

**§ 1251.18 Are there any restrictions that apply to the production of records?**

(a) The General Counsel may impose conditions or restrictions on the release of records and agency information, including the requirement that parties to the proceeding obtain a protective order or execute a confidentiality agreement to limit access and any further disclosure. The terms of the protective order or of a confidentiality agreement must be acceptable to the General Counsel. In cases where protective orders or confidentiality agreements have already been executed, NARA may condition the release of records and agency information on an amendment to the existing protective order or confidentiality agreement.

(b) Typically, original NARA records will not be produced in response to a demand. Instead of the original records, NARA provides certified copies for evidentiary purposes (see 28 U.S.C. 1733; 44 U.S.C. 2116). Such copies must be given judicial notice and must be admitted into evidence equally with the originals from which they were made (see 44 U.S.C. 2116). If the General Counsel so determines, under exceptional circumstances, original NARA records may be made available for examination in response to a demand, but they are not to be presented as evidence.

**§ 1251.20 Are there any fees associated with producing records or providing testimony?**

(a) *Generally.* The General Counsel may condition the production of records or appearance for testimony upon advance payment of a reasonable estimate of the costs to NARA.

(b) *Fees for records.* Fees for producing records include fees for searching, reviewing, and duplicating records, costs of attorney time spent in reviewing the demand or request, and expenses generated by materials and equipment used to search for, produce, and copy the responsive information. Costs for employee time are calculated on the basis of the hourly pay of the employee (including all pay, allowance, and benefits). Fees for duplication are the same as those charged by NARA in part 1258 of this title.

(c) *Witness fees.* Fees for attendance by a witness include fees, expenses, and allowances prescribed by the court's rules. If no such fees are prescribed, witness fees are determined based upon the rule of the Federal district court closest to the location where the witness appears.

(d) *Payment of fees.*

(1) Witness fees for current NARA employees must be submitted to the

General Counsel and made payable to the Treasury of the United States.

(2) Fees for the production of records, including records certification fees, must be submitted to the official who makes the final determination on demands for the production of records, as described in § 1251.14, and made payable to the National Archives Trust Fund (NATF).

(3) Applicable fees paid to former NARA employees providing testimony should be paid directly to the former employee in accordance with 28 U.S.C. 1821 or other applicable statutes.

(e) *Certification (authentication) of copies of records.* NARA may certify that records are true copies in order to facilitate their use as evidence. Request certified copies from NARA at least 45 days before the date they are needed. We charge a certification fee for each document certified.

(f) *Waiver or reduction of fees.* The General Counsel, in his or her sole discretion, may, upon a showing of good cause, waive or reduce any fees in connection with the testimony, production, or certification of records.

(g) *De minimis fees.* Fees are not assessed if the total charge is \$10.00 or less, or as otherwise stated in NARA policy.

**§ 1251.22 Are there any penalties for providing records or testimony in violation of this part?**

(a) An employee who discloses official records or information or gives testimony relating to official information, except as expressly authorized by NARA or as ordered by a Federal court after NARA has had the opportunity to be heard, may face the penalties provided in 18 U.S.C. 641 and other applicable laws. Additionally, former NARA employees are subject to the restrictions and penalties of 18 U.S.C. 207 and 216.

(b) A current NARA employee who testifies or produces official records and information in violation of this part is subject to disciplinary action.

**PART 1256—PUBLIC AVAILABILITY AND USE OF FEDERAL RECORDS**

■ 4. The authority citation for part 1256 continues to read as follows:

**Authority:** 44 U.S.C. 2101–2118; 22 U.S.C. 1461(b); 5 U.S.C. 552; E.O. 12958 (60 FR 19825, 3 CFR, 1995 Comp., p. 333; E.O. 13292, 68 FR 15315, 3 CFR, 2003 Comp., p. 196; E.O. 13233, 66 FR 56023, 3 CFR, 2001 Comp., p. 815.

**§ 1256.4 [Removed]**

■ 5. Remove § 1256.4.

