

pursuant to 39 CFR 3015.5 with its Notice. The Postal Service then filed the fully executed contract one day later. The Postal Service contends that the contract is in accordance with Order No. 445. The term of the contract is currently set at 5 calendar years from the date the Postal Service notifies the customer that it is willing to accept mail under the contract terms and all necessary regulatory approvals have been received. Signed Contract Notice, Attachment 1 at 8. The contract start date may be no earlier than February 17, 2011. The contract may also be terminated by either party on not less than 30 days' written notice. *Id.*

In support of its Notice, the Postal Service filed four attachments as follows:

- Attachment 1—a redacted copy of the draft contract and an applicable annex;<sup>3</sup>
- Attachment 2—a certified statement required by 39 CFR 3015.5(c)(2);
- Attachment 3—a redacted copy of Governors' Decision No. 10-1 which establishes prices and classifications for GREP contracts, a description of applicable GREP contracts, formulas for prices, an analysis of the formulas, and certification of the Governors' vote; and
- Attachment 4—an application for non-public treatment of materials to maintain redacted portions of the contract and supporting documents under seal.

The Notice advances reasons why the GREP contract fits within the Mail Classification Schedule language for GREP Contracts 1. The Postal Service identifies customer-specific information and general contract terms that distinguish the contract from the baseline GREP agreement. It states that the contract differs from the contract in Docket No. CP2010-36 pertaining to customer-specific information, *e.g.*, customer's name, address, representative, signatory, term, provisions for mail tender options, applicable discounts, notice of postage changes, minimum revenue, as well as several other conditions. *Id.* at 4-6. The Postal Service states that the differences, which include price variations based on updated costing information, do not alter the contract's functional equivalency. *Id.* at 3-4. The Postal Service asserts that "[b]ecause the agreement incorporates the same cost attributes and methodology, the relevant characteristics of this GREP contract are similar, if not the same, as the relevant characteristics of the contract filed in Docket No. CP2010-36." *Id.* at 4.

<sup>3</sup> The fully executed contract was filed as Attachment 1 to the Signed Contract Notice.

The Postal Service concludes that its filings demonstrate that the new GREP contract complies with the requirements of 39 U.S.C. 3633 and is functionally equivalent to the baseline GREP contract. It states that the differences do not affect the services being offered or the fundamental structure of the contract. Therefore, it requests that the instant contract be included within the GREP Contracts 1 product. *Id.* at 6.

## II. Notice of Filing

The Commission establishes Docket No. CP2011-55 for consideration of matters related to the Postal Service's Notice and Signed Contract Notice.

Interested persons may submit comments on whether the Postal Service's filings are consistent with the policies of 39 U.S.C. 3632, 3633, or 3642 no later than January 10, 2011. 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 the above-captioned proceeding.

## III. Ordering Paragraphs

*It is ordered:*

1. The Commission establishes Docket No. CP2011-55 for consideration of matters raised by the Postal Service's Notice and Signed Contract Notice.

2. Comments by interested persons in this proceeding are due no later than January 10, 2011.

3. Pursuant to 39 U.S.C. 505, Paul L. Harrington is appointed to serve as the officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

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

By the Commission.

**Shoshana M. Grove,**  
*Secretary.*

[FR Doc. 2010-33315 Filed 1-4-11; 8:45 am]

**BILLING CODE 7710-FW-P**

## POSTAL REGULATORY COMMISSION

[Docket No. CP2011-54; Order No. 631]

### New Postal Product

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recently-filed Postal Service request to add a Global Expedited Package Services 3 contract to the competitive product list. This notice addresses

procedural steps associated with the filing.

**DATES:** *Comments are Due:* January 10, 2011.

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

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, General Counsel, at [stephen.sharfman@prc.gov](mailto:stephen.sharfman@prc.gov) or 202-789-6824.

### SUPPLEMENTARY INFORMATION:

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- I. Background
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#### I. Background

On December 28, 2010, the Postal Service filed a notice announcing that it intends to enter into an additional Global Expedited Package Services 3 (GEPS 3) contract.<sup>1</sup> In its initial filing, the Postal Service included a draft of the contract, noting that a final agreement would be executed soon. *Id.* at 1 n.2. On December 29, 2010, the Postal Service submitted a redacted signed copy of the contract, replacing the draft version originally filed in the Notice.<sup>2</sup> The Postal Service also submitted a nonpublic version of the signed agreement separately under seal, also substituting the version originally filed. Revised Notice at 1-2.

GEPS contracts provide incentives for businesses that mail products directly to foreign destinations using Express Mail International, Priority Mail International, or both. Notice at 4. The Postal Service asserts that the instant contract is supported by Governors' Decision No. 08-7, which is attached to the Notice and was originally filed in Docket No. CP2008-4.<sup>3</sup>

<sup>1</sup> Notice of United States Postal Service of Filing a Functionally Equivalent Global Expedited Package Services 3 Negotiated Service Agreement and Application for Non-Public Treatment of Materials Filed under Seal, December 28, 2010; Notice of the United States Postal Service of Errata to Notice of Filing a Functionally Equivalent Global Expedited Package Services 3 Negotiated Service Agreement and Application for Non-Public Treatment of Materials Filed Under Seal (together, Notice).

<sup>2</sup> Notice of the United States Postal Service of Filing a Signed Global Expedited Package Services 3 Negotiated Service Agreement, December 29, 2010, at 1 (Revised Notice).

