

■ 2. Section 958.240 is revised to read as follows:

§ 958.240 Assessment rate.

On and after July 1, 2025, an assessment rate of \$0.05 per hundredweight is established for Idaho-Eastern Oregon onions.

Erin Morris,

Administrator, Agricultural Marketing Service.

[FR Doc. 2026-02589 Filed 2-9-26; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 36, 43, 45, 48, 89, 91, 107, 108, 119, 133, 135, 137, and 146

[Docket No. FAA-2025-1908; Notice No. 25-07C]

RIN 2120-AL82

Normalizing Unmanned Aircraft Systems Beyond Visual Line of Sight Operations; Reopening of Comment Period; Denial of Extension

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking (NPRM); Reopening of comment period; Denial of extension.

SUMMARY: This action denies requests for extension of the reopening of the comment period for the notice of proposed rulemaking (NPRM) titled “Normalizing Unmanned Aircraft Systems Beyond Visual Line of Sight Operations” that was published in the *Federal Register* on January 28, 2026.

FOR FURTHER INFORMATION CONTACT: Michelle Ferritto, ARM-100, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20592; Phone: (844) 359-6982; Email: 9F-AA-UAS-BVLOS-Rule@faa.gov.

SUPPLEMENTARY INFORMATION: On August 7, 2025, the Federal Aviation Administration (FAA) and the Transportation Security Administration (TSA) published a notice of proposed rulemaking (NPRM) titled “Normalizing Unmanned Aircraft Systems Beyond Visual Line of Sight Operations” in the *Federal Register* (90 FR 38212; Notice No. 25-07). In that document, FAA proposed performance-based regulations to enable the design and operation of unmanned aircraft systems (UAS) mostly at low altitudes beyond visual line of sight (BVLOS) and for third-party

services that support these operations including UAS Traffic Management. The comment period for the NPRM closed on October 6, 2025.

During the comment period that closed on October 2025, FAA received significant comments on its proposals related to right-of-way rules, Automatic Dependent Surveillance-Broadcast (ADS-B) Out, electronic conspicuity, and detect-and-avoid. Noting the substantial interest in, and comment on, these policies, FAA published a notice to reopen the NPRM comment period in the *Federal Register* on January 28, 2026 (91 FR 3695; Notice No. 25-07B). The notice asks seven questions to solicit comments limited to electronic conspicuity and right-of-way to ensure FAA fully understands these comments and the relevant policy implications.

Denial of Extension of Reopened Comment Period

On January 31, 2026, FAA received a request for extension of the reopened comment period from James E. Whedbee, “until February 28, 2026, or such time thereafter as the Administrator deems appropriate is in the public interest.”¹ FAA has considered and hereby denies this request.

The commenter asserted that topics of the questions asked by the FAA are sufficiently complex to warrant a thoughtful response that may require more time than the reopened comment period permits. While the topics of the questions are complex, FAA asserts that the reopened comment period provides sufficient opportunity for interested persons to provide feedback on the limited topics given they are topics that were already broached in the NPRM. During the initial 60-day comment period, FAA received approximately 3,100 comments on the totality of the rule many of which referenced the topics on which FAA has solicited additional comment. Noting that, FAA finds that 14 days is sufficient to obtain comment on the limited topics described in the January 28, 2026, notice.

The commenter also asserted an extension should be granted because a lapse in funding impacting the Department of Transportation has interrupted the reopened comment period. FAA disagrees as the lapse in funding does not impact the ability for commenters to review the NPRM, the request for comments, or to submit comments. Further, the commenter asserted the reopened comment period

¹ Comment from James E. Whedbee, Docket FAA-2025-1908-3170 (Jan. 31, 2026).

should be extended because other federal agencies impacted by the partial lapse in funding would miss their opportunity to comment. FAA disagrees with this assertion as other federal agencies have the opportunity to review the final rule and provide comments during the interagency coordination process handled by the Office of Information and Regulatory Affairs pursuant to E.O. 12866 for significant rulemakings, a process that is independent of the notice and comment process under the Administrative Procedure Act.²

The commenter also asserted that no person would be prejudiced by extending the reopening of the comment period. FAA disagrees, as keeping the reopened comment period open for an extended period on these limited topics could delay finalizing this rule. This delay would negatively impact other stakeholders, including UAS operators, manufacturers, standards organizations, and providers of supporting third-party services as they rely on the finalization of this rule to build and scale their operations.

Accordingly, FAA declines to grant the extension requests and the reopened comment period will close on February 11, 2026.

Issued under authority provided by 49 U.S.C. 106(f) and 44701, in Washington, DC.

Brandon Roberts,

Executive Director, Office of Rulemaking, Federal Aviation Administration.

[FR Doc. 2026-02649 Filed 2-9-26; 8:45 am]

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POSTAL REGULATORY COMMISSION

39 CFR Parts 3010 and 3012

[Docket No. RM2025-3; Order No. 9447]

RIN 3211-AA42

Rules Regarding Off-the-Record Procedures

AGENCY: Postal Regulatory Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Notice of Proposed Rulemaking proposes amendments to revise the Commission’s rules regarding permissible off-the-record procedures in proceedings with an opportunity for a hearing on the record. The proposed amendments also revise the Commission’s rules to clarify that informal off-the-record procedures are consistent with the Commission’s *ex parte* rules when participants receive

² See 5 U.S.C. 553(c) (summary of notice and comment rulemaking).

advance notice and an opportunity to participate. This document informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* March 12, 2026.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at <https://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. The Rule Summary can be found on the Commission's Rule Summary Page at <https://www.prc.gov/rule-summary-page>.

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

SUPPLEMENTARY INFORMATION:

Table of Contents

- I. Background
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I. Background

The Administrative Procedure Act (APA) is a federal law that, among other things, prescribes the procedural framework for formal agency adjudications and hearings required by statute to be made on the record.¹ Commission requirements for proceedings with an opportunity for a hearing on the record are described in 39 CFR part 3010, subpart F. Section 3010.302(e)(12), which governs prehearing conferences, requires the presiding officer and parties to consider and resolve several matters, including “[a]ll other matters which would aid in an expeditious disposition of the proceeding”

The proposed amendments would revise § 3010.302(e)(12) to clarify that, by consent, parties may use informal off-the-record procedures consistent with the APA to expedite resolution of proceedings without compromising on-the-record adjudications. The proposed amendments would also revise the Commission's rules to clarify that informal off-the-record procedures are consistent with the Commission's *ex parte* rules as long as certain requirements are met.

II. Basis of Proposed Rules

Pursuant to 39 U.S.C. 503, the Commission proposes two amendments to its rules. First, it proposes revisions

to the Commission's rules of practice and procedure in 39 CFR part 3010, subpart F governing proceedings conducted with an opportunity for a hearing on-the-record. The Commission proposes to amend existing § 3010.302(e)(12) to add a non-exhaustive list of permissible informal off-the-record procedures, including prehearing conferences, technical conferences, settlement conferences, or alternative dispute resolution.

Second, the Commission proposes revisions to the Commission's rules on *ex parte* communications in 39 CFR part 3012. The Commission proposes to amend existing section 3012.2(b)(3) to exclude from the definition of *ex parte* communications informal off-the-record procedures associated with on-the-record proceedings as long as participants receive advanced notice and an opportunity to participate.

The Commission finds that each of these revisions would align the regulations with APA provisions and current law, ensure consistency across the Commission's rules, and avoid any ambiguity regarding on-the-record proceedings.

III. Proposed Rules

List of Subjects

39 CFR Part 3010

Administrative practice and procedure, Confidential business information, Freedom of information, Sunshine Act.

39 CFR Part 3012

Administrative practice and procedure, Courts.

For the reasons stated in the preamble, the Commission proposes to amend chapter III of title 39 of the Code of Federal Regulations as follows:

PART 3010—RULES OF PRACTICE AND PROCEDURE

■ 1. The authority citation for part 3010 continues to read as follows:

Authority: 39 U.S.C. 404(d); 503; 504; 3661.

■ 2. Amend § 3010.302 by revising paragraph (e)(12) to read as follows:

§ 3010.302 Prehearing conferences.

* * * * *
(e) * * *

(12) All other matters which would aid in an expeditious disposition of the proceeding, including consent of the parties to use informal off-the-record procedures such as prehearing conferences, technical conferences, settlement conferences, or alternative

dispute resolution consistent with 5 U.S.C. 556.

* * * * *

PART 3012—EX PARTE RULES

■ 3. The authority citation for part 3012 continues to read as follows:

Authority: 39 U.S.C. 404(d)(5); 503; 504; 3661(c); 3662.

■ 4. Amend § 3012.2 by revising paragraph (b)(3) to read as follows:

§ 3012.2 Definition of ex parte communications.

* * * * *
(b) * * *

(3) Communications where advance public notice and an opportunity to participate is provided to all persons participating in the matter before the Commission that occur: during the course of off-the-record technical conferences associated with a matter before the Commission, or communications during the course of off-the-record procedures associated with proceedings with an opportunity for a hearing on-the-record under part 3010, subpart F of this chapter, including without limitation the pre-filing conference for nature of service cases required by § 3020.111 of this chapter; prehearing conferences conducted under § 3010.302(c) of this chapter; settlement conferences under § 3010.320 of this chapter; and alternative dispute resolution and settlement of complaints by informal procedures under § 3022.40 of this chapter.

* * * * *

By the Commission.

Mallory S. Richards,
Attorney-Advisor.

[FR Doc. 2026-02591 Filed 2-9-26; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[**MB Docket No. 26-29; RM-12016; DA 26-118; FR ID 330275**]

Television Broadcasting Services Norwell, Massachusetts

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: In this document the Federal Communications Commission's (Commission) proposes to modify the Table of TV Allotments (table) of its rules by substituting channel 10 for 36

¹ Administrative Procedure Act, Public Law 79-404, § 6, 60 Stat. 237 (1946) (codified in 5 U.S.C. 551-559 and 701-706).