Dated: December 19, 2008.

**Adrienne C. Thomas,**

*Deputy Archivist of the United States.*

[FR Doc. E8–30885 Filed 12–24–08; 8:45 am]

BILLING CODE 7515–01–P

**POSTAL REGULATORY COMMISSION****39 CFR Part 3020**

[Docket Nos. MC2009–9, CP2009–10, CP2009–11; Order No. 153]

**International Mail Contracts**

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission is adding Global Direct Contracts to the Competitive Product List and announcing the Postal Service's execution of two related contracts. These actions are consistent with changes in a recent law governing postal operations and a recent Postal Service request. Republication of the lists of market dominant and competitive products is also consistent with new requirements in the law.

**DATES:** Effective December 29, 2008.

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

**SUPPLEMENTARY INFORMATION:** *Regulatory History*, 73 FR 74213 (December 5, 2008).

**I. Background**

The Postal Service seeks to add a new product identified as Global Direct Contracts to the Competitive Product List. For the reasons discussed below, the Commission approves the Request.

On November 17, 2008, the Postal Service filed a formal request pursuant to 37 U.S.C. 3642 and 39 CFR 3020 *et seq.* to add Global Direct Contracts to the Competitive Product List.<sup>1</sup> The Postal Service indicates that Governors' Decision No. 08–10, July 16, 2008, establishes prices and classifications not of general applicability for Global Direct Contracts.<sup>2</sup> The Request has been assigned Docket No. MC2009–9.

<sup>1</sup> Request of the United States Postal Service to Add Global Direct Negotiated Service Agreements to the Competitive Products List, and Notice of Filing (Under Seal) Two Functionally Equivalent Agreements, November 17, 2008 (Request).

<sup>2</sup> See Docket No. MC2008–7, Decision of the Governors of the United States Postal Service on the Establishment of Prices and Classifications for Global Direct, Global Bulk Economy, and Global Plus Contracts, July 16, 2008 (Governors' Decision No. 08–10), establishing prices and classifications not of general applicability for Global Direct and Global Bulk Economy Contracts, as well as for

The Postal Service contemporaneously filed two agreements related to the proposed new product pursuant to 39 U.S.C. 3632(b)(3) and 39 CFR 3015.5. Request at 1. The agreements have been assigned Docket Nos. CP2009–10 and CP2009–11.

In support of its Request, the Postal Service filed the following materials: (1) A Statement of Supporting Justification as required by 39 CFR 2020.32;<sup>3</sup> (2) certifications of compliance with 39 U.S.C. 3633(a);<sup>4</sup> (3) two Global Direct Contracts agreements (under seal); and (4) supporting financial data tables (under seal). The Request incorporates by reference Governors' Decision No. 08–10 and the record of proceedings in Docket No. MC2008–7.<sup>5</sup>

In the Statement of Supporting Justification, Frank Cebello, Executive Director, Global Business Management, asserts that each 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. Request, Attachment 1, at 2. Thus, Mr. Cebello contends there will be no issue of subsidization of competitive products by market dominant products as a result of these agreements. *Id.*

The Postal Service filed much of the supporting materials, including Governors' Decision 08–10 (in Docket No. MC2008–7), the two Global Direct Contracts agreements at issue, and the financial data tables supporting those agreements, under seal. In its Request, the Postal Service maintains that the agreements and related financial information, including the customers' names and the accompanying analyses that provide prices, terms, conditions, and financial projections, should remain under seal. *Id.* at 2–4.

In Order No. 137, the Commission gave notice of the three dockets, appointed a public representative, and provided the public with an opportunity to comment.<sup>6</sup> The Postal Service, in

Global Plus Contracts 2, which combines Global Direct and Global Bulk Economy services. In that proceeding, the Postal Service indicated that until it entered into contracts with customers for Global Direct, it would not ask the Commission to establish an individual classification for Global Direct Contracts. *See Id.* at 1, n.1.