<sup>3</sup> Notice at 1, Attachment 3; see Decision of the Governors of the United States Postal Service on the Establishment of Prices and Classifications for Global Expedited Package Services Contracts,

Continued

The Postal Service believes that the instant agreement should be included within the GEPS 3 product because it is functionally equivalent to the contract filed in Docket No. CP2010-71.<sup>4</sup> The Postal Service explains that, in Docket No. CP2010-71, the Commission added GEPS 3 to the competitive product list and established the contract filed as the GEPS 3 baseline agreement for comparing other functionally equivalent contracts. Notice at 1-2 (citing Order No. 503 at 7). It states that other GEPS contracts may be included within the GEPS 3 product if they are functionally equivalent to the GEPS 3 baseline agreement and meet the requirements of 39 U.S.C. 3633. *Id.* at 2.

*The instant contract.* The Postal Service filed the instant contract in accordance with 39 CFR 3015.5. The term of the instant agreement is 5 years from the effective date unless either party terminates the agreement sooner. *Id.* at 3; Revised Notice, Attachment 1 at 7. The Postal Service will notify the other party of the effective date within 30 days after receiving all necessary regulatory approvals. Revised Notice, Attachment 1 at 7. The effective date will be no earlier than February 17, 2011. *Id.*

To support the Notice, the Postal Service filed four attachments as follows:

- Attachment 1—a redacted copy of the contract and an applicable annex;<sup>5</sup>
- Attachment 2—a certified statement required by 39 CFR 3015.5(c)(2);
- Attachment 3—a redacted copy of Governors' Decision No. 08-7 (with attachments) establishing prices and classifications for GEPS contracts and a certification of the Governors' vote; and
- Attachment 4—an application for non-public treatment of materials to maintain redacted portions of the contract, related financial information, and customer-identifying information under seal.

The Postal Service contends that the instant agreement fits within the Mail Classification Schedule (MCS) language for GEPS contracts included in Governors' Decision No. 08-7, but understands that the Commission considers the language illustrative until the MCS is completed. Notice at 3 (citing Order No. 86 at 6).

The Notice advances reasons why the instant GEPS 3 contract is functionally

equivalent to the GEPS 3 baseline agreement in Docket No. CP2010-71. *Id.* at 3. The Postal Service believes that the instant contract shares similar cost and market characteristics with both the baseline agreement and previous GEPS contracts. *Id.* at 3-4. It also asserts that the instant contract fits within the parameters outlined by Governors' Decision No. 08-7 establishing the rates for GEPS agreements. *Id.* at 4.

The Postal Service identifies several differences between the instant contract and the GEPS 3 baseline agreement, including customer-specific information, payment method, minimum revenue commitment, and term. *Id.* at 4-6. Despite these differences, the Postal Service asserts that the instant contract is "functionally equivalent in all pertinent respects" to the GEPS 3 baseline agreement.<sup>6</sup>

The Postal Service concludes that its filing demonstrates that the instant GEPS 3 contract complies with the requirements of 39 U.S.C. 3633 and is functionally equivalent to the GEPS 3 baseline agreement. Notice at 6. Therefore, it requests that the Commission add the instant contract to the GEPS 3 product grouping. *Id.*

## II. Notice of Filing

The Commission establishes Docket No. CP2011-54 to consider matters related to the contract identified in the Postal Service's Notice.

Interested persons may submit comments on whether the Postal Service's contract is consistent with the policies of 39 U.S.C. 3632, 3633, or 39 CFR part 3015. Comments are due no later than January 10, 2011. The public portions of this filing 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 the captioned proceeding.

## III. Ordering Paragraphs

*It is ordered:*

1. The Commission establishes Docket No. CP2011-54 to consider matters raised by the Postal Service's Notice.
2. Comments by interested persons in this proceeding are due no later than January 10, 2011.
3. Pursuant to 39 U.S.C. 505, Paul L. Harrington is appointed to serve as the officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

<sup>6</sup> Revised Notice at 6 (citing Docket Nos. CP2008-8, CP2008-9, and CP2008-10, Order No. 85, Order Concerning Global Plus Negotiated Service Agreements, June 27, 2008, at 8).

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

By the Commission.  
**Shoshana M. Grove,**  
*Secretary.*

[FR Doc. 2010-33317 Filed 1-4-11; 8:45 am]

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## POSTAL SERVICE

### Board of Governors; Sunshine Act Meeting

**TIMES AND DATES:** 4 p.m., Monday, January 10, 2011; and 9 a.m., Tuesday, January 11, 2011.

**PLACE:** Long Beach, California, at the Renaissance Hotel, 111 East Ocean Boulevard.

**STATUS:** (Closed).

#### MATTERS TO BE CONSIDERED:

*Monday, January 10, at 4 p.m. (Closed)*

1. Financial Matters.
2. Pricing.
3. Strategic Issues.
4. Personnel Matters and Compensation Issues.
5. Governors' Executive Session—Discussion of prior agenda items and Board Governance.

*Tuesday, January 11, at 9 a.m. (Closed)*

1. Continuation of Monday's agenda.

**CONTACT PERSON FOR MORE INFORMATION:** Julie S. Moore, Secretary of the Board, U.S. Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260-1000. Telephone (202) 268-4800.

**Julie S. Moore,**  
*Secretary.*

[FR Doc. 2010-33358 Filed 1-3-11; 4:15 pm]

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## SECURITIES AND EXCHANGE COMMISSION

### Submission for OMB Review; Comment Request

*Upon Written Request, Copies Available From:* Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

#### Extension:

Rule 301 and Forms ATS and ATS-R; SEC File No. 270-451; OMB Control No. 3235-0509.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") has submitted to the

Docket No. CP2008-4, issued May 6, 2008 (Governors' Decision No. 08-7).

<sup>4</sup> Docket Nos. MC2010-28 and CP2010-71, Order Approving Global Expedited Package Services 3 Negotiated Service Agreement, July 29, 2010 (Order No. 503).

<sup>5</sup> The Postal Service filed a redacted copy of the signed agreement as Attachment 1 to the Revised Notice.