

**NUCLEAR REGULATORY COMMISSION**

[Docket Nos. 52–034–COL, ASLBP No. 09–886–09–COL–BD01, and 52–035–COL]

**Luminant Generation Company, LLC; Establishment of Atomic Safety and Licensing Board**

Pursuant to delegation by the Commission dated December 29, 1972, published in the *Federal Register*, 37 FR 28,710 (1972), and the Commission's regulations, see 10 CFR 2.104, 2.300, 2.303, 2.309, 2.311, 2.318, and 2.321, notice is hereby given that an Atomic Safety and Licensing Board (Board) is being established to preside over the following proceeding:

**Luminant Generation Company, LLC**

(Comanche Peak Nuclear Power Plant, Units 3 and 4)

This proceeding concerns a Petition to Intervene and Request for Hearing dated April 6, 2009 from the Sustainable Energy and Economic Development Coalition, *et al.*, that was submitted in response to a February 5, 2009 Notice of Order, Hearing, and Opportunity To Petition for Leave To Intervene (74 FR 6177). Petitioners challenge the application filed by Luminant Generation Company LLC pursuant to subpart C of 10 CFR part 52 for a combined license for Comanche Peak Nuclear Power Plant, Units 3 and 4, to be located in Somervell County, Texas.

*The Board is comprised of the following administrative judges:*

Ann Marshall Young, Chair, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001,

Gary S. Arnold, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001,

Alice C. Mignerey, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

All correspondence, documents, and other materials shall be filed in accordance with the NRC E–Filing rule, which the NRC promulgated in August 2007 (72 FR 49,139).

Issued at Rockville, Maryland, this 4th day of May 2009.

**E. Roy Hawkens,**

*Chief Administrative Judge, Atomic Safety and Licensing Board Panel.*

[FR Doc. E9–10930 Filed 5–8–09; 8:45 am]

**BILLING CODE 7590–01–P**

**POSTAL REGULATORY COMMISSION**

[Docket No. R2009–3; Order No. 209]

**Postal Service Price Changes**

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is conducting a review of the Postal Service's planned Standard Mail Volume Incentive Pricing Program (Summer Sale). This document invites public comment.

**DATES:** Comments are due May 21, 2009.

**ADDRESSES:** Submit comments 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:****I. Overview**

On May 1, 2009, the Postal Service filed with the Commission a notice announcing its intention to adjust prices for Standard Mail letters and flats pursuant to 39 U.S.C. 3622 and 39 CFR part 3010.<sup>1</sup> The proposed adjustment is in the form of a "Standard Mail Volume Incentive Pricing Program" (also known as the Summer Sale program) with a planned implementation date of July 1, 2009 and a planned expiration date of September 30, 2009. This proposal represents an innovative approach by the Postal Service to utilize greater pricing flexibility for market dominant products under the Postal Accountability and Enhancement Act (PAEA), Public Law 109–435, 120 Stat. 3218 (2006).

**II. Postal Service Filing**

*Summer Sale Program.* The proposed Summer Sale program will provide a 30 percent rebate to eligible mailers on Standard Mail letters and flats volumes above a mailer specific threshold. *Id.* at 3. The threshold is calculated based on the percentage change between the mailer's volume during the current fiscal year (through March 2009) and the volume for the same period last year (trend), and applying that percentage to the volume mailed during the summer months the previous year (July 1, 2008 and September 30, 2008). *Id.* at 3–4. To discourage mailers from shifting planned October 2009 mailings into the Summer Sale program, the Postal Service will measure each mailer's

October 2009 volume against the prior year's volume for that month and reduce the rebate if the mailer is found to have mailed less in October 2009. *Id.* at 4.

Eligibility for the Summer Sale program is limited to mailers who are permit holders, *i.e.*, owners of a permit imprint advance deposit account and who have a demonstrable volume of at least 1 million Standard Mail letters and flats between October 1, 2007 and March 31, 2008 for one or more permit imprint advance deposit accounts, pre-canceled stamp permits, or postage meter permits. *Id.* at 4. Mail service providers are not eligible for the program due to the significant administrative cost to the Postal Service. *Id.* at 5. However, applicants may qualify for the program with volume mailed through an account owned by a mail service provider if the applicant can adequately demonstrate that it is the owner of the mail. *Id.* at 4.

In support of the proposal, the Postal Service notes that the economy has adversely affected many postal customers, resulting in a precipitous decline in Standard Mail volume. *Id.* at 2. The Postal Service believes the Summer Sale program may help its customers increase use of Standard Mail during what is typically a low volume period for Standard Mail. *Id.* at 2–3. The Postal Service also believes it will receive intangible benefits from the proposed program, including learning information which may improve postal data systems, gathering feedback from customers, which may help fine tune future programs, and improving customer relations. *Id.* at 3.

*Conformance with 39 CFR 3010.* The Postal Service's proposed schedule of prices appears in Appendix A, attached to the Notice. *Id.* at 1. It also represents, in conformance with the notice requirements of 39 CFR 3010.14(a)(3), that it will issue public notice of the price changes at least 45 days before the effective date via several additional means, including issuing notice of the price changes on the Postal Service's Web site (<http://www.usps.com>), the Postal Explorer Web site (<http://www.pe.usps.com>), the *DMM [Domestic Mail Manual] Advisory*, and the *P&C [Producers and Consumers] Weekly*, and a press release announcing the changes. The Postal Service also states that it plans to provide public notice of the price changes in future issues of the *PCC [Postal Customer Council] Insider*, *MailPro*, the *Postal Bulletin*, and the *Federal Register*. *Id.* at 1–2. The Postal Service identifies Greg Dawson, Manager, Pricing Strategy, as the official available to provide prompt responses

<sup>1</sup> United States Postal Service Notice of Market-Dominant Price Adjustment, May 1, 2009 (Notice).