<sup>3</sup> Attachment 1 to the Request.

<sup>4</sup> Attachments 2 and 3 to the Request.

<sup>5</sup> The Public Representative raises an important point that for completeness, copies of all documents relevant to Docket No. MC2009–9 should be filed within this docket. *See* Public Representative Comments in Response to Order No. 137, December 2, 2008, at 6 (Public Representative Comments).

<sup>6</sup> PRC Order No. 137, Notice and Order Concerning Global Direct Contracts Negotiated Service Agreements, November 20, 2008 (Order No. 137).

response to Chairman's Information Request No. 1,<sup>7</sup> filed supplemental materials on December 5, 2008.<sup>8</sup>

## II. Comments

Initial comments were filed by the Public Representative.<sup>9</sup> William Gensburg filed comments in his capacity as Joint Managing Director, International Transport Solutions, Inc. (International Transport) and subsequently in his capacity as Postal Committee Chair, Express Delivery and Logistics Association (XLA).<sup>10</sup> The Postal Service and the Public Representative filed reply comments.<sup>11</sup>

The Public Representative Comments include discussion of the Global Direct Contracts product in general, and the adequacy of cost coverage in the CP2009–10 and CP2009–11 agreements. Public Representative Comments at 2–7. The Public Representative expresses concern that the Postal Service can use Universal Postal Union terminal dues rates<sup>12</sup> for competitive products like Global Direct Contracts, while Universal Postal Union terminal dues rates are not available to competitors. *Id.* at 7. The Public Representative believes that use of Universal Postal Union terminal dues rates may allow the Postal Service to hinder competition in the market for these types of competitive products. *Id.* at 8.

International Transport echoes the Public Representative's concerns regarding the Postal Service's use of Universal Postal Union terminal dues rates for a competitive product, and believes such an advantage does not comport with the PAEA. International

<sup>7</sup> Chairman's Information Request No. 1 and Notice of Filing of Questions Under Seal, December 1, 2008.

<sup>8</sup> Notice of United States Postal Service of Filing of Responses to Chairman's Information Request No. 1, December 5, 2008.

<sup>9</sup> Public Representative Comments in Response to Order No. 137, December 2, 2008 (Public Representative Comments).

<sup>10</sup> Comments of William Gensburg of International Transport Solutions, Inc. Pursuant to the PRC Order 137, December 4, 2008 (International Transport Comments); Comments of Express Delivery and Logistics Association Reflecting Comments by the USPS and Public Representative Pursuant to the PRC Order 137, December 11, 2008 (XLA Comments).

<sup>11</sup> Reply of United States Postal Service to Comments in Response to Order No. 137, December 9, 2008 (Postal Service Reply Comments). Reply Comments by the Public Representative in Response to Order No. 137, December 9, 2008 (Public Representative Reply Comments).

<sup>12</sup> The Universal Postal Union is a specialized agency of the United Nations that facilitates the exchange of international mail among its 191 member countries. Terminal dues are payments made between postal administrations for the costs incurred by the destination administration to deliver international letter mail weighing up to 4.4 pounds.

Transport Comments at 1. Both ask the Commission to open a public inquiry into appropriateness of accessing Universal Postal Union terminal dues rates for competitive products. Public Representative Reply Comments at 2, International Transport Comments at 2. XLA comments that the Postal Service enjoys a competitive advantage as it is represented at the State Department, which is responsible for overall formulation of international postal policy. XLA Comments. However, XLA acknowledges that its comments concerning the Postal Service's representation at the State Department may be beyond than the issues addressed in Docket No. MC2009–9. *Id.*

The Public Representative states that these agreements "overtly comport with the requirement that they will generate sufficient revenue to cover attributable costs for the services provided," and add to the 5.5 percent minimum institutional cost coverage. Public Representative Comments at 5. The Public Representative acknowledges that, based on a review of the materials the Postal Service filed under seal, these agreements are functionally equivalent. *Id.* at 6. The Public Representative also encourages the Commission's approval of these agreements. Public Representative Reply Comments at 2.

