

adjustments in Attachment A. The MCS revisions are characterized as “very limited,” with only two substantive changes. *Id.* at 45. The two substantive changes are (1) the First-Class Mail classification changes related to adding a Commercial Plus category for parcels weighing between 3.5 and 16 ounces, and (2) the elimination of stamped envelopes with Standard Mail denominations in response to available alternatives and reduced consumer demand. *Id.* at 45–46. The Postal Service states that the latter change was proposed in Docket No. R2010–4.

The Postal Service identifies the following items as corrections to the MCS:

- Correcting the maximum weight for Presorted Machinable Letters in section 1110.5;
- Renaming Single-Piece Retail and Presorted as Commercial Base in section 1120;
- Using a footnote rather than a table to show the nonbarcoded/nonmachinable surcharge in section 1120.5;
- Clarifying the treatment of letters weighing more than 3.3 ounces in section 1205.5 and section 1215.5;
- Correcting a reference to the incorrect product in the Ride-Along note in section 1310.6;
- Conforming the Post Office Box lock replacement language in section 1550.1 with the Competitive MCS (noting that the fee is applied to late payments); and
- Correcting a reference to the Republic of Serbia in the country lists in Part D.

*Id.* at 46.

The Postal Service anticipates publishing notice of the changes to the Domestic Mail Manual implementing the new features in the **Federal Register** shortly. *Id.*

#### V. Commission Action

The filing of the Notice triggers a Commission review process which culminates in an order on the consistency of the planned adjustments with various legal, policy, and technical requirements. At this time, the Commission takes several steps in line with its responsibilities. First, it has posted the Notice and related filings on its Web site (<http://www.prc.gov>). It also has made the Notice available for copying and inspection during regular business hours (8 a.m. to 4:30 p.m.) at the Commission, 901 New York Avenue NW., Suite 200, Washington, DC 20268–0001. Any subsequent Postal Service filings in this docket, along with any written comments and filings by others,

will be posted on the Commission’s Web site and made available for public inspection and copying on the same terms and at the same location as the Notice.

Second, the Commission establishes a formal docket, captioned Docket No. R2011–2, Notice of Price Adjustment, to conduct its review of the planned adjustments under 39 U.S.C. 3622.

Third, the Commission, pursuant to 39 U.S.C. 505, appoints Kenneth E. Richardson as officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding. He will be assisted by Pamela Thompson of the Commission’s Office of Accountability and Compliance.

Fourth, the Commission provides a 20-day comment period, calculated from the date the Notice was filed. Thus, the comment period in this docket extends through close of business on February 2, 2011. Rule 3010.31(b) provides that public comments should focus primarily on whether the planned adjustments comply with the following mandatory requirements of 39 U.S.C. chapter 36, subchapter 1, including:

- (1) Whether the planned rate adjustments measured using the formula established in section 3010.23(b) are at or below the annual limitation established in section 3010.11; and
- (2) Whether the planned rate adjustments measured using the Formula established in section 3010.23(b) are at or below the limitations established in section 3010.28.

*Method for filing comments.* All filings of documents in this case shall be made using the Internet (Filing Online) pursuant to Commission rules 9(a) and 10(a) at the Commission’s Web site, <http://www.prc.gov>, unless a waiver is obtained. 39 CFR 3001.9(a) and 10(a). Instructions for obtaining an account to file documents online may be found on the Commission’s Web site, <http://www.prc.gov>, or by contacting the Commission’s Docket Section at [prc-dockets@prc.gov](mailto:prc-dockets@prc.gov) or via telephone at 202–789–6846.

Individuals without access to the Internet or otherwise unable to file documents electronically may request a waiver of the requirement that documents be filed electronically by filing a motion for waiver with the Commission. Such motion may be filed along with any comments such individual may wish to submit in this proceeding. Individuals requesting a waiver may file hardcopy documents with the Commission either by mailing or by hand delivery to the Office of the Secretary, Postal Regulatory Commission, 901 New York Avenue NW., Suite 200, Washington, DC 20268–0001 during regular business hours on

a date no later than that specified for such filing. Any person needing assistance in requesting a waiver may contact the Docket Section at 202–789–6846. Hardcopy comments received will be scanned and posted on the Commission’s Web site.

