

For further details with respect to the proposed action, see the licensee's application dated February 21, 2007 [ML092170540], as supplemented by the letter dated November 9, 2009 [ML093410385]. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (1st Floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on 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 at 1-800-397-4209, or 301-415-4737, or send an e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 5th day of May, 2010.

For the Nuclear Regulatory Commission.

**Kathryn M. Brock,**

*Chief, Research and Test Reactors Licensing Branch, Division of Policy and Rulemaking, Office of Nuclear Reactor Regulation.*

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**BILLING CODE 7590-01-P**

## POSTAL REGULATORY COMMISSION

[Docket No. PI2010-3; Order No. 456]

### Postal Rate Case Management

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is seeking comments relevant to management of an anticipated exigent postal rate case. It has scheduled a technical conference for a public discussion based on the submissions.

**DATES:** Comments are due: June 9, 2010; technical conference will be held: June 16, 2010.

**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 the **FOR FURTHER INFORMATION CONTACT** section 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:**

#### Table of Contents

I. Introduction

II. Public Representative

III. Ordering Paragraphs

### I. Introduction

On March 2, 2010, Postmaster General John E. Potter outlined elements of a business plan designed to close a projected gap between Postal Service revenues and costs.<sup>1</sup> Included in the plan was a reference to a possible "modest exigent rate increase" to be effective in 2011. *Id.* The term "exigent rate increase" is commonly used to refer to rate adjustments that are due to extraordinary or exceptional circumstances. Such rate adjustments are expressly authorized by 39 U.S.C. 3622(d)(1)(E).

Following the issuance of the Postal Accountability and Enhancement Act (PAEA), Pub. L. 109-435, 120 Stat. 3218 (2006), the Commission adopted new rules that establish procedures for handling exigent rate cases. Docket No. RM2007-1, October 29, 2007 (Order No. 43). Those new rules (Exigent Rate Case Rules) are contained in subpart E of part 3010 of the Commission's regulations. 39 CFR part 3010, subpart E.

If filed, the potential exigent rate case referred to by the Postmaster General would be the first exigent rate case received by the Commission since passage of the PAEA. While the Commission is confident that its Exigent Rate Case Rules will provide an effective procedural framework for consideration of the currently anticipated case, the Commission believes that it would be prudent to give all interested parties an opportunity to explore and discuss procedural considerations unique to exigent rate cases before the Postal Service files such a case. This belief is grounded in part on the fact that section 3622(d)(1)(E) requires the Commission to issue a decision within 90 days after the Postal Service's filing. Advance consideration of the unique procedural aspects of the proposed exigent rate case may permit early identification of solutions to any potential issues that might otherwise complicate fair and meaningful participation by interested persons.

In light of the foregoing considerations, a technical conference is scheduled for June 16, 2010, beginning at 10:00 a.m. in the Commission's hearing room. The purpose of the conference is to give interested persons the opportunity to discuss procedures for managing the Postal Service's currently anticipated exigent rate case.

<sup>1</sup> Press Release No. 10-018, United States Postal Service, Postal Service Outlines 10-Year Plan to Address Declining Revenues, Volumes (March 2, 2010).

The proceedings will be transcribed, and a copy of the transcript will be posted on the Commission's website. Further procedures are under consideration and may be announced by further public notice. Finally, the Commission invites interested persons to file proposed topics for discussion at the conference not later than June 9, 2010.

### II. Public Representative

Section 505 of title 39 requires the designation of an officer of the Commission in all public proceedings to represent the interests of the general public. The Commission hereby designates James Waclawski as Public Representative in this proceeding.

### III. Ordering Paragraphs

*It is ordered:*

1. Docket No. PI2010-3 is established for the purpose of facilitating discussion of and obtaining views on, procedural matters pertaining to rate adjustments proposed to meet exigent circumstances under part 3010, subpart E of the commission's rules of practice.

2. A technical conference will be held June 16, 2010, beginning at 10:00 a.m. in the Commission's hearing room to discuss issues related to the matters that are the subject of this proceeding.

3. Interested persons may submit proposed topics for discussion on or before June 9, 2010.

4. James Waclawski is designated as the Public Representative to represent the interests of the general public in this docket.

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

By the Commission.

**Shoshana M. Grove,**

*Secretary.*

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## POSTAL REGULATORY COMMISSION

[Docket No. MC2010-24; Order No. 457]

### Review of Nonpostal Services Language

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is establishing a docket to consider the Postal Service's proposed nonpostal services Mail Classification Schedule language. It solicits comments to assist in this task.

**DATES:** Comments are due: June 4, 2010. Reply comments are due: June 18, 2010.