition is adopted, unless otherwise provided in this part.

API 5LS, Steel pipe (1967, 1970, 1971 plus Supp. 1, 1973 plus Supp. 1, 1975 plus Supp. 1, and 1977).

API 5LX, Steel pipe (1967, 1970, 1971 plus Supp. 1, 1973 plus Supp. 1, 1975 plus Supp. 1, and 1977).

(Sec. 3, Pub. L. 90-481, 82 Stat. 721, (49 U.S.C. 1672); for offshore gathering lines, sec. 105, Pub. L. 93-633, 88 Stat. 2157, (49 U.S.C. 1804); 49 CFR 1.53.)

3. Sections 195.3 (a) and (c) (1) (iv) and (v) would be amended to read as follows:

§ 195.3 Matter incorporated by reference.

(a) There are incorporated by reference in this part all materials referred

to in this part that are not set forth in full in this part. These materials are hereby made a part of this regulation. Applicable editions are listed in paragraph (c) of this section in parentheses following the title of the referenced material. Only the latest listed edition applies, except that an earlier listed edition may be followed with respect to components which are manufactured, designed, or installed in accordance with the earlier edition before the latest edition is adopted, unless otherwise provided in this part.

(c) \* \* \*

(1) \* \* \*

(iv) API Specification 5LS "API Specification for Spiral-Weld Line Pipe" (1969, 1975, and 1977).

(v) API Specification 5LX "API Specification for High-Test Line Pipe" (1969, 1975, and 1977).

(Secs. 6, Pub. L. 89-870, 80 Stat. 937, (48 U.S.C. 1655); (18 U.S.C. 831-835); 40 CFR 1.53.)

Issued in Washington, D.C., on December 7, 1977.

CESAR DELEON,  
Acting Director, Office  
of Pipeline Safety Operations.

[FR Doc.77-35439 Filed 12-9-77;8:45 am]

[ 4910-13 ]

## DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[ 14 CFR Part 39 ]

[Docket No. 77-NW-28-AD]

### AIRWORTHINESS DIRECTIVES

Boeing Model 747 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This proposed Airworthiness Directive (AD) would establish a requirement for inspections of the emergency escape slide cool gas generator system. The proposed AD is intended to remove from service cool gas generator propellant cartridges which may be defective and explode on actuation of the emergency escape slide system.

DATES: Comments must be received on or before January 13, 1978.

ADDRESSES: Federal Aviation Administration, Northwest Region, Office of the Regional Counsel, attention: Airworthiness Rules Docket, Docket No. 77-NW-28-AD, 9010 East Marginal Way South, Seattle, Wash. 98108.

FOR FURTHER INFORMATION CONTACT:

Joseph M. Starkel, Airframe Section, ANW-212, Engineering and Manufacturing Branch, FAA Northwest Region, 9010 East Marginal Way South, Seattle, Wash. 98108, 206-767-2516.