

Legislative Affairs to the Chief of Staff. Effective October 29, 2009.  
SBGS00689 Press Assistant to the Assistant Administrator, Office of Communications and Public Liaison. Effective October 30, 2009.

#### General Services Administration

GSGS01433 Public Affairs Specialist to the Deputy Associate Administrator for Communications and Marketing. Effective October 8, 2009.  
GSGS01425 Regional Administrator to the Senior Counselor. Effective October 22, 2009.  
GSGS01426 Regional Administrator to the Senior Counselor. Effective October 22, 2009.

#### National Aeronautics and Space Administration

NNGS03296 Special Assistant (Scheduling) to the Chief of Staff. Effective October 14, 2009.

#### National Credit Union Administration

CUOT01373 Staff Assistant to the Chairman. Effective October 21, 2009.

#### Commodity Futures Trading Commission

CTOT00086 Special Assistant to a Commissioner. Effective October 30, 2009.

#### National Endowment for the Humanities

NHGS60075 Director of Communications to the Deputy Chairman. Effective October 6, 2009.  
NHGS60066 Executive Assistant to the Chairman. Effective October 27, 2009.

#### Department of Transportation

DTGS60173 Director of Congressional Affairs to the Administrator. Effective October 5, 2009.

#### National Transportation Safety Board

TBGS71538 Special Assistant to a Member. Effective October 13, 2009.

**Authority:** 5 U.S.C. 3301 and 3302; E.O. 10577, 3 CFR 1954–1958 Comp., p. 218.

Office of Personnel Management.

**John Berry,**  
Director.

[FR Doc. E9–29191 Filed 12–7–09; 8:45 am]

**BILLING CODE 6325–39–P**

## POSTAL REGULATORY COMMISSION

[Docket Nos. MC2010–12 and R2010–2; Order No. 346]

### New Postal Product

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recently-filed Postal Service request to add the Canada Post—United States Postal Service Contractual Bilateral Agreement for Inbound Market Dominant Services to the Market Dominant Product List. The Postal Service has also filed a related contract. This notice addresses procedural steps associated with these filings.

**DATES:** Comments are due: December 9, 2009.

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>. Commenters who cannot submit their views electronically should contact the person identified in "FOR FURTHER INFORMATION CONTACT" by telephone for advice on alternatives to electronic filing.

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

#### SUPPLEMENTARY INFORMATION:

- I. Introduction
- II. Notice of Filings
- III. Ordering Paragraphs

#### I. Introduction

On November 19, 2009, the Postal Service filed a request pursuant to 39 U.S.C. 3622(c)(10) and 3642, and 39 CFR 3010.40 *et seq.* and 3020.30 *et seq.* to add the Canada Post—United States Postal Service Contractual Bilateral Agreement for Inbound Market Dominant Services (Bilateral Agreement) to the Market Dominant Product List.<sup>1</sup> This Request has been assigned Docket No. MC2010–12.

The Postal Service contemporaneously filed notice that the Governors have authorized a Type 2 rate adjustment to establish rates for inbound market dominant services as reflected in the Bilateral Agreement.<sup>2</sup> More specifically, the Bilateral Agreement, which has been assigned Docket No. R2010–2, governs the exchange of inbound air and surface letter post (LC/AO).<sup>3</sup>

*Request.* In support of its Request, the Postal Service filed the following

<sup>1</sup> Request of the United States Postal Service to Add Canada Post—United States Postal Service Contractual Bilateral Agreement for Inbound Market Dominant Services to the Market Dominant Product List, Notice of Type 2 Rate Adjustment, and Notice of Filing Agreement (Under Seal), November 19, 2009, and United States Postal Service Notice of Erratum to Application for Non-Public Treatment, November 20, 2009 (Request).

<sup>2</sup> Type 2 rate adjustments involve negotiated service agreements. See 39 CFR 3010.5.

<sup>3</sup> To elaborate, the Bilateral Agreement covers Letter Post, including letters, flats, packets, containers, and International Registered Mail service ancillary thereto. Request at 3–4.

materials: (1) Proposed Mail Classification Schedule (MCS) language;<sup>4</sup> (2) a Statement of Supporting Justification as required by 39 CFR 3020.32;<sup>5</sup> (3) a redacted version of the agreement;<sup>6</sup> and (4) an application for non-public treatment of pricing and supporting documents filed under seal.<sup>7</sup> Request at 2.

In the Statement of Supporting Justification, Lea Emerson, Executive Director, International Postal Affairs, reviews the factors of section 3622(c) and concludes, *inter alia*, that the revenues generated will cover the attributable costs of the services offered under the Bilateral Agreement; that the rates are preferable to default rates set by the Universal Postal Union; and that the rates represent a modest increase over those reflected in the existing bilateral agreement with Canada Post. *Id.*, Attachment 2, at 2–3.

In its Request, the Postal Service provides information responsive to part 3010, subpart D, of the Commission's rules. To that end, it addresses the requirements of section 3622(c)(10) as well as certain details of the negotiated service agreement. *Id.* at 2–7. The Postal Service asserts that the Bilateral Agreement satisfies all applicable statutory criteria. *Id.* at 6–8.

