

(3150-0181), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be e-mailed to *Christine J. Kymn@omb.eop.gov* or submitted by telephone at (202) 395-4638.

The acting NRC Clearance Officer is Tremaine Donnell, (301) 415-6258.

Dated at Rockville, Maryland, this 16th day of June 2009.

For the Nuclear Regulatory Commission.  
**Tremaine Donnell,**

*Acting NRC Clearance Officer, Office of Information Services.*

[FR Doc. E9-14982 Filed 6-24-09; 8:45 am]

BILLING CODE 7590-01-P

## OFFICE OF PERSONNEL MANAGEMENT

[OMB Control No. 3206-0197; Forms RI 38-107 and RI 38-147]

### Submission for OMB Review; Request for Review of a Revised Information Collection

**AGENCY:** Office of Personnel Management.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, May 22, 1995), this notice announces that the Office of Personnel Management (OPM) has submitted to the Office of Management and Budget (OMB) a request for review of a revised information collection. "Verification of Who is Getting Payments" (OMB Control No. 3206-0197; Form RI 38-107) is designed for use by the Retirement Inspection Branch when OPM, for any reason, must verify that the entitled person is indeed receiving the monies payable. "Verification of Who is Getting Payments" (OMB Control No. 3206-0197; Form RI 38-147) collects the same information and is used by other groups within Retirement Services Program. Failure to collect this information would cause OPM to pay monies absent the assurance of a correct payee.

The number of respondents to RI 38-107 is 25,000. The number of respondents to RI 38-147 is 400. We estimate it takes approximately 10 minutes to complete each form. The annual burden for RI 38-107 is 4,167 hours; the annual burden for RI 38-147 is 67 hours. The total burden is 4,234 hours.

For copies of this proposal, contact Cyrus S. Benson on (202) 606-4808, FAX (202) 606-0910 or via E-mail to *Cyrus.Benson@opm.gov*. Please include a mailing address with your request.

**DATES:** Comments on this proposal should be received within 30 calendar days from the date of this publication.

**ADDRESSES:** Send or deliver comments to—

James K. Freiert, Deputy Assistant Director, Retirement Services Program, Center for Retirement and Insurance Services, U.S. Office of Personnel Management, 1900 E Street, NW., Room 3305, Washington, DC 20415-3500; and

OPM Desk Officer, Office of Information & Regulatory Affairs, Office of Management and Budget, New Executive Office Building, 725 17th Street, NW., Room 10235, Washington, DC 20503.

#### FOR INFORMATION REGARDING

#### ADMINISTRATIVE COORDINATION CONTACT:

Cyrus S. Benson, Team Leader, Publications Team, RIS Support Services/Support Group, U.S. Office of Personnel Management, 1900 E Street, NW., Room 4H28, Washington, DC 20415, (202) 606-0623.

U.S. Office of Personnel Management.

**John Berry,**

*Director.*

[FR Doc. E9-15020 Filed 6-24-09; 8:45 am]

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## POSTAL REGULATORY COMMISSION

[Docket No. CP2009-38; Order No. 223]

### Priority Mail Contract

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recently-filed Postal Service request to add an additional Priority Mail contract to the Competitive Product List. This notice addresses procedural steps associated with this filing.

**DATES:** Postal Service responses are due June 23, 2009. Comments are due June 26, 2009.

**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 June 11, 2009, the Postal Service filed a notice, pursuant to 39 U.S.C. 3632(b)(3) and 39 CFR 3015.5, announcing that it has entered into an additional contract (Priority Mail

Contract 12), which it contends fits within the previously proposed Priority Mail Contract Group product.<sup>1</sup> In support, the Postal Service filed the proposed contract and referenced Governors' Decision 09-6 filed in Docket No. MC2009-25. *Id.* at 1.

The Notice states that the "contract differs from the contract filed as Priority Mail Contract 6 only in regards to negotiated prices and a difference in termination provisions." *Id.* at 2. In addition, it states that the contract is scheduled to become effective the day that the Commission issues all necessary regulatory approval. *Id.* at 1.

