

issue finality provisions under 10 CFR part 52. This is because neither the Backfit Rule nor the issue finality provisions of 10 CFR part 52 were intended to apply to every NRC action that substantially changes the expectations of current and future applicants.

The exceptions to the general principle are applicable whenever a 10 CFR part 50 operating license applicant references a construction permit or a 10 CFR part 52 combined license applicant references a license (*e.g.*, an early site permit) and/or an NRC regulatory approval (*e.g.*, a design certification rule) for which specified issue finality provisions apply.

The NRC staff does not currently intend to impose the positions represented in this draft SRP section in a manner that constitutes backfitting or is inconsistent with any issue finality provision of 10 CFR part 52. If in the future the NRC staff seeks to impose positions stated in this draft SRP section in a manner that would constitute backfitting or be inconsistent with these issue finality provisions, the NRC staff must make the showing as set forth in the Backfit Rule or address the regulatory criteria set forth in the applicable issue finality provision, as applicable, that would allow the staff to impose the position.

3. *The NRC staff has no intention to impose the SRP positions on existing nuclear power plant licensees either now or in the future (absent a voluntary request for a change from the licensee, holder of a regulatory approval or a design certification applicant).*

The NRC staff does not intend to impose or apply the positions described in this draft SRP section to existing (already issued) licenses (*e.g.*, operating licenses and combined licenses) and regulatory approvals. Hence, the issuance of this SRP guidance—even if considered guidance subject to the Backfit Rule or the issue finality provisions in 10 CFR part 52—would not need to be evaluated as if it were a backfit or as being inconsistent with these issue finality provisions. If, in the future, the NRC staff seeks to impose a position in the SRP on holders of already issued licenses in a manner that would constitute backfitting or does not provide issue finality as described in the applicable issue finality provision, then the staff must make a showing as set forth in the Backfit Rule or address the criteria set forth in the applicable issue finality provision, as applicable, that would allow the staff to impose the position.

Dated at Rockville, Maryland, on September 25, 2018.

For the Nuclear Regulatory Commission.

**Jennivine K. Rankin,**

*Acting Chief, Licensing Branch 3, Division of Licensing, Siting and Environmental Analysis, Office of New Reactors.*

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## POSTAL REGULATORY COMMISSION

[Docket No. PI2018–2; Order No. 4828]

### Public Inquiry on Service Performance Measurement Systems

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recently filed Postal Service request proposing modifications to its market dominant service performance measurement systems. This document informs the public of this proceeding and the technical conference, invites public comment, and takes other administrative steps.

**DATES:** *Comments are due:* October 12, 2018.

**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.

**FOR FURTHER INFORMATION CONTACT:** David A. Trissell, General Counsel, at 202–789–6820.

**SUPPLEMENTARY INFORMATION:** On September 20, 2018, the Postal Service filed a notice, pursuant to 39 CFR 3055.5, proposing modifications to its market dominant service performance measurement systems.<sup>1</sup> The systems that are the subject of this proceeding were recently approved for implementation on July 5, 2018, in Docket No. PI2015–1.<sup>2</sup> Accompanying the Notice is a library reference, which contains a copy of the United States Postal Service, Service Performance Measurement plan, revised September 20, 2018 (both redline and clean versions), a chart outlining the proposed

modifications, and other associated materials.<sup>3</sup>

The Postal Service's proposed modifications focus on accurately describing procedures in regard to "Non-Airlift Days." These are typically days before a non-Monday holiday where air transportation is limited on the day of mail induction (the day before the holiday) or the following day (the day of the holiday). Notice at 1. The Postal Service proposes to modify its service performance measurement plan for mailpieces that are dropped at a collection box, business mail chute, or Post Office location on a Non-Airlift Day to start-the-clock on measurement on the date of the following applicable acceptance day. *Id.* at 2.

Other proposed modifications focus on correcting areas of the service performance measurement plan to reflect current operations. These include removing references to certain parcels products that were recently moved from the market dominant to the competitive category, a product name change, and other applicable updates.

Interested persons are invited to comment on any or all aspects of the Postal Service's proposed modifications concerning the service performance measurement systems. Comments are due October 12, 2018. The Commission does not anticipate the need for reply comments at this time. The Commission intends to evaluate the comments received and use those suggestions to help carry out its service performance measurement responsibilities under the Postal Accountability and Enhancement Act. Material filed in this docket will be available for review on the Commission's website, <http://www.prc.gov>.

*It is ordered:*

1. Docket No. PI2018–2 is established for the purpose of considering the Postal Service's proposed modifications to its market dominant service performance measurement systems.

2. Interested persons may submit written comments on any or all aspects of the Postal Service's proposals no later than October 12, 2018.

3. Lyudmila Y. Bzhilyanskaya is designated to represent the interests of the general public in this docket.

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

By the Commission.

**Stacy L. Ruble,**  
*Secretary.*

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<sup>3</sup> Library Reference USPS–LR–PI2018–2/1, September 20, 2018.

<sup>1</sup> United States Postal Service Notice of Service Performance Measurement System Modification, September 20, 2018 (Notice).

<sup>2</sup> Docket No. PI2015–1, Order Approving Use of Internal Measurement Systems, July 5, 2018; Docket No. PI2015–1, Docket No. PI2015–1, Errata to Order No. 4697, August 21, 2018.