

granted the request of FirstEnergy Nuclear Operating Company and FirstEnergy Nuclear Generation Corp. to withdraw its June 2, 2009, application for proposed amendment to Facility Operating License No. NPF-3 for the Davis-Besse Nuclear Power Station, Unit No. 1, located in Ottawa County, Ohio.

The proposed amendment would have excluded the source range neutron flux instrument channel preamplifier from the Channel Calibration requirements of Technical Specification (TS) 3.3.9, "Source Range Neutron Flux," and TS 3.9.2, "Nuclear Instrumentation."

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on July 28, 2009 (74 FR 37248). However, by letter dated February 16, 2010, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated June 2, 2009, and the licensee's letter dated February 16, 2010, which withdrew the application for license amendment. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Room O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, or 301-415-4737 or by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Dated at Rockville, Maryland, this 15th day of March 2010.

For the Nuclear Regulatory Commission.

**Michael Mahoney,**

*Project Manager, Plant Licensing Branch III-2, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. 2010-6320 Filed 3-22-10; 8:45 am]

**BILLING CODE 7590-01-P**

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## POSTAL SERVICE

### Partial Transfer of Post Office Box Service Product to Competitive Product List

**AGENCY:** Postal Service™.

**ACTION:** Notice.

**SUMMARY:** The Postal Service hereby provides notice that it has filed a request with the Postal Regulatory Commission to transfer a portion of Post Office® box service from the Mail Classification Schedule's Market Dominant Product List to its Competitive Product List.

**DATES:** March 23, 2010.

**FOR FURTHER INFORMATION CONTACT:** David Rubin, 202-268-2986.

**SUPPLEMENTARY INFORMATION:** On March 12, 2010, the United States Postal Service filed with the Postal Regulatory Commission a *Request of the United States Postal Service* to transfer selected Post Office box service locations from the Mail Classification Schedule's Market Dominant Product List to its Competitive Product List, pursuant to 39 U.S.C. 3642. Documents pertinent to this request are available at <http://www.prc.gov>, Docket No. MC2010-20.

**Stanley F. Mires,**

*Chief Counsel, Legislative.*

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**BILLING CODE 7710-12-P**

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## SMALL BUSINESS ADMINISTRATION

### Emergence Capital Partners SBIC, L.P. License No. 09/79-0454; Notice Seeking Exemption Under Section 312 of the Small Business Investment Act, Conflicts of Interest

Notice is hereby given that Emergence Capital Partners SBIC, L.P., 160 Bovet Road, Suite 300, San Mateo, CA 94402, a Federal Licensee under the Small Business Investment Act of 1958, as amended ("the Act"), in connection with the financing of a small concern, has sought an exemption under section 312 of the Act and section 107.730, *Financings which Constitute Conflicts of Interest*, of the Small Business Administration ("SBA") Rules and Regulations (13 CFR 107.730). Emergence Capital Partners SBIC, L.P. proposes to provide equity financing to InsideView Technologies, Inc., 444 DeHaro Street, Suite 210, San Francisco, CA 94107 ("InsideView"). The financing is contemplated for general operating purposes.

The financing is brought within the purview of § 107.730(a)(1) of the Regulations because Emergence Capital Partners, L.P. and Emergence Capital Associates, L.P., Associates of Emergence Capital Partners SBIC, L.P., own in aggregate more than ten percent of InsideView. Therefore, InsideView is considered an Associate of Emergence Capital Partners SBIC, L.P. and the transaction is considered as financing

an Associate, requiring prior written exemption from SBA.

Notice is hereby given that any interested person may submit written comments on the transaction within 15 days of the date of this publication to the Associate Administrator for Investment, U.S. Small Business Administration, 409 Third Street, SW., Washington, DC 20416.

March 12, 2010.

**Sean J. Greene,**

*Associate Administrator for Investment.*

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**BILLING CODE 8025-01-P**

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## SMALL BUSINESS ADMINISTRATION

### Small Business Size Standards: Waiver of the Nonmanufacturer Rule

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

**ACTION:** Notice of intent to waive the Nonmanufacturer Rule for Liquid Propane Gas (LPG).

**SUMMARY:** The U.S. Small Business Administration (SBA) is considering granting a class waiver of the Nonmanufacturer Rule for Liquid Propane Gas (LPG). On December 10, 2009, SBA received a request that a class waiver be granted for liquid propane gas (LPG), Product Service Code (PSC) 6830 (Compressed and Liquefied Gases), under the North American Industry Classification System (NAICS) code 325120 (Industrial Gases Manufacturing). According to the request, no small business manufacturers supply these class of products to the Federal government. On January 12, 2010, SBA issued a notice of intent to waive the Nonmanufacturer Rule for Compressed and Liquefied Gases. 75 FR 1662 (2010). After reviewing the responses to the notice SBA has concluded that the January 12, 2010, notice should have been more specific. Thus, SBA is seeking information on whether there are small business LPG manufacturers. If granted, the waiver would allow otherwise qualified small businesses to supply the products of any manufacturer on a Federal contract set aside for small businesses, Service-Disabled Veteran-Owned (SDVO) small businesses or Participants in the SBA's 8(a) Business Development (BD) program.

**DATES:** Comments and source information must be submitted April 7, 2010.

**ADDRESSES:** You may submit comments and source information to Amy Garcia, Program Analyst, Small Business

Administration, Office of Government Contracting, 409 3rd Street, SW., Suite 8800, Washington, DC 20416.

**FOR FURTHER INFORMATION CONTACT:** Ms. Amy Garcia, Program Analyst, by telephone at (202) 205-6842; by FAX at (202) 481-1630; or by e-mail at [amy.garcia@sba.gov](mailto:amy.garcia@sba.gov).

**SUPPLEMENTARY INFORMATION:** Section 8(a)(17) of the Small Business Act (Act), 15 U.S.C. 637(a)(17), and SBA's implementing regulations require that recipients of Federal contracts set aside for small businesses, SDVO small businesses, or Participants in the SBA's 8(a) BD Program provide the product of a small business manufacturer or processor, if the recipient is other than the actual manufacturer or processor of the product. This requirement is commonly referred to as the Nonmanufacturer Rule. 13 CFR 121.406(b), 125.15(c). Section 8(a)(17)(b)(iv) of the Act authorizes SBA to waive the Nonmanufacturer Rule for any "class of products" for which there are no small business manufacturers or processors available to participate in the Federal market.

In order to be considered available to participate in the Federal market for a class of products, a small business manufacturer must have submitted a proposal for a contract solicitation or received a contract from the Federal government within the last 24 months. 13 CFR 121.1202(c). The SBA defines "class of products" based on the Office of Management and Budget's NAICS. In addition, SBA uses PSCs to further identify particular products within the NAICS code to which a waiver would apply. The SBA may then identify a specific item within a PSC and NAICS to which a class waiver would apply.

The SBA is currently processing a request to waive the Nonmanufacturer Rule for LPG, PSC 6830 (Compressed and Liquefied Gases), under NAICS code 325120 (Industrial Gases Manufacturing). The public is invited to comment or provide source information to SBA on the proposed waiver of the Nonmanufacturer Rule for this product within 15 days after date of publication in the **Federal Register**. In addition, SBA received several responses to the January 12, 2010, notice from dealers who believe that NAICS code 454312 (Liquefied Petroleum Gas (Bottled Gas) Dealers) is the appropriate NAICS code for this industry. However, wholesale and retail NAICS codes are not applicable to government procurements. 13 CFR 121.201. A procurement for supplies should be classified under the appropriate manufacturing or supply NAICS code. 13 CFR 121.402(b). A firm

can qualify as a non-manufacturer on such a procurement if it meets the requirements of 13 CFR 121.406.

**Karen Hontz,**

*Director, Office of Government Contracting.*

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**BILLING CODE 8025-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 29176; File No. 812-13753]

### SeaCo Ltd.; Notice of Application

March 17, 2010.

**AGENCY:** Securities and Exchange Commission ("Commission").

**ACTION:** Notice of application under section 3(b)(2) of the Investment Company Act of 1940 ("Act").

**SUMMARY:** *Summary of Application:* SeaCo Ltd. ("SeaCo") seeks an order under section 3(b)(2) of the Act declaring it to be primarily engaged in a business other than that of investing, reinvesting, owning, holding or trading in securities. SeaCo is primarily engaged in the shipping container business.

*Applicant:* SeaCo.

**DATES:** *Filing Dates:* The application was filed on Feb 9, 2009 and amended on March 4, 2010 and March 16, 2010.

*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 applicant with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on April 8, 2010, and should be accompanied by proof of service on applicant, 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 reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

**ADDRESSES:** Secretary, U.S. Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090; Applicant: Jonathan Adams, SeaCo Ltd., 22 Victoria Street, P.O. Box HM 1179, Hamilton HM EX, Bermuda.

**FOR FURTHER INFORMATION CONTACT:** Steven I. Amchan, Senior Counsel, at (202) 551-6826, or Julia Kim Gilmer, Branch Chief, at (202) 551-6821 (Division of Investment Management, Office of Investment Company Regulation).

**SUPPLEMENTARY INFORMATION:** The following is a summary of the application. The complete application may be obtained via the Commission's Web site by searching for the file number, or an applicant using the Company name box, at <http://www.sec.gov/search/search.htm> or by calling (202) 551-8090.

### Applicant's Representations

1. SeaCo, a Bermuda company, was formed on August 22, 2008, to own, operate and manage a shipping container business throughout the world. SeaCo acquired its businesses from Sea Containers Limited ("SCL") through a chapter 11 bankruptcy proceeding.<sup>1</sup> SeaCo states that in addition to directly owning a fleet of shipping containers (and, to a lesser degree, land containers), it also conducts its business through its wholly-owned subsidiaries and through a controlled company, GE SeaCo SRL ("GE SeaCo"), in a joint venture with General Electric Capital Corporation ("GECC").<sup>2</sup>

2. GE SeaCo is an operating company engaged in the business of leasing marine containers to ocean carriers and shippers, leasing land containers, and disposing of containers at the end of their useful economic life. SeaCo directly owns approximately 50% of the outstanding voting securities of GE SeaCo, which entitles it to appoint four members of GE SeaCo's board of managers ("GE SeaCo Board"). Since April 2006, GECC, which owns the remaining 50% of the outstanding voting securities of GE SeaCo, has held the right to appoint five of the nine members of the GE SeaCo Board. SeaCo states that by virtue of its ownership stake, SeaCo controls GE SeaCo as defined in section 2(a)(9) of the Act.<sup>3</sup>

3. SeaCo represents that it actively participates in the management and affairs of GE SeaCo. SeaCo states that it conducts its shipping container business through GE SeaCo by making decisions with GE SeaCo about the repair, positioning, re-leasing or sale of

<sup>1</sup> United States Bankruptcy Court for the District of Delaware, Case No. 06-11156 (KJC).

<sup>2</sup> As described more fully in the application, SeaCo finances the activities of, and collects revenues from, its other subsidiaries through its direct, wholly-owned subsidiary, SeaCo Finance Ltd. ("SC Finance"). While SeaCo owns its voting interest in GE SeaCo directly, it owns its economic interest in GE SeaCo indirectly through SC Finance and certain other intermediate, wholly-owned subsidiaries.

<sup>3</sup> Section 2(a)(9) of the Act defines "control" as the power to exercise a controlling influence over the management or policies of a company, and creates a presumption that an owner of more than 25% of the outstanding voting securities of a company controls the company.