within the meaning of 39 U.S.C. 3632(b)(3). *Id*. at 1. The Request has been assigned Docket No. MC2009–12.

The Postal Service contemporaneously filed a contract related to the proposed new product pursuant to 39 U.S.C. 3632(b)(3) and 39 CFR 3015.5. The contract has been assigned Docket No. CP2009–14.

Request. The Request incorporates (1) a redacted version of the Governors' Decision authorizing the new product; (2) a redacted version of the contract; (3) requested changes in the Mail Classification Schedule product list; (4) a statement of supporting justification as required by 39 CFR 3020.32; and (5) certification of compliance with 39 U.S.C. 3633(a).[2] Substantively, the Request seeks to add Express Mail & Priority Mail Contract 2 to the Competitive Product List. *Id*. at 1–2.

In the statement of supporting justification, Kim Parks, Manager, Sales and Communications, Expedited Shipping, asserts that the service to be provided under the contract will cover its attributable costs, make a positive contribution to institutional costs, and increase contribution toward the requisite 5.5 percent of the Postal Service's total institutional costs. *Id*., Attachment D. Thus, Ms. Parks contends there will be no issue of subsidization of competitive products by market dominant products as a result of this contract. *Id*.

Related contract. A redacted version of the specific Express Mail & Priority Mail Contract 2 is included with the Request. The contract is for 3 years and is to be effective 1 day after the Commission provides all necessary regulatory approvals. The Postal Service represents that the contract is consistent with 39 U.S.C. 3633(a) and 39 CFR 3015.7(c). *See id*., Attachment A and Attachment E. It notes that actual performance under this contract could vary from estimates, but concludes that the contract will remain profitable. *Id*., Attachment A.

The Postal Service filed much of the supporting materials, including the Governors' Decision and the specific Express Mail & Priority Mail Contract 2, under seal.[3] In its Request, the Postal Service maintains that the contract and related financial information, including the customer's name and the accompanying analyses that provide prices, terms, conditions, and financial projections should remain under seal. *Id*. at 2–3.

II. Notice of Filings

The Commission establishes Docket Nos. MC2009–12 and CP2009–14 for consideration of the Request pertaining to the proposed Express Mail & Priority Mail Contract 2 product and the related contract, respectively. In keeping with practice, these dockets are addressed on a consolidated basis for purposes of this Order; however, future filings should be made in the specific docket in which issues being addressed pertain.

Interested persons may submit comments on whether the Postal Service's filings in the captioned dockets are consistent with the policies of 39 U.S.C. 3632, 3633, or 3642 and 39 CFR part 3015 and 39 CFR 3020 subpart B. Comments are due no later than December 10, 2008. The public portions of these filings can be accessed via the Commission's Web site (*http://www.prc.gov*).

The Commission appoints Paul L. Harrington to serve as Public Representative in these dockets.

It is Ordered:

1. The Commission establishes Docket Nos. MC2009–12 and CP2009–14 for consideration of the matters raised in each docket.

2. Pursuant to 39 U.S.C. 505, Paul L. Harrington is appointed to serve as officer of the Commission (Public Representative) to represent the interests of the general public in these proceedings.

3. Comments by interested persons in these proceedings are due no later than December 10, 2008.

4. The Secretary shall arrange for the publication of this Order in the **Federal Register**.

By the Commission.

Steven W. Williams,

Secretary.

[FR Doc. E8–28836 Filed 12–4–08; 8:45 am]

BILLING CODE 7710–FW–P

[2] Attachment A to the Request consists of the redacted Decision of the Governors of the United States Postal Service on Establishment of Rate and Class Not of General Applicability for Express Mail & Priority Mail Contract 2 (Governors' Decision No. 08–22). The Governors' Decision includes an attachment which provides an analysis of the proposed Express Mail & Priority Mail Contract 2. Attachment B is the redacted version of the contract. Attachment C shows the requested changes to the Mail Classification Schedule product list. Attachment D provides a statement of supporting justification for this Request. Attachment E provides the certification of compliance with 39 U.S.C. 3633(a).