*The instant contract.* The Postal Service filed the instant contract pursuant to 39 U.S.C. 3632(b)(3) and 39 CFR 3015.5. It submitted the contract and supporting material under seal, and attached a redacted copy of the contract and certified statement required by 39 CFR 3015.5(c)(2) to the Notice. *Id.*, Attachments A and B respectively.

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.

##### II. Notice of Filing

The Commission establishes Docket No. CP2009-38 for consideration of the matters related to the contract identified in the Postal Service's Notice.

The Notice does not expressly use the term functionally equivalent to describe proposed Priority Mail Contract 12. Instead, it appears to implicitly make that claim by distinguishing the instant contract from Priority Mail Contract 6, filed in Docket No. CP2009-30 as part of the proposed Priority Mail Contract Group. *Id.* at 2. As the Postal Service recognizes, the scope of the Priority Mail Contract Group product is currently pending before the Commission. To that end, it acknowledges that the Commission's decision in Docket No. MC2009-25 may have an impact on the sufficiency of the Postal Service's filings in this case. *Id.* at 1, n.1. Depending on the outcome of Docket No. MC2009-25, the Postal Service may need to file additional support as required in 39 CFR 3020 subpart B. Such filings, if any, shall be due within three days of the Commission's order in Docket No. MC2009-25 addressing the scope of the proposed Priority Mail Contract Group product.

<sup>1</sup> Notice of Establishment of Rates and Class Not of General Applicability (Priority Mail Contract 12), June 11, 2009 (Notice).

Interested persons may submit comments on whether the instant contract is consistent with the policies of 39 U.S.C. 3632, 3633, or 3642 and 39 CFR part 3015 and 39 CFR 3020, subpart B, and whether it should be classified within the Priority Mail Contract Group or as a separate product. Comments in this case are due no later than June 26, 2009.

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 this docket.

### III. Supplementary Information

Pursuant to 39 CFR 3015.6, the Commission requests the Postal Service to provide the following supplemental information by June 23, 2009:

1. (a) Please explain the cost adjustments made to each contract;

(b) Explain the mailer activities or characteristics that:

(i) Yield cost savings to the Postal Service,

(ii) Impose additional costs on the Postal Service;

(c) Please address every instance where an NSA partner's cost differs from the average cost.

2. (a) Please provide a timeframe of when NSA partner volumes and cubic feet measurements were collected for each contract.

(b) Please provide a unit of analysis for volumes in each contract, e.g., whole numbers, thousands, etc.

3. In the Excel files accompanying the instant contract, unit transportation costs are hard coded (See tab: "Partner Unit Cost" rows 18 and 19). Please provide up-to-date sources and show all calculations.

### IV. Ordering Paragraphs

#### *It is Ordered:*

1. The Commission establishes Docket No. CP2009-38 for consideration of the issues raised in this docket.

2. As discussed in this order, the Postal Service shall file supplemental information, if necessary, within three days of the Commission's order in Docket No. MC2009-25 addressing the scope of the proposed Priority Mail Contract Group product.

3. Comments by interested persons in these proceedings are due no later than June 26, 2009.

4. The Postal Service is to provide the information requested in section III of this order no later than June 23, 2009.

5. 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.

6. The Secretary shall arrange for publication of this order in the **Federal Register**.

By the Commission.

**Steven W. Williams,**  
*Secretary.*

[FR Doc. E9-14926 Filed 6-24-09; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-60152]

### Order Granting Application for Extension of a Temporary Conditional Exemption Pursuant to Section 36(a) of the Exchange Act by the International Securities Exchange, LLC Relating to the Ownership Interest of International Securities Exchange Holdings, Inc. in an Electronic Communications Network

June 19, 2009.