## III. Commission Analysis

In reaching its findings and conclusions, the Commission has reviewed the Request, the agreements and the financial analyses provided under seal, and all comments.

*Statutory requirements.* The Commission's statutory responsibilities in this instance entail assigning Global Direct Contracts to either the Market Dominant Product List or to the Competitive Product List. 39 U.S.C. 3642. As part of this responsibility, the Commission also reviews the proposal for compliance with the Postal Accountability and Enhancement Act (PAEA) requirements, including a review of the provisions applicable to rates for competitive products. 39 U.S.C. 3633.

*Product list assignment.* In determining whether to assign Global Direct Contracts as a product to the Market Dominant Product List or the Competitive Product List, the Commission must consider whether

The Postal Service exercises sufficient market power that it can effectively set the price of such product substantially above costs, raise prices significantly, decrease quality, or decrease output, without risk of losing a significant level of business to other firms offering similar products.

39 U.S.C. 3642(b)(1). If so, the product will be categorized as market dominant. The competitive category of products shall consist of all other products.

The Commission is further required to consider the availability and nature of enterprises in the private sector engaged in the delivery of the product, the views of those who use the product, and the likely impact on small business concerns. 39 U.S.C. 3642(b)(3).

The Postal Service asserts that its bargaining position is constrained by the existence of other shippers who can provide similar services, thus precluding it from taking unilateral action to increase prices without the risk of losing volume to private companies. Request, Attachment 1, at 3. The Postal Service also contends that it may not decrease quality or output without risking the loss of business to competitors that offer similar international shipping services. *Id.* Finally, the Postal Service states that there are multiple market options for international shipping services including private consolidators, freight forwarders and integrators, all which offer services analogous to the agreements at issue. *Id.* at 4. Accordingly, the Postal Service states that since the market for international shipping services similar to Global Direct Contracts is highly competitive, and served by large shipping companies, it will not likely have any negative impact on small business concerns. *Id.* at 4–5.

The Public Representative supports the proposed classification of Global Direct Contracts as a competitive product. Public Representative Reply Comments at 2. International Transport and XLA do not believe that classification of Global Direct Contracts as a competitive product comports with the PAEA, yet they do not propose an alternative classification. International Transport Comments at 1, XLA Comments. The Public Representative and International Transport both express concern that the Postal Service may be able to access Universal Postal Union terminal dues for competitive products. Public Representative Comments at 7–10, International Transport Comments.

In response to the Public Representative's and International Transport's concern, the Postal Service contends that is not accessing Universal Postal Union terminal dues rates for the Global Direct Contracts product. Postal Service Reply Comments at 2. The Postal Service maintains that it is in the same position as any private entity that

wishes to negotiate rates with the foreign posts for similar services. *Id.*

The Public Representative's and International Transport's objection that the Postal Service has regulatory advantages is beyond the scope of this proceeding. The issues presented by the Postal Service's filing are whether the proposed agreements are consistent with the policies of sections 3632, 3633, and 3642 of title 39. The issues raised by the Public Representative, XLA, and International Transport concerning competitive advantages enjoyed by the Postal Service are beyond the scope of this proceeding.

Having considered the statutory requirements, the support offered by the Postal Service, and all comments, the Commission finds that Global Direct Contracts is appropriately classified as a competitive product and should be added to the Competitive Product List.<sup>13</sup>

*Functional equivalence.* The Postal Service claims the agreements in Docket Nos. CP2009–10 and CP2009–11 are functionally equivalent in that they share similar cost and market characteristics, encompass customers who send mail directly to foreign destinations and desire that their mail bear the indicia of the foreign country, and cover the same services to the same foreign destination. Request at 5–6. The Postal Service requests that the Commission classify these agreements as one product on the Competitive Products List in the Mail Classification Schedule. *Id.* at 2, 5. The Public Representative agrees that these agreements are functionally equivalent. Public Representative Comments at 6.