[3] Documents filed under seal must include a hard copy table of contents page listing, *inter alia*, the titles of the documents being filed under seal.

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2009–11 and CP2009–13; Order No. 142]

New Competitive Product

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recently-filed Postal Service request to add Parcel Select & Parcel Return Service Contract 1 to the Competitive Product List. The Postal Service has also filed one related contract. This notice addresses procedural steps associated with these filings.

DATES: Comments due December 10, 2008.

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

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, General Counsel, 202–789–6820 and *stephen.sharfman@prc.gov*.

SUPPLEMENTARY INFORMATION:

I. Background

On November 25, 2008, the Postal Service filed a formal request pursuant to 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq*. to add Parcel Select & Parcel Return Service Contract 1 to the Competitive Product List.[1] The Postal Service asserts that the Parcel Select & Parcel Return Service Contract 1 product is a competitive product ''not of general applicability'' within the meaning of 39 U.S.C. 3632(b)(3). *Id*. at 1. The Request has been assigned Docket No. MC2009–11.

The Postal Service contemporaneously filed a contract related to the proposed new product pursuant to 39 U.S.C. 3632(b)(3) and 39 CFR 3015.5. The contract has been assigned Docket No. CP2009–13.

Request. The Request incorporates (1) a redacted version of the Governors' Decision authorizing the new product; (2) a redacted version of the contract; (3) requested changes in the Mail Classification Schedule product list; (4) a statement of supporting justification as required by 39 CFR 3020.32; and (5) certification of compliance with 39 U.S.C. 3633(a).[2] Substantively, the

[1] Request of the United States Postal Service to Add Parcel Select & Parcel Return Service Contract 1 to Competitive Product List and Notice of Establishment of Rates and Class Not of General Applicability, November 25, 2008 (Request).

[2] Attachment A to the Request consists of the redacted Decision of the Governors of the United States Postal Service on Establishment of Rate and Class Not of General Applicability for Parcel Select

Request seeks to add Parcel Select & Parcel Return Service Contract 1 to the Competitive Product List. *Id*. at 1–2.

In the statement of supporting justification, Daniel J. Barrett, Acting Manager, Product & Business Development, Ground Shipping Services, asserts that the service to be provided under the contract will cover its attributable costs, make a positive contribution to institutional costs, and increase contribution toward the requisite 5.5 percent of the Postal Service's total institutional costs. *Id*., Attachment D. Thus, Mr. Barrett contends there will be no issue of subsidization of competitive products by market dominant products as a result of this contract. *Id*.

Related contract. A redacted version of the specific Parcel Select & Parcel Return Service Contract 1 is included with the Request. The contract is to expire on May 31, 2011,[3] and is to be effective 1 day after the Commission provides all necessary regulatory approvals. The Postal Service represents that the contract is consistent with 39 U.S.C. 3633(a) and 39 CFR 3015.7(c). *See id*., Attachment A and Attachment E. It notes that the agreement remains profitable regardless of discount level and results in a positive contribution impact of the Postal Service under all conditions. *Id*., Attachment A.

The Postal Service filed much of the supporting materials, including the Governors' Decision and the specific Parcel Select & Parcel Return Service Contract 1, under seal. In its Request, the Postal Service maintains that the contract and related financial information, including the customer's name and the accompanying analyses that provide prices, terms, conditions, and financial projections should remain under seal. *Id*. at 2–3.

II. Notice of Filings

The Commission establishes Docket Nos. MC2009–11 and CP2009–13 for consideration of the Request pertaining to the proposed Parcel Select & Parcel Return Service Contract 1 product and the related contract, respectively. In keeping with practice, these dockets are addressed on a consolidated basis for purposes of this Order; however, future filings should be made in the specific docket in which issues being addressed pertain.

Interested persons may submit comments on whether the Postal Service's filings in the captioned dockets are consistent with the policies of 39 U.S.C. 3632, 3633, or 3642 and 39 CFR part 3015 and 39 CFR 3020 subpart B. Comments are due no later than December 10, 2008. The public portions of these filings can be accessed via the Commission's Web site (*http://www.prc.gov*).