*Official publication.* The Commission directs the Secretary to arrange for prompt publication of this notice and order in the **Federal Register**.

#### VI. Ordering Paragraphs

*It is ordered:*

1. The Commission establishes Docket No. R2011–2 to consider the planned adjustments in prices and fees for market dominant postal products and services, as well as the mail classification changes, identified in the Postal Service’s January 13, 2011 Notice of Market-Dominant Price Adjustment.

2. Interested persons may submit comments on the planned price adjustments. Comments are due February 2, 2011.

3. Pursuant to 39 U.S.C. 505, the Commission appoints Kenneth E. Richardson as officer of the Commission to represent the interests of the general public in this proceeding.

4. The Commission directs the Secretary of the Commission to arrange for prompt publication of this notice in the **Federal Register**.

By the Commission.

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

[FR Doc. 2011–1383 Filed 1–24–11; 8:45 am]

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#### RAILROAD RETIREMENT BOARD

##### Agency Forms Submitted for OMB Review, Request for Comments

*Summary:* In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), the Railroad Retirement Board (RRB) is forwarding an Information Collection Request (ICR) to the Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget (OMB) to request an extension without change of a currently approved collection of information: 3220–0151, Representative Payee Monitoring consisting of Form(s) G–99a, Representative Payee Report and G–99c, Representative Payee Evaluation Report. Our ICR describes the information we seek to collect from the public. Review and approval by OIRA ensures that we impose appropriate paperwork burdens.

The RRB invites comments on the proposed collection of information to

determine (1) The practical utility of the collection; (2) the accuracy of the estimated burden of the collection; (3) ways to enhance the quality, utility and clarity of the information that is the subject of collection; and (4) ways to minimize the burden of collections on respondents, including the use of automated collection techniques or other forms of information technology. Comments to RRB or OIRA must contain the OMB control number of the ICR. For proper consideration of your comments, it is best if RRB and OIRA receive them within 30 days of publication date.

The RRB utilizes the following forms to conduct its representative payee monitoring program. Form G-99a, *Representative Payee Report*, is used to obtain information needed to determine whether the benefit payments certified to the representative payee have been used for the annuitant's current maintenance and personal needs and whether the representative payee continues to be concerned with the annuitant's welfare. RRB Form G-99c, *Representative Payee Evaluation Report*, is used to obtain more detailed information from a representative payee who fails to complete and return Form G-99a, or in situations when the returned Form G-99a indicates the possible misuse of funds by the representative payee. Form G-99c contains specific questions concerning the representative payee's performance and is used by the RRB to determine whether or not the representative payee should continue in that capacity. Completion of the forms in this collection is required to retain benefits.

*Previous Requests for Comments:* The RRB has already published the initial 60-day notice (75 FR 41557 on July 16, 2010) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

#### Information Collection Request (ICR)

*Title:* Representative Payee Monitoring.

*OMB Control Number:* 3220-0151.

*Form(s) submitted:* G-99a, G-99c.

*Type of request:* Extension without change of a currently approved collection.

*Affected public:* Individuals or households.

*Abstract:* Under Section 12(a) of the Railroad Retirement Act, the RRB is authorized to select, make payments to, and conduct transactions with an annuitant's relative or some other person willing to act on behalf of the annuitant as representative payee. The collection obtains information needed to determine if a representative payee is handling benefit payments in the best interest of the annuitant.

*Changes Proposed:* The RRB proposes no changes to Forms G-99a or Form G-99c.

*The burden estimate for the ICR is as follows:*

*Estimated Completion Time for Form(s):* Completion time for G-99a is estimated at 18 minutes. Completion time for Form G-99c is estimated at 24 to 31 minutes.

*Estimated Annual Number of Respondents:* 5,400.

*Total Annual Responses:* 5,820 (5,400 G-99a's and 420 G-99c's).

*Total Annual Reporting Hours:* 1,802.

*Additional Information or Comments:* Copies of the forms and supporting documents can be obtained from Charles Mierzwa, the agency clearance officer (312-751-3363) or [Charles.Mierzwa@rrb.gov](mailto:Charles.Mierzwa@rrb.gov).

Comments regarding the information collection should be addressed to Patricia A. Henaghan, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092 or [Patricia.Henaghan@rrb.gov](mailto:Patricia.Henaghan@rrb.gov) and to the OMB Desk Officer for the RRB, at the Office of Management and Budget, Room 10230, New Executive Office Building, Washington, DC 20503.

**Charles Mierzwa,**

*Clearance Officer.*

[FR Doc. 2011-1458 Filed 1-24-11; 8:45 am]

**BILLING CODE 7905-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-63719, File No. 4-518]

### Joint Industry Plan; Order Approving Amendment To Add the BATS Y-Exchange, Inc. as Participant to National Market System Plan Establishing Procedures Under Rule 605 of Regulation NMS

January 14, 2011.

#### I. Introduction

On September 9, 2010, the BATS Y-Exchange, Inc. ("BYX" or "Exchange") submitted to the Securities and Exchange Commission ("SEC" or "Commission") in accordance with Section 11A of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 608 of Regulation NMS,<sup>2</sup> a proposed amendment to the national market system plan establishing procedures under Rule 605 of Regulation NMS ("Joint-SRO Plan" or "Plan").<sup>3</sup> Under the

proposed amendment, BYX would be added as a participant to the Joint-SRO Plan. Notice of filing and an order granting temporary effectiveness of the proposal through January 18, 2011 were published in the **Federal Register** on September 17, 2010.<sup>4</sup> The Commission did not receive any comments on the proposed amendment. This order approves the amendment on a permanent basis.

#### II. Discussion

The Joint-SRO Plan establishes procedures for market centers to follow in making their monthly reports required pursuant to Rule 605 of Regulation NMS, available to the public in a uniform, readily accessible, and usable electronic format. The current participants to the Joint-SRO Plan are the American Stock Exchange LLC, BATS Exchange, Inc., Boston Stock Exchange, Inc., Chicago Board Options Exchange, Incorporated, Chicago Stock Exchange, Inc., Cincinnati Stock Exchange, Inc. (n/k/a National Stock Exchange<sup>SM</sup>), EDGA Exchange, Inc., EDGX Exchange, Inc., International Securities Exchange LLC, The NASDAQ Stock Market LLC, National Association of Securities Dealers, Inc., New York Stock Exchange, Inc. (n/k/a New York Stock Exchange LLC), Pacific Exchange, Inc. (n/k/a NYSE Arca, Inc.), and Philadelphia Stock Exchange, Inc. The proposed amendment would add BYX as a participant to the Joint-SRO Plan.

Section III(b) of the Joint-SRO Plan provides that a national securities exchange or national securities association may become a party to the Plan by: (i) executing a copy of the Plan, as then in effect (with the only changes being the addition of the new participant's name in Section II(a) of the Plan and the new participant's single-digit code in Section VI(a)(1) of the Plan) and (ii) submitting such executed plan to the Commission for approval. BYX submitted a signed copy of the Joint-SRO Plan to the Commission in accordance with the procedures set forth in the Plan regarding new participants.

The Commission finds that the amendment to the Joint-SRO Plan is consistent with the requirements of the Act and the rules and regulations thereunder. Specifically, the

plan for the purpose of establishing procedures for market centers to follow in making their monthly reports available to the public under Rule 11Ac1-5 under the Act (n/k/a Rule 605 of Regulation NMS). See Securities Exchange Act Release No. 44177 (April 12, 2001), 66 FR 19814 (April 17, 2001).

<sup>4</sup> See Securities Exchange Act Release No. 62896 (September 13, 2010), 75 FR 57088.

<sup>1</sup> 15 U.S.C. 78k-1.

<sup>2</sup> 17 CFR 242.608.

<sup>3</sup> 17 CFR 242.605. On April 12, 2001, the Commission approved a national market system