Having evaluated the nature of these agreements, the comments, and the supporting financial analyses, the Commission finds that the agreements submitted in Docket Nos. CP2009–10 and CP2009–11 are functionally equivalent, and are properly included within the Global Direct Contracts product on the Competitive Product List.

*Cost considerations.* The agreements are predicated on unit costs for major mail functions, e.g., acceptance costs, mail processing, and transportation. The Postal Service believes that the financial analyses submitted in support of the agreements show that the prices charged for pieces subject to Global Direct

<sup>13</sup> In Docket No. RM2007–1, the Commission previously accepted and considered comments from multiple parties (XLA included) on the categorization of classes of products, including outbound international mail. See PRC Order No. 43, Order Establishing Ratemaking Regulations For Market Dominant and Competitive Products, October 29, 2007. In that docket, XLA argued that outbound and inbound international mail should be categorized as competitive. *Id.* at 85.

Contracts cover their attributable costs, do not result in subsidization of competitive products by market dominant products, and increase contribution from competitive products. See Request, Attachments 2 and 3.

Based on the data submitted and the Commission's analysis, the Commission finds that both agreements should cover their attributable costs (39 U.S.C. 3633(a)(2)), should not lead to the subsidization of competitive products by market dominant products (39 U.S.C. 3633(a)(1)), and should have a positive effect on competitive products' contribution to institutional costs (39 U.S.C. 3633(a)(3)). Thus, an initial review of the proposed agreements indicates that they comport with the provisions applicable to rates for competitive products.

*Mail Classification Schedule.* As part of Governors' Decision No. 08–10, the Postal Service submitted a description of Global Direct Contracts which it describes as

Contracts giving a rate for mail acceptance within the United States and transportation to a receiving country with the addition by the customer of appropriate foreign postage charged by the receiving country.

The Mail Classification Schedule language proposed by the Postal Service implies that customers using a Global Direct Contracts product would pay the foreign postage directly. However, according to the agreements, the customers affix an image of the appropriate foreign post indicia, while the Postal Service pays the appropriate postage or settlement charge to the foreign post. The draft Mail Classification Schedule language will be modified to reflect the actual payment practice under these agreements.

The Postal Service shall promptly notify the Commission of the scheduled termination dates of these agreements. If either agreement terminates earlier than anticipated, the Postal Service shall inform the Commission prior to the new termination date. The Commission will then remove the product from the Mail Classification Schedule at the earliest possible opportunity.

In conclusion, the Commission approves Global Direct Contracts as a new product. The agreements specified within Docket Nos. CP2009–10 and CP2009–11 fall within the Global Direct Contracts product. The revision to the Competitive Product List is shown below the signature of this Order and is effective upon issuance of this Order.

*It is Ordered:*

1. Global Direct Contracts (MC2009–9, CP2009–10, and CP2009–11) are added to the Competitive Product List as a new

product under Negotiated Service Agreements, Outbound International.

2. The Postal Service shall notify the Commission of the scheduled termination date, and update the Commission if the termination date changes for either contract as discussed in this Order.

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

#### List of Subjects in 39 CFR Part 3020

Administrative practice and procedure, Postal Service.

By the Commission.

**Steven W. Williams,**

*Secretary.*

■ For the reasons stated in the preamble, under the authority at 39 U.S.C. 503, the Postal Regulatory Commission amends 39 CFR part 3020 as follows:

#### PART 3020—PRODUCT LISTS

■ 1. The authority citation for part 3020 continues to read as follows:

**Authority:** 39 U.S.C. 503; 3622; 3631; 3642; 3682.

■ 2. Revise Appendix A to subpart A of part 3020—Mail Classification to read as follows:

#### Appendix A to Subpart A of Subpart A of Part 3020—Mail Classification Schedule

Part A—Market Dominant Products  
 1000 Market Dominant Product List  
 First-Class Mail  
   Single-Piece Letters/Postcards  
   Bulk Letters/Postcards  
   Flats  
   Parcels  
   Outbound Single-Piece First-Class Mail International  
   Inbound Single-Piece First-Class Mail International  
 Standard Mail (Regular and Nonprofit)  
   High Density and Saturation Letters  
   High Density and Saturation Flats/Parcels  
   Carrier Route  
   Letters  
   Flats  
   Not Flat-Machinables (NFM)/Parcels  
 Periodicals  
   Within County Periodicals  
   Outside County Periodicals  
 Package Services  
   Single-Piece Parcel Post  
   Inbound Surface Parcel Post (at UPU rates)  
   Bound Printed Matter Flats  
   Bound Printed Matter Parcels  
   Media Mail/Library Mail  
 Special Services  
   Ancillary Services  
   International Ancillary Services  
   Address List Services  
   Caller Service  
   Change-of-Address Credit Card Authentication  
   Confirm  
   International Reply Coupon Service

International Business Reply Mail Service  
 Money Orders  
 Post Office Box Service  
 Negotiated Service Agreements  
   HSBC North America Holdings Inc. Negotiated Service Agreement  
   Bookspan Negotiated Service Agreement  
   Bank of America Corporation Negotiated Service Agreement  
   The Bradford Group Negotiated Service Agreement  
 Market Dominant Product Descriptions  
 First-Class Mail [Reserved for Class Description]  
   Single-Piece Letters/Postcards [Reserved for Product Description]  
   Bulk Letters/Postcards [Reserved for Product Description]  
   Flats [Reserved for Product Description]  
   Parcels [Reserved for Product Description]  
   Outbound Single-Piece First-Class Mail International [Reserved for Product Description]  
   Inbound Single-Piece First-Class Mail International [Reserved for Product Description]  
 Standard Mail (Regular and Nonprofit) [Reserved for Class Description]  
   High Density and Saturation Letters [Reserved for Product Description]  
   High Density and Saturation Flats/Parcels [Reserved for Product Description]  
   Carrier Route [Reserved for Product Description]  
   Letters [Reserved for Product Description]  
   Flats [Reserved for Product Description]  
   Not Flat-Machinables (NFM)/Parcels [Reserved for Product Description]  
 Periodicals [Reserved for Class Description]  
   Within County Periodicals [Reserved for Product Description]  
   Outside County Periodicals [Reserved for Product Description]  
 Package Services [Reserved for Class Description]  
   Single-Piece Parcel Post [Reserved for Product Description]  
   Inbound Surface Parcel Post (at UPU rates) [Reserved for Product Description]  
   Bound Printed Matter Flats [Reserved for Product Description]  
   Bound Printed Matter Parcels [Reserved for Product Description]  
   Media Mail/Library Mail [Reserved for Product Description]  
 Special Services [Reserved for Class Description]  
   Ancillary Services [Reserved for Product Description]  
   Address Correction Service [Reserved for Product Description]  
   Applications and Mailing Permits [Reserved for Product Description]  
   Business Reply Mail [Reserved for Product Description]  
   Bulk Parcel Return Service [Reserved for Product Description]  
   Certified Mail [Reserved for Product Description]  
   Certificate of Mailing [Reserved for Product Description]  
   Collect on Delivery [Reserved for Product Description]  
   Delivery Confirmation [Reserved for Product Description]  
   Insurance [Reserved for Product Description]  
   Merchandise Return Service [Reserved for Product Description]  
   Parcel Airlift (PAL) [Reserved for Product Description]  
   Registered Mail [Reserved for Product Description]  
   Return Receipt [Reserved for Product Description]  
   Return Receipt for Merchandise [Reserved for Product Description]  
   Restricted Delivery [Reserved for Product Description]  
   Shipper-Paid Forwarding [Reserved for Product Description]  
   Signature Confirmation [Reserved for Product Description]  
   Special Handling [Reserved for Product Description]  
   Stamped Envelopes [Reserved for Product Description]  
   Stamped Cards [Reserved for Product Description]  
   Premium Stamped Stationery [Reserved for Product Description]  
   Premium Stamped Cards [Reserved for Product Description]  
   International Ancillary Services [Reserved for Product Description]  
   International Certificate of Mailing [Reserved for Product Description]  
   International Registered Mail [Reserved for Product Description]  
   International Return Receipt [Reserved for Product Description]  
   International Restricted Delivery [Reserved for Product Description]  
   Address List Services [Reserved for Product Description]  
   Caller Service [Reserved for Product Description]  
   Change-of-Address Credit Card Authentication [Reserved for Product Description]  
   Confirm [Reserved for Product Description]  
   International Reply Coupon Service [Reserved for Product Description]  
   International Business Reply Mail Service [Reserved for Product Description]  
   Money Orders [Reserved for Product Description]  
   Post Office Box Service [Reserved for Product Description]  
   Negotiated Service Agreements [Reserved for Class Description]  
   HSBC North America Holdings Inc. Negotiated Service Agreement [Reserved for Product Description]  
   Bookspan Negotiated Service Agreement [Reserved for Product Description]  
   Bank of America Corporation Negotiated Service Agreement  
   The Bradford Group Negotiated Service Agreement  
 Part B—Competitive Products  
 2000 Competitive Product List  
 Express Mail  
   Express Mail  
   Outbound International Expedited Services  
   Inbound International Expedited Services  
   Inbound International Expedited Services 1 (CP2008-7)

