

Dated: May 1, 2020.

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**BILLING CODE 7536-01-P**

## POSTAL REGULATORY COMMISSION

[Docket Nos. MC2020-127 and CP2020-134]

### New Postal Product

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

**DATES:** *Comments are due:* May 11, 2020.

**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:**

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#### I. Introduction

The Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to negotiated service agreement(s). The request(s) may propose the addition or removal of a negotiated service agreement from the market dominant or the competitive product list, or the modification of an existing product currently appearing on the market dominant or the competitive product list.

Section II identifies the docket number(s) associated with each Postal Service request, the title of each Postal Service request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 (Public Representative). Section II also

establishes comment deadline(s) pertaining to each request.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (<http://www.prc.gov>). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.<sup>1</sup>

The Commission invites comments on whether the Postal Service's request(s) in the captioned docket(s) are consistent with the policies of title 39. For request(s) that the Postal Service states concern market dominant product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3622, 39 U.S.C. 3642, 39 CFR part 3030, and 39 CFR part 3040, subpart B. For request(s) that the Postal Service states concern competitive product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3040, subpart B. Comment deadline(s) for each request appear in section II.

#### II. Docketed Proceeding(s)

1. *Docket No(s):* MC2020-127 and CP2020-134; *Filing Title:* USPS Request to Add Priority Mail Contract 613 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* May 1, 2020; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3040.130 *et seq.*, and 39 CFR 3035.105; *Public Representative:* Christopher C. Mohr; *Comments Due:* May 11, 2020.

This Notice will be published in the **Federal Register**.

**Erica A. Barker,**

*Secretary.*

[FR Doc. 2020-09798 Filed 5-6-20; 8:45 am]

**BILLING CODE P**

## POSTAL REGULATORY COMMISSION

[Docket No. MC2020-126; Order No. 5499]

### Market Dominant Products

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recent Postal Service filing requesting the removal of Customized Postage from the Mail Classification Schedule. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

<sup>1</sup> See Docket No. RM2018-3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19-22 (Order No. 4679).

**DATES:** *Comments are due:* May 18, 2020.

**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:**

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- I. Introduction
- II. Summary of Changes
- III. Notice of Commission Action
- IV. Ordering Paragraphs

#### I. Introduction

On May 1, 2020, the Postal Service filed a formal request to remove Customized Postage from the Mail Classification Schedule (MCS).<sup>1</sup> To support its Request, the Postal Service filed a copy of the Governors' Decision authorizing the request, a Statement of Supporting Justification required by 39 CFR 3040.132, and proposed changes to the MCS.

#### II. Summary of Changes

The Customized Postage program offers customers the ability to personalize postage indicia using the customers' own images or text. Request at 1. The program was established in 2004 as a revenue-generating mechanism and is only offered through authorized vendors. *Id.* The Postal Service requires that authorized vendors adopt the eligibility criteria set forth in 39 CFR 501.21(b) to ensure the images included in the customized indicia are both appropriate for the program and protective of the Postal Service's legal, financial, and brand interests. *Id.* at 2. The Postal Service retains the right under 39 CFR 501.21(c)(7) to suspend or revoke a vendor's authorization if it determines the Customized Postage products constitute an unacceptable business risk. *Id.*

The Postal Service asserts that over time, the eligibility criteria have become the source of customer complaints and the subject of legal disputes. *Id.* As such, the Postal Service recently reevaluated the Customized Postage program to determine whether its benefits outweigh the business risks. *Id.* Its assessment found that the demand

<sup>1</sup> Request of the United States Postal Service to Remove Customized Postage from the Mail Classification Schedule, May 1, 2020 (Request).

and revenue for the Customized Postage program has steadily declined in recent years. *Id.* The Postal Service also determined that the number of requests for new authorizations has also declined, and as of June 16, 2020, no authorized vendors will remain for the Customized Postage program. *Id.* The Postal Service states that the revenue from the Customized Postage program has also declined by approximately \$11 million from FY 2017 to FY 2019. *Id.* at 3. The Postal Service states that it believes it would have received the majority of the revenue even in absence of the Customized Postage program. *Id.* Therefore, the Postal Service determined that the business risks of the Customized Postage program outweigh the declining benefits of the program. *Id.*

The Postal Service maintains that the removal of the Customized Postage program would only minimally impact consumers and small businesses. *Id.* It notes that demand for the program has been weak and continually declining, and notes that there are several alternatives to Customized Postage in the Postal Service's existing offerings. *Id.* at 3–4.

The Postal Service states that it has considered whether removal of the Customized Postage program is consistent with the factors and objectives of section 3622 as required by 39 CFR 3040.132(b). *Id.* at 4. It maintains that “none of the factors and objectives of 39 U.S.C. 3622 are directly applicable” to removal of the Customized Postage program but that it is “nonetheless consistent with the spirit of Section 3622.” *Id.* at 4.

### III. Notice of Commission Action

Pursuant to 39 CFR 3040.133, the Commission has posted the Request on its website and invites comments on whether the Postal Service's filings are consistent with 39 CFR 3040.321. Comments are due no later than May 18, 2020. The filing can be accessed via the Commission's website (<http://www.prc.gov>).

The Commission appoints Richard A. Oliver to represent the interests of the general public (Public Representative) in this docket.

### IV. Ordering Paragraphs

*It is ordered:*

1. The Commission establishes Docket No. MC2020–126 to consider matters raised by the Notice.
2. Comments by interested persons are due by May 18, 2020.
3. Pursuant to 39 U.S.C. 505, Richard A. Oliver is appointed to serve as an officer of the Commission (Public

Representative) 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.

**Erica A. Barker,**  
*Secretary.*

[FR Doc. 2020–09802 Filed 5–6–20; 8:45 am]

**BILLING CODE 7710–FW–P**

## SECURITIES AND EXCHANGE COMMISSION

### Proposed Collection; Comment Request

*Upon Written Request, Copies Available From:* Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

#### *Extension:*

Rule 203A–2(d), SEC File No. 270–630,  
OMB Control No. 3235–0689

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 (the “Commission”) is soliciting comments on the collections of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget (“OMB”) for extension and approval.

The title of the collection of information is: “Exemption for Certain Multi-State Investment Advisers (Rule 203A–2(d)).” Its currently approved OMB control number is 3235–0689. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Pursuant to section 203A of the Investment Advisers Act of 1940 (the “Act”) (15 U.S.C. 80b–3a), an investment adviser that is regulated or required to be regulated as an investment adviser in the state in which it maintains its principal office and place of business is prohibited from registering with the Commission unless that adviser has at least \$25 million in assets under management or advises a Commission-registered investment company. Section 203A also prohibits from Commission registration an adviser that: (i) Has assets under management between \$25 million and \$100 million; (ii) is required to be registered as an investment adviser with the state in which it maintains its principal office

and place of business; and (iii) if registered, would be subject to examination as an adviser by that state (a “mid-sized adviser”). A mid-sized adviser that otherwise would be prohibited may register with the Commission if it would be required to register with 15 or more states. Similarly, Rule 203A–2(d) under the Act (17 CFR 275.203a–2(d)) provides that the prohibition on registration with the Commission does not apply to an investment adviser that is required to register in 15 or more states. An investment adviser relying on this exemption also must: (i) Include a representation on Schedule D of Form ADV that the investment adviser has concluded that it must register as an investment adviser with the required number of states; (ii) undertake to withdraw from registration with the Commission if the adviser indicates on an annual updating amendment to Form ADV that it would be required by the laws of fewer than 15 states to register as an investment adviser with the state; and (iii) maintain in an easily accessible place a record of the states in which the investment adviser has determined it would, but for the exemption, be required to register for a period of not less than five years from the filing of a Form ADV relying on the rule.

Respondents to this collection of information are investment advisers required to register in 15 or more states absent the exemption that rely on rule 203A–2(d) to register with the Commission. The information collected under rule 203A–2(d) permits the Commission's examination staff to determine an adviser's eligibility for registration with the Commission under this exemptive rule and is also necessary for the Commission staff to use in its examination and oversight program. This collection of information is codified at 17 CFR 275.203a–2(d) and is mandatory to qualify for and maintain Commission registration eligibility under rule 203A–2(d). Responses to the recordkeeping requirements under rule 203A–2(d) in the context of the Commission's examination and oversight program are generally kept confidential.

The estimated number of investment advisers subject to the collection of information requirements under the rule is 106. These advisers will incur an average one-time initial burden of approximately 8 hours, and an average ongoing burden of approximately 8 hours per year, to keep records sufficient to demonstrate that they meet the 15-state threshold. These estimates are based on an estimate that each year an investment adviser will spend