The Commission appoints Michael J. Ravnitzky to serve as Public Representative in these dockets.

It is Ordered:

1. The Commission establishes Docket Nos. MC2009–11 and CP2009–13 for consideration of the matters raised in each docket.

2. Pursuant to 39 U.S.C. 505, Michael J. Ravnitzky is appointed to serve as officer of the Commission (Public Representative) to represent the interests of the general public in these proceedings.

3. Comments by interested persons in these proceedings are due no later than December 10, 2008.

4. The Secretary shall arrange for the publication of this Order in the **Federal Register**.

By the Commission.

Steven W. Williams,

Secretary.

[FR Doc. E8–28834 Filed 12–4–08; 8:45 am]

BILLING CODE 7710–FW–P

& Parcel Return Service Contract 1 (Governors' Decision No. 08–21). The Governors' Decision includes an attachment which provides an analysis of the proposed Parcel Select & Parcel Return Service Contract 1. Attachment B is the redacted version of the contract. Attachment C shows the requested changes to the Mail Classification Schedule product list. Attachment D provides a statement of supporting justification for this Request. Attachment E provides the certification of compliance with 39 U.S.C. 3633(a).

[3] The agreement may also be terminated sooner or be extended for an additional year under terms and conditions discussed in the contract. *See* Attachment B at Section III.

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 28526; 812–12903]

Banc of America Funds Trust, et al.; Notice of Application

December 1, 2008.

AGENCY: Securities and Exchange Commission (''Commission'').

ACTION: Notice of application for an order under sections 6(c) and 17(b) of the Investment Company Act of 1940 (the ''Act'') for an exemption from section 17(a) of the Act.

APPLICANTS: Banc of America Funds Trust (''BAFT''), Columbia Funds Series Trust (''CFST''), Columbia Funds Series Trust I (''CFST I''), Columbia Funds Variable Insurance Trust I (''CFVT I''), Columbia Funds Variable Insurance Trust (''CFVT''), Columbia Funds Master Investment Trust, LLC (''CFMIT''), and Columbia Funds Institutional Trust (''CFIT'') (individually, and together with any successor, a ''Company'' and collectively, the ''Companies''), each a registered investment company, on behalf of the money market series thereof (the ''Money Market Funds'') and the other series thereof that are not Money Market Funds (the ''Other Mutual Funds'') (the Money Market Funds together with the Other Mutual Funds, the ''Funds''), Columbia Management Advisors, LLC (together with any successor, ''CMA'' or the ''Advisor'') and Banc of America Securities LLC (together with any successor, ''BAS'') (CMA and BAS, together with the Companies, the ''Applicants'').[1]

SUMMARY OF APPLICATION: Applicants request an order to permit the Funds to engage in principal transactions in certain taxable money market instruments including repurchase agreements with BAS.

FILING DATES: The application was filed on November 18, 2002 and amended on May 8, 2008 and November 26, 2008.[2]

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on December 24, 2008, and should be accompanied by proof of service on the applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the

[1] Any succession shall be solely by way of change in organization, such as reincorporation or reorganization as a partnership or similar entity. Any Company, Fund or Advisor that currently intends to rely on the requested order is named as an Applicant. Any other Company, Fund or Advisor that relies on the order in the future will comply with the terms and conditions of the application.

[2] Applicants note that after the May 8, 2008 reactivating amendment was filed, Bank of America Corporation (''BAC''), which indirectly controls both CMA and BAS, entered into an Agreement and Plan of Merger dated September 15, 2008 (''Plan of Merger'') with Merrill Lynch & Co., Inc., parent to Merrill Lynch, Pierce, Fenner & Smith, Incorporated, a large broker-dealer that is an important market participant in certain taxable money market instruments. Assuming the Plan of Merger is consummated, the Applicants do not expect that the market share of BAS will decrease, and do expect that the number of Funds (and the amount of Fund assets) invested in taxable money market instruments will increase. The Applicants will cease relying on the requested relief as to a particular type of instrument described herein if the consummation of the Plan of Merger materially reduces BAS' market share with respect to such type of instrument below the levels described in this application.