

NRC contact listed above by May 30, 2006. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date.

Dated at Rockville, Maryland this 17 day of February, 2006.

For the Nuclear Regulatory Commission.

**Larry Campbell,**

*Chief, Criticality, Shielding and Heat Transfer Section, Spent Fuel Project Office, Office of Nuclear Material Safety, and Safeguards.*

[FR Doc. E6-2663 Filed 2-23-06; 8:45 am]

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## POSTAL RATE COMMISSION

[Docket No. N2006-1; Order No. 1453]

### Postal Service Network Realignment

**AGENCY:** Postal Rate Commission.

**ACTION:** Order.

**SUMMARY:** This order informs the public that the Postal Service has filed a case with the Commission on the proposed realignment of the Nation's mail processing and transportation network. The realignment is expected to have an impact on delivery service standards. The order, among other things, addresses initial steps in the case, identifies key dates, and directs interested parties to the Commission's Web site for pertinent documents.

**DATES:** 1. March 17, 2006: Deadline for filing notices of intervention, answers to a combined motion on scheduling and special rules of practice, and requests for a hearing.

2. March 24, 2006: Prehearing conference (9:30 a.m.)

**ADDRESSES:** Submit documents electronically via the Commission's Filing Online system at <http://www.prc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, general counsel, at 202-789-6818.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that on February 14, 2006, the United States Postal Service filed a request with the Postal Rate Commission pursuant to section 3661 of the Postal Reorganization Act, 39 U.S.C. 101 *et seq.*, for an advisory opinion on anticipated changes in the application of current service standards to numerous 3-digit ZIP Code service area origin-destination pairs for different classes of mail.<sup>1</sup> The Postal Service states that these changes "are expected

to result from a system-wide review and realignment of the Postal Service's mail processing and transportation networks."<sup>2</sup>

The Postal Service's request states that it has determined to adopt a process for conducting an in-depth examination and reconfiguration of its mail processing and transportation networks during the next several years. As part of a centrally directed program, the Service anticipates that numerous mail processing and transportation changes will be proposed at the local level and submitted to Postal Service headquarters for approval. Because current service standards for mail delivery are based on logistical considerations, the Service expects that its planned network and transportation changes will result in determinations to adjust some of the service standards that now apply to numerous 3-digit ZIP Code area origin-destination pairs for various classes of mail. However, the Postal Service does not propose to change the ranges of days to delivery incorporated in current service standards for any class or subclass of mail.

The Postal Service's request is accompanied and supported by two pieces of testimony and eight library references. The request and all supporting materials are on file in the Commission's docket room for inspection during regular business hours, and are available on the Commission's Web site at <http://www.prc.gov>.

*Proposed procedural schedule and special rules of practice.* Also accompanying the Postal Service request is a motion for adoption of an expedited procedural schedule and of special rules of practice that would shorten procedural deadlines for interrogatory response, objections to interrogatories, and replies to motions.<sup>3</sup> The Service proposes a sequence of expedited deadlines for discovery, hearings, responsive testimony, and briefs in order to enable the Commission to issue an advisory opinion on its request no later than May 5, 2006. The earliest deadline in the proposed schedule would require a much shorter deadline for interventions that the norm in Commission proceedings. The Postal Service states that it proposes this procedural timetable because it "presently intends to implement the service changes resulting from the initial wave of operational changes

produced by its network realignment review program" on or about May 15, 2006.<sup>4</sup>

*Further procedures.* Section 3661(c) of title 39 requires that the Commission afford an opportunity for a formal, on-the-record hearing on the Postal Service's request under the terms specified in sections 556 and 557 of title 5 of the United States Code before issuing its advisory opinion. All interested parties are hereby notified that notices of intervention in this proceedings shall be due on March 17, 2006. Any participant requesting a hearing in this matter shall so state in conformance with 39 CFR 3001.20(b).

At this time, the Commission cannot anticipate the duration, or even the exact form, appropriate for proceedings on this matter. Participants who wish to offer their views on these issues may do so in their interventions. Additionally, responses to the Postal Service's motion for adoption of its proposed procedural schedule and special rules of practice shall be due on March 17, 2006. The Commission will hold a prehearing conference in this docket on March 24, 2006.

*Public participation.* Section 3661(c) of title 39 requires the participation of an "officer of the Commission who shall be required to represent the interest of the general public" in these proceedings. The Commission will designate an individual to perform this function in a separate order to be issued in the near future.

### Ordering Paragraphs

*It is ordered:*

1. The Commission establishes Docket No. N2006-1 to consider the Postal Service request referred to in the body of this order.

2. The Commission will act *en banc* in this proceeding.

3. Notices of interventions shall be filed no later than March 17, 2006.

4. Answers to the Postal Service's Motion for the Adoption of Proposed Procedural Schedule and Special Rules of Practice are due on March 17, 2006.

5. A prehearing conference is scheduled for March 24, 2006, at 9:30 a.m., in the Commission's hearing room.

6. Participants who wish to request a hearing on the Postal Service's request in this docket shall submit such a request, together with statements in conformance with 39 CFR 3001.20(b), on or before March 17, 2006.

7. The Secretary shall cause this notice and order to be published in the **Federal Register**.

By the Commission.

<sup>4</sup>Id. at 2.

<sup>2</sup>Id. at 1. (Footnote omitted.)

<sup>3</sup>Motion of the United States Postal Service for the Adoption of Proposed Procedural Schedule and Special Rules of Practice, February 14, 2006.

<sup>1</sup>Request of the United States Postal Service for an Advisory Opinion on Changes in Postal Services, February 14, 2006.

Issued: February 17, 2006.

Steven W. Williams,

Secretary.

[FR Doc. 06-1706 Filed 2-23-06; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-53324; File No. SR-Amex-2005-127]

### Self-Regulatory Organizations; American Stock Exchange LLC; Notice of Filing of a Proposed Rule Change, and Amendment Nos. 1 and 2 Thereto, Relating to the Listing and Trading of Units of the United States Oil Fund, LP

February 16, 2006.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”)<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on December 6, 2005, the American Stock Exchange LLC (“Amex” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I, II and III below, which Items have been prepared by the Exchange. On January 20, 2006, the Exchange filed Amendment No. 1 to the proposed rule change.<sup>3</sup> On February 15, 2006, the Exchange filed Amendment No. 2 to the proposed rule change.<sup>4</sup> The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons.

#### I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to add new Rules 1500 *et seq.* to permit the listing and trading of units in a partnership that is a commodity pool under the Commodity Exchange Act (“CEA”)<sup>5</sup> that are designed to track a specified commodity or index of commodities by holding any combination of investments (i) comprised of or based on futures contracts, options on futures contracts, forward contracts, swaps, and over-the-counter (“OTC”) contracts for commodities or based on price changes in commodities, and (ii) in securities that may be required to satisfy margin or collateral requirements associated

with investments in the financial instruments listed in item (i) above. Pursuant to these proposed rules, the Amex proposes to list and trade units (the “Units”) of the United States Oil Fund, LP (“USOF” or the “Partnership”).

The text of the proposed rule change is set forth below. Proposed new language is *italicized*.

\* \* \* \* \*

#### Trading of Partnership Units

*Rule 1500. (a) Applicability. The Rules in this Chapter (Trading of Partnership Units) are applicable only to Partnership Units. Except to the extent that specific Rules in this Chapter govern, or unless the context otherwise requires, the provisions of the Constitution and all other rules and policies of the Board of Governors shall be applicable to the trading on the Exchange of such securities. Pursuant to the provisions of Article I, Section 3(i) of the Constitution, Partnership Units are included within the definitions of “security” or “securities” as such terms are used in the Constitution and Rules of the Exchange.*

*(b) Definitions. The following terms as used in the Rules shall, unless the context otherwise requires, have the meanings herein specified:*

*(i) Commodity. The term “commodity” is defined in Section 1(a)(4) of the Commodity Exchange Act.*

*(ii) Partnership Units. The term “Partnership Units” for purposes of this Rule means a security (a) that is issued by a partnership that invests in any combination of futures contracts, options on futures contracts, forward contracts, commodities and/or securities; and (b) that is issued and redeemed daily in specified aggregate amounts at net asset value.*

#### Commentary

*.01 The Exchange requires that members and member organizations provide to all purchasers of newly issued Partnership Units a prospectus for the series of Partnership Units.*

*.02 Transactions in Partnership Units will occur between 9:30 a.m. and either 4 p.m. or 4:15 p.m. for each series, as specified by the Exchange.*

*.03 (a) Limit Orders—Members and member organizations shall not enter orders into the Exchange’s order routing system, as principal or agent, limit orders in the same partnership, for the account or accounts of the same or related beneficial owner, in such a manner that the member or beneficial owner(s) effectively is operating as a market maker by holding itself out as willing to buy and sell such Partnership*

*Units on a regular or continuous basis. In determining whether a member or beneficial owner effectively is operating as a market maker, the Exchange will consider, among other things, the simultaneous or near-simultaneous entry of limit orders to buy and sell the same Partnership Units; the multiple acquisition and liquidation of positions in the same Partnership Units during the same day; and the entry of multiple limit orders at different prices in the same Partnership Units.*

*(b) Members and member organizations may not enter, nor permit the entry of, orders into the Exchange’s order routing system if those orders are (i) created and communicated electronically without manual input (i.e., order entry by public customers or associated persons of members must involve manual input such as entering the terms of an order into an order-entry screen or manually selecting a displayed order against which an off-setting order should be sent) and (ii) eligible for execution through the Exchange’s automatic execution system for Partnership Units. Nothing in this paragraph, however, prohibits members from electronically communicating to the Exchange orders manually entered by customers into front-end communication systems (e.g., Internet gateways, on-line networks, etc.).*

#### Designation

*Rule 1501. The Exchange may list and trade Partnership Units based on an underlying asset, commodity or security. Each issue of a Partnership Unit shall be designated as a separate series and shall be identified by a unique symbol.*

#### Initial and Continued Listing

*Rule 1502. Partnership Units will be listed and/or traded on the Exchange subject to application of the following criteria:*

*(a) Initial Listing—The Exchange will establish a minimum number of Partnership Units required to be outstanding at the time of commencement of trading on the Exchange.*

*(b) Continued Listing—The Exchange will remove from listing Partnership Units under any of the following circumstances:*

*(i) If following the initial twelve month period following the commencement of trading of Partnership Units, (A) the partnership has more than 60 days remaining until termination and there are fewer than 50 record and/or beneficial holders of Partnership Units for 30 or more consecutive trading days; (B) if the partnership has fewer than 50,000*

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> See Partial Amendment dated January 20, 2006 (“Amendment No. 1”). In Amendment No. 1, the Amex made clarifying changes to the purpose section.

<sup>4</sup> See *id.*

<sup>5</sup> The offering of the units of the partnership is registered with the Commission under the Securities Act of 1933 (“the 1933 Act”).