

OFFICE OF PERSONNEL MANAGEMENT

National Council on Federal Labor- Management Relations Meeting

AGENCY: Office of Personnel
Management.

ACTION: Notice of meeting.

SUMMARY: The National Council on
Federal Labor-Management Relations
plans to meet on the following dates:

Wednesday, January 18, 2012.
Wednesday, February 15, 2012.
Wednesday, March 21, 2012.

The meetings will start at 10 a.m. and
will be held in Room 1350, U.S. Office
of Personnel Management, 1900 E Street
NW., Washington, DC 20415. Interested
parties should consult the Council Web
site at <http://www.lmrcouncil.gov> for the
latest information on Council activities,
including changes in meeting dates.

The Council is an advisory body
composed of representatives of Federal
employee organizations, Federal
management organizations, and senior
government officials. The Council was
established by Executive Order 13522,
entitled, "Creating Labor-Management
Forums to Improve Delivery of
Government Services," which was
signed by the President on December 9,
2009. Along with its other
responsibilities, the Council assists in
the implementation of Labor
Management Forums throughout the
government and makes
recommendations to the President on
innovative ways to improve delivery of
services and products to the public
while cutting costs and advancing
employee interests. The Council is co-
chaired by the Director of the Office of
Personnel Management and the Deputy
Director for Management of the Office of
Management and Budget.

At its meetings, the Council will
continue its work in promoting
cooperative and productive
relationships between labor and
management in the executive branch, by
carrying out the responsibilities and
functions listed in Section 1(b) of the
Executive Order. The meetings are open
to the public. Please contact the Office
of Personnel Management at the address
shown below if you wish to present
material to the Council at the meeting.
The manner and time prescribed for
presentations may be limited,
depending upon the number of parties
that express interest in presenting
information.

FOR FURTHER INFORMATION CONTACT: Tim
Curry, Deputy Associate Director for
Partnership and Labor Relations, Office
of Personnel Management, 1900 E Street

NW., Room 7H28-E, Washington, DC
20415. Phone (202) 606-2930 or email
at PLR@opm.gov.

For the National Council.

John Berry,

Director.

[FR Doc. 2011-32882 Filed 12-22-11; 8:45 am]

BILLING CODE 6325-39-P

POSTAL REGULATORY COMMISSION

Docket No. CP2012-4; Order No. 1057]

New Postal Product

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a
recently-filed Postal Service request to
enter into an additional Inbound
Competitive Multi-Service Agreements
with Foreign Postal Operators 1
agreement. This document invites
public comments on the request and
addresses several related procedural
steps.

DATES: *Comments are due:* December
27, 2011, 4:30 p.m., Eastern Time.

ADDRESSES: Submit comments
electronically by accessing the "Filing
Online" link in the banner at the top of
the Commission's Web site ([http://
www.prc.gov](http://www.prc.gov)) or by directly accessing
the Commission's Filing Online system
at [https://www.prc.gov/prc-pages/filing-
online/login.aspx](https://www.prc.gov/prc-pages/filing-
online/login.aspx). Commenters who
cannot submit their views electronically
should contact the person identified in
the **FOR FURTHER INFORMATION CONTACT**
section as the source for case-related
information for advice on alternatives to
electronic filing.

FOR FURTHER INFORMATION CONTACT:
Stephen L. Sharfman, General Counsel,
at (202) 789-6820 (case-related
information) or DocketAdmins@prc.gov
(electronic filing assistance).

SUPPLEMENTARY INFORMATION:

- I. Introduction
- II. Additional Matters
- III. Ordering Paragraphs

I. Introduction

On December 9, 2011, the Postal
Service filed notice, pursuant to 39 CFR
3015.5 and Order No. 546, informing the
Commission that it has entered into a
bilateral agreement with Canada Post
Corporation (Canada Post 2012
Agreement or Agreement) and seeks to
include the Agreement within the
Inbound Competitive Multi-Service
Agreement with a Foreign Postal
Operators 1 product.¹ The Notice

¹ Notice of United States Postal Service of Filing
Functionally Equivalent Inbound Competitive

concerns only the inbound portion of
the Agreement; specifically, inbound
Expedited Parcels USA and EMS for
delivery in the United States. *Id.* at 4.

Attachments to the Notice include:

- Attachment 1—a redacted copy of
the 2012-2013 bilateral agreement with
Canada Post and supporting documents;
- Attachment 2—the certified
statement, required under Commission
rules, attesting to the accuracy of
supporting data and explaining why,
after the change, competitive products
in total will be in compliance with 39
U.S.C. 3633(a)(1) and (3);²
- Attachment 3—the certification of
the Governors' vote in Governors'
Decision No. 10-3; and
- Attachment 4—an application for
non-public treatment of certain
materials.

The Postal Service also provided a
redacted copy of the Agreement and
supporting financial documentation as
an Excel file. *Id.* at 3.

Parent product. In Order No. 546, the
Commission approved the Inbound
Competitive Multi-Service Agreements
with Foreign Operators 1 product and
included the TNT Agreement within the
product at that time. It also
acknowledged that the Postal Service
proposed adding other functionally
equivalent agreements as price
categories within this product.³ The
Commission, pursuant to the proposed
approach, subsequently found it
appropriate to include several other
bilateral agreements within the parent
product.⁴

Canada Post 2012 Agreement. The
Postal Service and Canada Post, the
postal operator, are parties to the
Agreement. The Agreement is to deliver
inbound Expedited Parcels USA and
EMS in the United States. The effective
date of the rates for the items included
in the Agreement is January 1, 2012.
Notice at 4. The rates are to remain in
effect for two years after the effective
date, unless terminated sooner. *Id.*

Functional equivalency. The Postal
Service asserts that the inbound portion

Multi-Service Agreement with a Foreign Postal
Operator, December 9, 2011 (Notice).

² Commission rule 3015.5(c)(2) addresses the
required certification. Section 3633(a)(1) includes a
prohibition against the subsidization of competitive
products by market dominant products. Section
3633(a)(3) includes the requirement that all
competitive products collectively cover what the
Commission determines to be an appropriate share
of the institutional costs of the Postal Service.

³ "TNT Agreement" refers to Koninklijke TNT
Post BV and TNT Post Pakketservice Benelux BV
(TNT Agreement). See Order No. 546.

⁴ The China Post Agreement was added in Order
No. 859 (Docket No. CP2011-68). The Norway Post
Agreement was added in Order No. 840 (Docket No.
CP2011-69). The Australia Post Agreement was
added in Order No. 956 (Docket No. CP2012-1).

of the Canada Post Agreement is substantially similar to the inbound portion of the TNT and Australia Post Agreement in terms of the products being offered under the contract and the contract's cost characteristics. *Id.* at 5. It claims that like those agreements, the Canada Post Agreement fits within the parameters outlined by Governors' Decision No. 10–3, which establishes the rates for Inbound Competitive Multi-Service Agreements with Foreign Operators. *Id.* It also identifies some differences, but says most are immaterial to the Commission's functional equivalency analysis. The differences include more detailed provisions concerning the consequences of early termination and the processes to be used to protect Canada Post's confidential information when filed in regulatory or other proceedings in the United States. *Id.* The Postal Service says it is possible that the more detailed information could have an impact on the cost characteristics of this Agreement in comparison to others in the product grouping, but asserts the difference would be a positive one because the more detailed termination clause eliminates substantial risks concerning the rates following termination that would otherwise apply. *Id.* at 5–6. It also says the more detailed provision concerning procedures to be followed in the event of certain regulatory filings does not affect either the market or cost characteristics of the Agreement. *Id.*

Relevant cost and market characteristics. The Postal Service asserts that because the Canada Post 2012 Agreement and the Australia and TNT Post Agreements incorporate the same cost attributes and methodology, the relevant cost and market characteristics are similar, if not the same, for the Canada Post 2012 Agreement and the TNT and Australia Post Agreements. *Id.* at 6. The Postal Service says it does not consider that the specified differences affect either the fundamental service the Postal Service is offering or the fundamental structure of the agreements. It claims that nothing detracts from the conclusion that these agreements are functionally equivalent in all pertinent respects. *Id.*

Postal Service's position. The Postal Service therefore maintains, based on the reasons discussed in the Notice and as demonstrated by the financial data filed under seal, it has established that the Canada Post 2012 Agreement is in compliance with the requirements of 39 U.S.C. 3633 and is functionally equivalent to the TNT and Australia Post Agreements within the Inbound Competitive Multi-Service Agreements

with Foreign Postal Operators 1 (MC2010–34) product. *Id.*

The Agreement's status as a "draft." The text of the Agreement is marked "Draft" because the parties continue to exchange drafts concerning the exact wording of the terms and conditions. *Id.* at 1 n.2. The Postal Service does not expect any substantive changes to the rates, the operational terms, or the financial liability provisions of the Agreement because those negotiations have been successfully concluded. *Id.* It anticipates filing a final signed version of the Agreement with the Commission and the Department of State prior to December 31, 2011. *Id.*

The Commission considers the draft version acceptable for purposes of issuing notice of the Postal Service's filing; however, it cannot base its final order in this proceeding on the draft version. To avoid delay in issuance of the final order, the Commission urges the Postal Service to file the final executed Agreement as soon as possible. At that time, the Postal Service should identify all changes between the draft version and the Agreement as executed.

II. Additional Matters

Interested persons may submit comments on whether the Postal Service's filing in the captioned docket is consistent with the policies of 39 U.S.C. 3632 and 3633 and 39 CFR part 3015. Comments are due no later than December 27, 2011.

The public portions of the Postal Service filing can be accessed via the Commission's Web site (<http://www.prc.gov>).

The Commission appoints James F. Callow to serve as Public Representative in this docket.

III. Ordering Paragraphs

It is Ordered

1. The Commission establishes Docket No. CP2012–4 to consider matters raised by the Postal Service's Notice.

2. Pursuant to 39 U.S.C. 505, James F. Callow is appointed to serve as officer of the Commission (Public Representative) to represent the interests of the general public.

3. Comments by interested persons in this proceeding are due no later than December 27, 2011.

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

By the Commission.

Shoshana M. Grove,
Secretary.

[FR Doc. 2011–32900 Filed 12–22–11; 8:45 am]

BILLING CODE 7710–FW–P

POSTAL REGULATORY COMMISSION

[Docket No. A2012–88; Order No. 1045]

Post Office Closing

AGENCY: Postal Regulatory Commission.
ACTION: Notice.

SUMMARY: This document informs the public that an appeal of the closing of the Alplaus, New York post office has been filed. It identifies preliminary steps and provides a procedural schedule. Publication of this document will allow the Postal Service, petitioners, and others to take appropriate action.

DATES: January 3, 2012, 4:30 p.m., Eastern Time: Deadline for Petitioner's Form 61; January 23, 2012, 4:30 p.m., Eastern Time: Deadline for answering brief in support of the Postal Service. See the Procedural Schedule in the **SUPPLEMENTARY INFORMATION** section for other dates of interest.

ADDRESSES: Submit comments electronically by accessing the "Filing Online" link in the banner at the top of the Commission's Web site (<http://www.prc.gov>) or by directly accessing the Commission's Filing Online system at <https://www.prc.gov/prc-pages/filing-online/login.aspx>. Commenters who cannot submit their views electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section as the source for case-related information for advice on alternatives to electronic filing.

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, General Counsel, at (202) 789–6820 (case-related information) or DocketAdmins@prc.gov (electronic filing assistance).

SUPPLEMENTARY INFORMATION: Notice is hereby given that, pursuant to 39 U.S.C. 404(d), on November 29, 2011 the Commission received a petition for review of the Postal Service's determination to close the Alplaus post office in Alplaus, New York. The petition for review was filed by Andy Gilpin (Petitioner) and is postmarked November 25, 2011. The Commission hereby institutes a proceeding under 39 U.S.C. 404(d)(5) and establishes Docket No. A2012–88 to consider Petitioner's appeal. If Petitioner would like to further explain his position with supplemental information or facts, Petitioner may either file a Participant Statement on PRC Form 61 or file a brief with the Commission no later than January 3, 2012.

Categories of issues apparently raised. Petitioner contends that (1) the Postal Service failed to consider the effect of the closing on the community (see 39