Priority Mail  
 Priority Mail  
 Outbound Priority Mail International  
 Inbound Air Parcel Post  
 Parcel Select  
 Parcel Return Service  
 International  
 International Priority Airlift (IPA)  
 International Surface Airlift (ISAL)  
 International Direct Sacks—M-Bags  
 Global Customized Shipping Services  
 Inbound Surface Parcel Post (at non-UPU rates)  
 Canada Post-United States Postal Service Contractual Bilateral Agreement for Inbound Competitive Services (MC2009–8 and CP2009–9)  
 International Money Transfer Service  
 International Ancillary Services  
 Special Services  
 Premium Forwarding Service  
 Negotiated Service Agreements  
 Domestic  
 Express Mail Contract 1 (MC2008–5)  
 Express Mail Contract 2 (MC2009–3 and CP2009–4)  
 Express Mail & Priority Mail Contract 1 (MC2009–6 and CP2009–7)  
 Express Mail & Priority Mail Contract 2 (MC2009–12 and CP2009–14)  
 Parcel Return Service Contract 1 (MC2009–1 and CP2009–2)  
 Parcel Return Select & Parcel Return Service Contract 1 (MC2009–11 and CP2009–13)  
 Priority Mail Contract 1 (MC2008–8 and CP2008–26)  
 Priority Mail Contract 2 (MC2009–2 and CP2009–3)  
 Priority Mail Contract 3 (MC2009–4 and CP2009–5)  
 Priority Mail Contract 4 (MC2009–5 and CP2009–6)  
 Outbound International  
 Global Expedited Package Services (GEPS) Contracts  
 GEPS 1 (CP2008–5, CP2008–11, CP2008–12, and CP2008–13, CP2008–18, CP2008–19, CP2008–20, CP2008–21, CP2008–22, CP2008–23 and CP2008–24)  
 Global Plus Contracts  
 Global Plus 1 (CP2008–9 and CP2008–10)  
 Global Plus 2 (MC2008–7, CP2008–16 and CP2008–17)  
 Global Direct Contracts (MC2009–9, CP2009–10 and CP2009–11)  
 Inbound Direct Entry Contracts with Foreign Postal Administrations (MC2008–6, CP2008–14 and CP2008–15)  
 Competitive Product Descriptions  
 Express Mail  
 [Reserved for Group Description]  
 Express Mail  
 [Reserved for Product Description]  
 Outbound International Expedited Services  
 [Reserved for Product Description]  
 Inbound International Expedited Services  
 [Reserved for Product Description]  
 Priority  
 [Reserved for Product Description]  
 Priority Mail  
 [Reserved for Product Description]  
 Outbound Priority Mail International  
 [Reserved for Product Description]  
 Inbound Air Parcel Post  
 [Reserved for Product Description]

