

at [http://www.nrc.gov/NRR/OVERSIGHT/ASSESS/pim\\_summary.html](http://www.nrc.gov/NRR/OVERSIGHT/ASSESS/pim_summary.html), with cover letters for security inspection reports found at [http://www.nrc.gov/NRR/OVERSIGHT/ASSESS/listofrpts\\_body\\_security.html](http://www.nrc.gov/NRR/OVERSIGHT/ASSESS/listofrpts_body_security.html). The information on these web links is updated every quarter, however, the actual safety report or security cover letter is publicly available in ADAMS shortly after the reports are approved and signed. For NRC inspection and licensee performance assessment of fuel cycle facilities see <http://www.nrc.gov/reading-rm.html>. Lastly, the NRC continues to enable public access to various reports produced by the NRC staff, public meeting and workshop summaries, and media-type information in ADAMS and may release other information to the public in response to formal or informal requests.

#### Summary

Considering the various reviews, legislation, and other changes since September 11, 2001, the NRC staff believes that enhancement of its current procedures and policies regarding publicly-available information summarizing security inspection, enforcement results, and licensee performance assessment could serve in the public interest. Therefore, the NRC seeks public comments on ways to improve regulatory openness and transparency of its security oversight activities. Improving openness and transparency will enhance public satisfaction by: (1) Enhancing public awareness of the NRC's independent role in protecting public health and safety, the environment, and the common defense and security; (2) providing accurate and timely information to the public about regulatory activities at NRC licensees; (3) providing fair, timely, and meaningful stakeholder involvement in NRC regulated activities without disclosing classified, safeguards, proprietary, or sensitive information; and (4) initiating early communication with stakeholders on issues of substantial interest. To support this endeavor and to better understand public satisfaction in how the NRC communicates security-related information, comments are requested on, but need not be limited to, the topics below:

(1) In addition to the information currently in publicly-available cover letters for the majority of NRC security inspections, what additional information would be effective in informing the public about licensee security performance? For example, what specific details would increase the

public's level of satisfaction in NRC regulatory oversight of licensed facilities?

(2)(a) At what stage in the inspection process is interaction with the public most effective and beneficial? For example, immediately upon closure of an inspection when a finding is identified, but may be withheld from public disclosure or some time after licensee correction of the finding, when it may be possible to release additional security-related inspection information?

(b) At what stage in the NRC's licensee performance assessment process is interaction with the public most effective and beneficial? For example, upon NRC determination that licensee performance changed from one Action Matrix column<sup>3</sup> to another or during NRC's mid-cycle or end-of-cycle licensee performance reviews.

(3) What method of public interaction is most preferred? For example, is the conduct of a public meeting, a redacted inspection report, additional information in NRC's annual report to Congress regarding security inspections, or additional information posted on the NRC Web site the most beneficial (efficient, effective, or informative) method of informing the public?

(4) How useful are the above methods for communicating NRC security-related inspection and licensee performance information to all stakeholders?

(5) What are the reasons why various stakeholders desire security-related information? For example, is this information necessary to build confidence in NRC regulatory oversight or understand current licensee performance?

(6) What level of public participation in any substantial and future revision of the security oversight process (e.g., changes made to performance indicators, significance determination process, etc.) would be beneficial? What constraints and considerations on such participation would be necessary to protect the details of sensitive security information?

The public may view background information, express additional thought, comment, and describe other means and methods to enhance openness and transparency at "Security Inspection and Licensee Performance Assessment Openness Initiative" located at <http://www.nrc.gov/public-involve/doc-comment.html#3>.

Dated this 22nd day of July 2008, at Rockville, Maryland.

<sup>3</sup> See NRC Inspection Manual Chapter 0320, "Operating Reactor Security Assessment Program," page E2-1, located at <http://www.nrc.gov/reading-rm/doc-collections/insp-manual/>.

For the Nuclear Regulatory Commission.

**Roy P. Zimmerman,**

*Director, Office of Nuclear Security and Incident Response.*

[FR Doc. E8-17324 Filed 7-28-08; 8:45 am]

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## POSTAL REGULATORY COMMISSION

[Docket No. MC2008-5; Order No. 90]

### Express Mail

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** This document announces the Postal Service's filing of a notice concerning the addition of an Express Mail contract to the competitive product list. It also announces a related Commission review.

**DATES:** Comments due July 31, 2008.

**ADDRESSES:** Submit documents electronically via the Commission's Filing Online system at <http://www.prc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, General Counsel, 202-789-6820 and [stephen.sharfman@prc.gov](mailto:stephen.sharfman@prc.gov).

**SUPPLEMENTARY INFORMATION:** On July 21, 2008, the Postal Service filed a request pursuant to 39 U.S.C. 3642 and 39 CFR 3020.30 to modify the Mail Classification Schedule by adding Express Mail Contract 1 to the competitive product list. The Postal Service asserts that Express Mail Contract 1 is a competitive product "not of general applicability" within the meaning of 39 U.S.C. 3632(b)(3).<sup>1</sup> A redacted version of the Governors' Decision establishing the price and classification and a certification of the Governors' vote is included as Attachment A to the filing. The requested changes in the Mail Classification Schedule product list are included in the filing as Attachment B with the new product shown in brackets.<sup>2</sup> The statement of supporting justification required by 39 CFR 3020.32 is included as Attachment C to the filing.

In the same July 21, 2008 filing, the Postal Service gives notice, pursuant to 39 U.S.C. 3632(b)(3) and 39 CFR 3015.5,

<sup>1</sup> Request of the United States Postal Service to Add Express Mail Contract to Competitive Product List and Notice of Establishment of Rates and Class Not of General Applicability, July 21, 2008 (Request).

<sup>2</sup> The draft Mail Classification Schedule remains under review. The Commission anticipates providing interested persons an opportunity to comment on the draft Mail Classification Schedule in the near future.

that the Governors have established prices and classifications not of general applicability for Express Mail Contract 1. Request at 2.

In support of its Request, the Postal Service has also filed materials under seal, including an unredacted version of an explanation and justification in the Governors' Decision and an unredacted analysis. Also filed under seal are the cost and revenue data and the certification of compliance with 39 U.S.C. 3633(a)(1) and (3). The Postal Service asserts "that the contract, related financial information, the customer's name and the portions of the Governors' Decision and accompanying analysis that provides prices, terms, and conditions should remain confidential." *Id.*

In Order No. 43, the Commission issued regulations establishing a modern system of rate regulation, including a list of competitive products. PRC Order No. 43, October 29, 2007, paras. 3061, 4013. Among other things, the Commission determined that each negotiated service agreement would initially be classified as a separate product. The specific Express Mail agreement filed in this docket will be classified as a new product.

As noted above, the Postal Service filing in this docket was made pursuant to rule 3015.5 and rule 3020.30. As a consequence, the Commission will review the filing under both rule 3015 and part 3020, subpart B.

Interested persons may express views and offer comments on whether the planned changes are consistent with the policies of 39 U.S.C. 3632, 3633 and/or 3642. Comments are due no later than July 31, 2008.

Pursuant to 39 U.S.C. 505, Paul L. Harrington is appointed to serve as officer of the Commission (Public Representative) to represent the interests of the general public in the captioned docket.

*It is Ordered:*

1. Comments on issues in this proceeding are due no later than July 31, 2008.

2. The Commission appoints Paul L. Harrington as Public Representative to represent the interests of the general public in this proceeding.

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

By the Commission.

Issued July 23, 2008.

**Steven W. Williams,**  
*Secretary.*

[FR Doc. E8-17301 Filed 7-28-08; 8:45 am]

**BILLING CODE 7710-FW-P**

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94-409, that the Securities and Exchange Commission will hold a Closed Meeting on July 31, 2008 at 2 p.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the Closed Meeting. Certain staff members who have an interest in the matters also may be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (7), (9)(B), and (10) and 17 CFR 200.402(a)(3), (5), (7), 9(ii) and (10), permit consideration of the scheduled matters at the Closed Meeting.

Commissioner Walter, as duty officer, voted to consider the items listed for the Closed Meeting in closed session.

The subject matter of the Closed Meeting scheduled for July 31, 2008 will be: Formal orders of investigation; institution and settlement of injunctive actions; institution and settlement of administrative proceedings of an enforcement nature; resolution of litigation claims; and other matters related to enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting items.

For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact:

The Office of the Secretary at (202) 551-5400.

Dated: July 24, 2008.

**Florence E. Harmon,**

*Acting Secretary.*

[FR Doc. E8-17414 Filed 7-28-08; 8:45 am]

**BILLING CODE 8010-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-58207; File No. SR-CBOE-2008-26]

### Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Order Approving a Proposed Rule Change To List and Trade Options on the BXM Index (1/10th Value)

July 22, 2008.

#### I. Introduction

On June 2, 2008, the Chicago Board Options Exchange, Incorporated ("CBOE" or "Exchange") filed with the Securities and Exchange Commission ("Commission"), pursuant to Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> a proposed rule change to list and trade options on the BXM Index (1/10th value). The proposed rule change was published for comment in the **Federal Register** on June 18, 2008.<sup>3</sup> The Commission received no comments regarding the proposal. This order approves the proposed rule change.

#### II. Description of the Proposal

CBOE proposes to list and trade cash-settled, European-style options on an index that is equal to 1/10th of the value of the CBOE S&P 500 BuyWrite Index ("BXW" or "BXW Index").<sup>4</sup>

##### *Index Design*

The BXM Index measures the total rate of return of a hypothetical "covered call" strategy applied to the S&P 500 Composite Price Index (the "S&P 500 Index"). This strategy, referred to as the "BXM covered call strategy," consists of a hypothetical portfolio consisting of a "long" position indexed to the S&P 500 Index on which are deemed sold a succession of one-month, at-the-money call options on the S&P 500 Index listed on the Exchange. This hypothetical portfolio is referred to as the "covered S&P 500 Index portfolio."

The BXM Index provides a benchmark measure of the total return performance of this hypothetical portfolio. Dividends paid on the component stocks underlying the S&P

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> See Securities Exchange Act Release No. 57946 (June 10, 2008), 73 FR 34811 ("Notice").

<sup>4</sup> The Exchange is not currently proposing to list and trade options that overlie the full-value BXM Index.

CBOE Futures Exchange, LLC ("CFE") currently lists and trades CBOE S&P 500 BuyWrite Index future contracts, which commenced trading on October 2, 2006.