The Postal Service filed much of the supporting materials, financial analysis, and specific Bilateral Agreement under seal. *Id.* at 2. In its Request, the Postal Service maintains that the Bilateral Agreement and related financial information should remain under seal. *Id.*

The Postal Service has an existing bilateral agreement with Canada Post which is set to expire December 31, 2009.<sup>8</sup> *Id.* at 7. The instant Bilateral Agreement represents a 1-year extension of the existing agreement, with some modifications. The modifications include differences in specific operational details of the two agreements and the Postal Service's decision to classify Canada Post's "Xpresspost-USA" as a competitive product instead of a market dominant product as in the existing bilateral agreement.<sup>9</sup> The agreement states it has an effective date of January 1, 2010. *Id.* at 3. The Request states that the inbound

<sup>4</sup> Attachment 1 to the Request.

<sup>5</sup> Attachment 2 to the Request.

<sup>6</sup> Attachment 3 to the Request.

<sup>7</sup> Attachment 4 to the Request.

<sup>8</sup> The Postal Service maintains that the instant Bilateral Agreement is functionally comparable to the agreement in Docket Nos. MC2009–7 and R2009–1.

<sup>9</sup> The Postal Service states that it will present Xpresspost-USA in a future filing with the Commission. *Id.* at 8, n.10.

market dominant rates are scheduled to become effective on January 4, 2010. *Id.*

The Postal Service urges the Commission to act promptly to add this product to the Market Dominant Product List to allow rates to be implemented under 39 CFR 3010.40. *Id.* at 9.

**II. Notice of Filings**

Pursuant to 39 U.S.C. 3622 and 3642, the Commission establishes Docket Nos. MC2010-12 and R2010-2 for consideration of the Request pertaining to the proposed Canada Post—United States Postal Service Contractual Bilateral Agreement product and the related Bilateral Agreement, 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. 3622 and 3642, 39 CFR part 3010.40, and 39 CFR 3020 subpart B. The due date for comments is December 9, 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 these dockets.

**III. Ordering Paragraphs**

*It is ordered:*

1. The Commission establishes Docket Nos. MC2010-12 and R2010-2 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 9, 2009.

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

By the Commission.

**Judith M. Grady,**  
*Acting Secretary.*

[FR Doc. E9-29224 Filed 12-7-09; 8:45 am]

**BILLING CODE 7710-FW-S**

**SMALL BUSINESS ADMINISTRATION**

[Disaster Declaration #11941 and #11942]

**North Carolina Disaster # NC-00022**

**AGENCY:** U.S. Small Business Administration .

**ACTION:** Notice.

**SUMMARY:** This is a notice of an Administrative declaration of a disaster for the State of North Carolina dated 12/02/2009.

*Incident:* Severe Nor’easter coupled with the remnants of Hurricane Ida.

*Incident Period:* 11/10/2009 through 11/15/2009.

*Effective Date:* 12/02/2009.

*Physical Loan Application Deadline Date:* 02/01/2010.

*Economic Injury (EIDL) Loan Application Deadline Date:* 09/02/2010.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the Administrator’s disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Dare.

Contiguous Counties:

North Carolina: Currituck, Hyde, Tyrrell.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners With Credit Available Elsewhere .....	5.125
Homeowners Without Credit Available Elsewhere .....	2.562
Businesses With Credit Available Elsewhere .....	6.000
Businesses Without Credit Available Elsewhere .....	4.000
Non-Profit Organizations With Credit Available Elsewhere .....	3.625
Non-Profit Organizations Without Credit Available Elsewhere .....	3.000
For Economic Injury:	
Businesses And Small Agricultural Cooperatives Without Credit Available Elsewhere .....	4.000
Non-Profit Organizations Without Credit Available Elsewhere .....	3.000

The number assigned to this disaster for physical damage is 11941 6 and for economic injury is 11942 0.

The State which received an EIDL Declaration # is North Carolina.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Dated: December 2, 2009.

**Karen G. Mills,**  
*Administrator.*

[FR Doc. E9-29206 Filed 12-7-09; 8:45 am]

**BILLING CODE 8025-01-P**

**SECURITIES AND EXCHANGE COMMISSION**

[Release No. 34-61085; File No. SR-NASDAQ-2009-101]

**Self-Regulatory Organizations; The NASDAQ Stock Market LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to the Nasdaq Rule 4000 and 5000 Series To Correct Certain Citations to Renumbered Rules**

December 1, 2009.

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 November 23, 2009, The NASDAQ Stock Market LLC (“Nasdaq”) 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 Nasdaq. Nasdaq has designated the proposed rule change as constituting a non-controversial rule change under Rule 19b-4(f)(6) under the Act,<sup>3</sup> which renders the proposal effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

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

Nasdaq proposes to correct certain citations in the Rule 4000 and 5000 Series that currently cite to rules that have been renumbered.

The text of the proposed rule change is available at <http://nasdaqomx.cchwallstreet.com/>, at NASDAQ’s principal office, and at the Commission’s Public Reference Room.

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

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

<sup>3</sup> 17 CFR 240.19b-4(f)(6).