provisions in 10 CFR Part 52. The staff’s position is based upon the following considerations.

1. The draft SRP positions, if finalized, do not constitute Backfitting, in as much as the SRP is internal guidance to NRC staff.

The SRP provides interim guidance to the staff on how to review an application for NRC regulatory approval in the form of licensing. Changes in internal staff guidance are not matters for which applicants or licensees are protected under 10 CFR 50.109 or issue finality provisions in 10 CFR Part 52.

2. Backfitting and issue finality—with certain exceptions discussed below—do not protect current or future applicants.

Applicants and potential applicants are not, with certain exceptions, protected by either the Backfit Rule or any issue finality provisions under 10 CFR Part 52. This is because neither the Backfit Rule nor the issue finality provisions under 10 CFR Part 52—with certain exclusions discussed below—were intended to every NRC action which substantially changes the expectations of current and future applicants.

The exceptions to the general principle are applicable whenever an applicant references a 10 CFR Part 52 license (e.g., an early site permit) and/or NRC regulatory approval (e.g., a design certification rule) with specified issue finality provisions. The staff does not, at this time, intend to impose the positions represented in the draft SRP section (if finalized) in a manner that is inconsistent with any issue finality provisions. If, in the future, the staff seeks to impose a position in the draft SRP (if finalized) on holders of already issued licenses in a manner which does not provide issue finality as described in the applicable issue finality provision, then the staff must make the showing as set forth in the Backfit Rule, or address the criteria for avoiding issue finality as described in the applicable issue finality provision, as applicable.

Dated at Rockville, Maryland, this 27th day of June 2013.

For the Nuclear Regulatory Commission.

Joseph Colaccino,
Chief Policy Branch, Division of Advanced Reactors and Rulemaking, Office of New Reactors.

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POSTAL REGULATORY COMMISSION
[Docket No. CP2013–39; Order No. 1798]

International Mail Contract

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing concerning a modification to a Global Plus 1C agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: Comments are due: August 12, 2013.

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


SUPPLEMENTARY INFORMATION:

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I. Introduction

On August 2, 2013, the Postal Service filed notice, pursuant to 39 CFR 3015.5, that it has entered into a modification of the Global Plus 1C agreement approved in Docket No. CP2013–39 (Modification One). 1 Modification One consists of rate changes to Annex 3 Prices for Commercial ePacket service and a new paragraph, in Article 6, addressing the Postal Service’s obligation to provide its contracting partner, on a periodic basis, with a list of countries to which Commercial ePacket service is available. Notice at 1. This Order provides the public with notice of Modification One, invites comments, and takes other administrative steps.

II. Contents of Filing

In addition to the Notice, the Postal Service’s filing includes the following supporting documents addressing compliance with 39 U.S.C. 3633 and 39 CFR 3015.5: Modification One; a certified statement addressing certain pricing requirements; and Governors’ Decision No. 11–6. The supporting documents were filed in unredacted (public) versions as Attachments 1, 2, and 3 to the Notice, respectively, and in redacted (non-public) versions. The filing also includes redacted and unredacted versions of supporting financial documents.

III. Commission Action

The Commission reopens Docket No. CP2013–39 to consider issues raised by the Notice. The Commission invites comments from interested persons on whether Modification One is consistent with 39 U.S.C. 3633 and the requirements of 39 CFR 3015.5. Comments are due no later than August 12, 2013. The public portions of the Postal Service’s filing can be accessed via the Commission’s Web site (http://www.prc.gov). Information on the Commission’s treatment of non-public materials, including how to request access to them, appears in 39 CFR part 3007.

Curtis E. Kidd, previously designated to serve as Public Representative in this proceeding, will continue in that capacity. 2

IV. Ordering Paragraphs

It is ordered:

2. Curtis E. Kidd, previously designated to serve as an officer of the


2 See Order No. 1620, Notice and Order Concerning an Additional Global Plus 1C Contract, January 11, 2013.
Commission (Public Representative) to represent the interests of the general public in this proceeding, will continue in that capacity.

3. Comments from interested persons are due no later than August 12, 2013.

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

By the Commission.

Ruth Ann Abrams,
Acting Secretary.

I. Introduction

III. Commission Action

I. Introduction

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FOR FURTHER INFORMATION CONTACT:
Submit comments electronically via the Commission’s Filing Online system at http://www.prc.gov. Those who cannot submit comments electronically should contact the person identified in the FOR FURTHER INFORMATION CONTACT section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT:

SUPPLEMENTARY INFORMATION:

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I. Introduction

On August 1, 2013, the Postal Service filed notice, pursuant to 39 CFR 3015.5, that it has entered into a modification of the Global Plus 1C agreement approved in Docket No. CP2013–37 (Modification One).1 Modification One consists of rate changes to Annex 3 Prices for Commercial ePacket service and a new paragraph addressing the Postal Service’s obligation to provide its contracting partner, on a periodic basis, with a list of countries to which Commercial ePacket service is available.2 Notice at 1. This order provides the public with notice of Modification One, invites comments, and takes other administrative steps.

II. Contents of Filing

In addition to the Notice, the Postal Service’s filing includes the following supporting documents addressing compliance with 39 U.S.C. 3633 and 39 CFR 3015.5: Modification One; a certified statement addressing certain pricing requirements; and Governors’ Decision No. 11–6. The supporting documents were filed in unredacted (public) versions as Attachments A, B, and C to the Notice, respectively, and in redacted (non-public) versions.

III. Commission Action

The Commission reopens Docket No. CP2013–37 to consider issues raised by the Notice. The Commission invites comments from interested persons on whether Modification One is consistent with 39 U.S.C. 3633 and the requirements of 39 CFR 3015.5. Comments are due no later than August 9, 2013. The public portions of the Postal Service’s filing can be accessed via the Commission’s Web site (http://www.prc.gov). Information on the Commission’s treatment of non-public materials, including how to request access to them, appears in 39 CFR part 3007.

Curtis E. Kidd, previously designated to serve as Public Representative in this proceeding, will continue in that capacity.3 It is ordered:


2. Curtis E. Kidd, previously designated to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding, will continue in that capacity.

3. Comments from interested persons are due no later than August 9, 2013.

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


2 Modification One identifies the change to the text of the underlying agreement as the addition of Paragraph 7 to Article 6, captioned “Obligations of the USPS.” Id., Attachment 1 at 2.

3 See Notice and Order Concerning an Additional Global Plus 1C Contract, Order No. 1617, January 10, 2013.