#### I. Introduction

On December 22, 2008, the Securities and Exchange Commission ("Commission") approved a proposal filed by the International Securities Exchange, LLC ("ISE" or "Exchange") in connection with corporate transactions (the "Transactions") in which, among other things, the parent company of ISE, International Securities Exchange Holdings, Inc. ("ISE Holdings"), purchased a 31.54% ownership interest in Direct Edge Holdings LLC ("Direct Edge"), the owner and operator of Direct Edge ECN ("DECN"), a registered broker-dealer and electronic communications network ("ECN").<sup>1</sup> Following the closing of the Transactions (the "Closing"), Direct Edge's wholly-owned subsidiary, Maple Merger Sub LLC ("Merger Sub") began to operate a marketplace for the trading of U.S. cash equity securities by Equity Electronic Access Members of ISE (the "Facility"), under ISE's rules and as a "facility," as defined in Section 3(a)(2) of the Securities Exchange Act of 1934 ("Exchange Act"),<sup>2</sup> of ISE.<sup>3</sup>

<sup>1</sup> See Securities Exchange Act Release No. 59135 (December 22, 2008), 73 FR 79954 (December 30, 2008) (order approving File No. SR-ISE-2008-85).

<sup>2</sup> 15 U.S.C. 78c(a)(2).

<sup>3</sup> Under Section 3(a)(2) of the Act, the term "facility," when used with respect to an exchange, includes "its premises, tangible or intangible property whether on the premises or not, any right to the use of such premises or property or any service thereof for the purpose of effecting or reporting a transaction on an exchange (including, among other things, any system of communication to or from the exchange, by ticker or otherwise,

DECN, which operates as an ECN and submits its limit orders to the Facility for display and execution, is an affiliate of ISE through ISE Holdings' equity interest in DE Holdings. DECN also is a facility, as defined in Section 3(a)(2) of the Exchange Act, of ISE because it is an affiliate of ISE used for the purpose of effecting and reporting securities transactions. Because DECN is a facility of ISE, ISE, absent exemptive relief, would be obligated under Section 19(b) of the Exchange Act to file with the Commission proposed rules governing the operation of DECN's systems and subscriber fees.

On December 22, 2008, the Commission exercised its authority under Section 36 of the Exchange Act to grant ISE a temporary exemption, subject to certain conditions, from the requirements under Section 19(b) of the Exchange Act with respect to DECN's proposed rules.<sup>4</sup>

On June 15, 2009, ISE filed with the Commission, pursuant to Rule 0-12<sup>5</sup> under the Exchange Act, an application under Section 36(a)(1) of the Exchange Act<sup>6</sup> to extend the relief granted in the Exemption Order for an additional 180 days, subject to certain conditions.<sup>7</sup> This order grants ISE's request for a temporary extension of the relief provided in the Exemption Order, subject to the satisfaction of certain conditions, which are outlined below.

#### II. Application for an Extension of the Temporary Conditional Exemption From the Section 19(b) Rule Filing Requirements

On June 15, 2009, ISE requested that the Commission exercise its authority under Section 36 of the Exchange Act to temporarily extend, subject to certain conditions, the temporary conditional exemption granted in the Exemption Order from the rule filing procedures of Section 19(b) of the Exchange Act in connection with ISE Holdings' equity ownership interest in DE Holdings and the continued operation of DECN as a facility of ISE.<sup>8</sup>

The Exemption Request notes that on May 7, 2009, EDGA Exchange, Inc., and EDGX Exchange, Inc. (together, the

maintained by or with the consent of the exchange), and any right of the exchange to the use of any property or service."

<sup>4</sup> See Securities Exchange Act Release No. 59133 (December 22, 2008), 73 FR 79940 (December 30, 2008) ("Exemption Order").

<sup>5</sup> 17 CFR 240.0-12.

<sup>6</sup> 15 U.S.C. 78mm(a)(1).

<sup>7</sup> See letter from Michael J. Simon, General Counsel and Secretary, ISE, to Elizabeth M. Murphy, Secretary, Commission, dated June 15, 2009 ("Exemption Request").

<sup>8</sup> See Section 3(a)(2) of the Exchange Act, 15 U.S.C. 78c3(a)(2) (definition of "facility").