Parcel Select  
 [Reserved for Group Description]  
 Parcel Return Service  
 [Reserved for Group Description]  
 International  
 [Reserved for Group Description]  
 International Priority Airlift (IPA)  
 [Reserved for Product Description]  
 International Surface Airlift (ISAL)  
 [Reserved for Product Description]  
 International Direct Sacks—M-Bags  
 [Reserved for Product Description]  
 Global Customized Shipping Services  
 [Reserved for Product Description]  
 International Money Transfer Service  
 [Reserved for Product Description]  
 Inbound Surface Parcel Post (at non-UPU rates)  
 [Reserved for Product Description]  
 International Ancillary Services  
 [Reserved for Product Description]  
 International Certificate of Mailing  
 [Reserved for Product Description]  
 International Registered Mail  
 [Reserved for Product Description]  
 International Return Receipt  
 [Reserved for Product Description]  
 International Restricted Delivery  
 [Reserved for Product Description]  
 International Insurance  
 [Reserved for Product Description]  
 Negotiated Service Agreements  
 [Reserved for Group Description]  
 Domestic  
 [Reserved for Product Description]  
 Outbound International  
 [Reserved for Group Description]  
 PART C—GLOSSARY OF TERMS AND CONDITIONS [Reserved]  
 PART D—COUNTRY PRICE LISTS FOR INTERNATIONAL MAIL [Reserved]  
 [FR Doc. E8–30736 Filed 12–24–08; 8:45 am]  
 BILLING CODE 7710–FW–P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA–R06–OAR–2006–0389; FRL–8752–8]

### Approval of Air Quality Implementation Plans; Oklahoma; Recodification of Regulations

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule.

**SUMMARY:** The EPA is approving portions of the revisions to the Oklahoma State Implementation Plan (SIP) submitted on February 14, 2002. Most of the revisions are administrative in nature and modify redundant or incorrect text within the SIP. The revisions also include renumbered or recodified portions of the SIP and new sections that incorporate Federal rules. We are approving the revisions in accordance with the requirements of section 110 of the Clean Air Act (the Act) and EPA's regulations.

**DATE:** Comments must be received on or before January 28, 2009. Direct final rule will be effective February 27, 2009 without further notice unless EPA receives adverse comments by January 28, 2009. If adverse comments are received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

**ADDRESSES:** Submit your comments, identified by Docket No. EPA–R06–OAR–2006–0389, by one of the following methods:

- *Federal Rulemaking Portal:* <http://www.regulations.gov>.

- Follow the online instructions for submitting comments.

- *EPA Region 6 "Contact Us" Web site:* <http://epa.gov/region6/r6coment.htm>. Please click on "6PD (Multimedia)" and select "Air" before submitting comments.

- *E-mail:* Mr. Guy Donaldson at [donaldson.guy@epa.gov](mailto:donaldson.guy@epa.gov). Please also send a copy by e-mail to the person listed in the **FOR FURTHER INFORMATION CONTACT** section below.

- *Fax:* Mr. Guy Donaldson, Chief, Air Planning Section (6PD–L), at fax number 214–665–7242.

- *Mail:* Mr. Guy Donaldson, Chief, Air Planning Section (6PD–L), Environmental Protection Agency, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202–2733.

- *Hand or Courier Delivery:* Mr. Guy Donaldson, Chief, Air Planning Section (6PD–L), Environmental Protection Agency, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202–2733. Such deliveries are accepted only between the hours of 8 a.m. and 4 p.m. weekdays, and not on legal holidays. Special arrangements should be made for deliveries of boxed information.

*Instructions:* Direct your comments to Docket No. EPA–R06–OAR–2006–0389. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly