

Request has been assigned Docket No. MC2010–11.

The Postal Service states that Governors' Decision No. 09–15 establishes the prices for Inbound Air Parcel Post at UPU Rates and the changes in classification necessary to implement those prices. *Id.* at 3. The rates authorized by Governors' Decision No. 09–15 are inward land rates when there is no contractual relationship with the tendering postal operator at the highest possible inward land rate eligible for the United States under the Parcel Post regulations. *Id.* These rates are assigned Docket No. CP2010–11.

*Request.* In support of its Request, the Postal Service filed the following materials: (1) An application for non-public treatment of pricing and supporting documents filed under seal;<sup>3</sup> (2) a Statement of Supporting Justification as required by 39 CFR 3020.32;<sup>4</sup> (3) a redacted version of Governors' Decision No. 09–15 establishing prices and classifications for Inbound Air Parcel Post at UPU Rates, certification of the Governors' vote, a certification of compliance with 39 U.S.C. 3633 (a), proposed Mail Classification Schedule (MCS) language, and a Management Analysis of Inbound Air Parcel Post at UPU Rates.<sup>5</sup>

Air parcels comprise inbound parcels eligible to receive transportation by air rather than surface. Governors' Decision No. 09–15 at 2. The Postal Service indicates that the United States receives both air and surface parcels from foreign postal administrations which compensate the Postal Service for delivery of these parcels in the United States. Request at 2. It maintains that it has negotiated separate agreements for parcel rates with certain foreign posts, but most compensate it at the United States default rates for inbound parcel delivery. *Id.* The default rates are known as inward land rates. The Postal Service notes that inward land rates are set according to formulas in the UPU Parcel Post Regulations which constitute international law. *Id.* More specifically, the UPU Postal Operations Council sets rates.<sup>6</sup> The Postal Service states that UPU Parcel Post Regulations require that rates are based on a percentage of each member's inward land rate in 2004. *Id.* at 3. UPU members may qualify for percentage "bonuses" to their base rate based upon their provision of certain value-added

services.<sup>7</sup> *Id.* The Postal Service states it is responsible for gathering information that the UPU Postal Operations Council uses to calculate the rates including completion of a questionnaire on service bonus eligibility, and submission of annual inflation information from the Consumer Price Index for All Urban Consumers. *Id.* It explains that the UPU uses this information from the member posts and publishes an annual notice in the fall establishing the postal administration's parcel rates for the following year. *Id.*

The Postal Service states that because of the unique situation of setting inward land rates, it chose to establish rates for inbound air parcels by reference to the Universal Postal Convention. *Id.*

In the Statement of Supporting Justification, Brian Hutchins, Manager, International Postal Relations, asserts that adding Inbound Air Parcel Post at UPU Rates to the competitive product list improves the Postal Service's competitive posture, will cover its attributable costs, make a positive contribution to institutional costs, and increase contribution toward the requisite 5.5 percent of the Postal Service's total institutional costs. *Id.*, Attachment 2. Thus, Mr. Hutchins contends there will be no issue of subsidization of competitive products by market dominant products as a result of this product addition. *Id.*

W. Ashley Lyons, Manager, Regulatory Reporting and Cost Analysis, Finance Department, certifies that the contract complies with 39 U.S.C. 3633(a). Request, Attachment 3. He asserts that the prices for Inbound Air Parcel Post at UPU Rates "should cover its attributable costs and preclude the subsidization of competitive products by market dominant products." *Id.*

The Postal Service filed much of the supporting materials under seal. In its Request, the Postal Service maintains that certain portions of Governors' Decision 09–15 and related financial information should remain confidential including portions of the management financial analysis of Inbound Air Parcel Post at UPU Rates and the accompanying analyses that provide prices, terms, conditions, cost data, and financial projections should remain under seal. Request at 2. Prices and classification changes established in Governors' Decision No. 09–15 are scheduled to take effect January 1, 2010. Governors' Decision No. 09–15 at 2.

## II. Notice of Filings

The Commission establishes Docket Nos. MC2010–11 and CP2010–11 for consideration of the Request pertaining to the proposed Inbound Air Parcel Post at UPU Rates product and the related rates and classifications, respectively. In keeping with practice, these dockets are addressed on a consolidated basis for purposes of this order; however, future filings should be made in the specific docket in which issues being addressed pertain.

Interested persons may submit comments on whether the Postal Service's filings in the captioned dockets are consistent with the policies of 39 U.S.C. 3632, 3633, or 3642, 39 CFR part 3015, and 39 CFR 3020 subpart B. Comments are due no later than December 7, 2009. The public portions of these filings can be accessed via the Commission's Web site <http://www.prc.gov>.

The Commission appoints Paul L. Harrington to serve as Public Representative in these dockets.

## III. Ordering Paragraphs

*It is ordered:*

1. The Commission establishes Docket Nos. MC2010–11 and CP2010–11 for consideration of the matters raised in each docket.

2. 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 these proceedings.

3. Comments by interested persons in these proceedings are due no later than December 7, 2009.

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

By the Commission.

**Judith M. Grady,**

*Acting Secretary.*

[FR Doc. E9–28377 Filed 11–25–09; 8:45 am]

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## UNITED STATES POSTAL SERVICE

### Board of Governors; Sunshine Act Meeting; Notice

#### Board Votes To Close December 8, 2009, Meeting

At its closed session meeting on November 12, 2009, the Board of Governors of the United States Postal Service voted unanimously to close to public observation its meeting to be held on December 8, 2009, in Washington, DC, via teleconference. The

<sup>3</sup> Attachment 1 to the Request.

<sup>4</sup> Attachment 2 to the Request.

<sup>5</sup> Attachment 3 to the Request.

<sup>6</sup> The UPU Postal Operations Council is a designated body of the UPU which is responsible for rate setting.

<sup>7</sup> The Postal Service states that services such as "track and trace, home delivery, published delivery standards, and use of a common inquiry system" qualify UPU members for bonuses. *Id.* Members may also seek an inflation-related adjustment to the base rate which is capped at 5 percent per year.

Board determined that no earlier public notice was possible.

#### Items Considered

1. Financial Matters.
2. Strategic Issues.
3. Pricing.
4. Personnel Matters and Compensation Issues.
5. Governors' Executive Session—discussion of prior agenda items and Board Governance.

#### General Counsel Certification

The General Counsel of the United States Postal Service has certified that the meeting is properly closed under the Government in the Sunshine Act.

#### Contact Person For More Information

Requests for information about the meeting should be addressed to the Secretary of the Board, Julie S. Moore, at (202) 268-4800.

**Julie S. Moore,**

*Secretary.*

[FR Doc. E9-28587 Filed 11-24-09; 4:15 pm]

**BILLING CODE 7710-12-P**

### SMALL BUSINESS ADMINISTRATION

#### Data Collection Available for Public Comments and Recommendations

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the Small Business Administration's intentions to request approval on a new and/or currently approved information collection.

**DATES:** Submit comments on or before January 26, 2010.

**ADDRESSES:** Send all comments regarding whether these information collections are necessary for the proper performance of the function of the agency, whether the burden estimates are accurate, and if there are ways to minimize the estimated burden and enhance the quality of the collection, to Sandy Johnston, Program Analyst, Office Financial Assistance, Small Business Administration, 409 3rd Street, 6th Floor, Washington, DC 20416.

**FOR FURTHER INFORMATION CONTACT:** Sandy Johnston, Program Analyst, 202-205-7528, [sandra.johnston@sba.gov](mailto:sandra.johnston@sba.gov). Curtis B. Rich, Management Analyst, 202-205-7030, [curtis.rich@sba.gov](mailto:curtis.rich@sba.gov).

**SUPPLEMENTARY INFORMATION:** Section 7(a) of the Small Business Act (15 U.S.C.) subsection 626(a) authorizes the Small Business Administration to guaranty loans in the SBA Express and

Pilot Loan Programs. The regulations covering these and other loan programs at 13 CFR part 120 require certain information from loan applicants and lenders. These forms are the means of collecting the information.

**Title:** "SBA Express and Pilot Loan Programs (Export Express, Community Express and Patriot Express)."

**Description of Respondents:** Small Business Clients.

**Form Numbers:** 1919, 1920SX, A, B, C, 2237, 2238.

**Annual Responses:** 98,200.

**Annual Burden:** 52,474.

SBA collects loan status information on all guaranteed loans all lenders with at least one guaranteed loan outstanding. The information is used to track lender portfolio performance and to model program subsidy rates.

**Title:** "Lenders Disbursement & Collection Report."

**Description of Respondents:** Eligible Dealers associated with the Dealer floor plan.

**Form Number:** 1502R.

**Annual Responses:** 300.

**Annual Burden:** 140.

The seller of a loan or pool certificate must disclose the information on this form including a constant annual prepayment rate based upon the seller's analysis of the prepayments histories of SBA guaranteed loans with similar maturities and additional disclosure information on the terms conditions and yield of the security.

**Title:** "Form of detached assignment for U.S. Small Business Administration Loan Pool or Guaranteed Interest Certificate."

**Description of Respondents:** Secondary market participants.

**Form Number:** 1088.

**Annual Responses:** 6,500.

**Annual Burden:** 9,750.

#### FOR FURTHER INFORMATION CONTACT:

Martin Gold, Deputy National Ombudsman, 202-205-7549, [martin.gold@sba.gov](mailto:martin.gold@sba.gov). Curtis B. Rich, Management Analyst, 202-205-7030, [curtis.rich@sba.gov](mailto:curtis.rich@sba.gov).

**SUPPLEMENTARY INFORMATION:** The Small Business Regulatory Enforcement Fairness Act of 1996, 15 U.S.C. 657(b)(2)(B), requires the SBA National Ombudsman to establish a means for SBA to receive comments on regulatory and compliance actions. This one-page form covers any written narrative submitted by a small entity to explain disagreement with a Federal agency's action. The Ombudsman uses it to obtain the agency's response, encourage a fresh look by the agency at a high level, and build a more small business-friendly regulatory environment.

**Title:** "Federal Agency Comment Form."

**Description of Respondents:** Small Business Owners and Farmers.

**Form Number:** 1993.

**Annual Responses:** 400.

**Annual Burden:** 300.

#### FOR FURTHER INFORMATION CONTACT:

Rachel Newman Karton, Program Analyst, 202-619-1816, [rachel.newman-karton@sba.gov](mailto:rachel.newman-karton@sba.gov). Curtis B. Rich, Management Analyst, 202-205-7030, [curtis.rich@sba.gov](mailto:curtis.rich@sba.gov).

**SUPPLEMENTARY INFORMATION:** The Small Business Development Centers (SBDC) must provide semi-annual financial and programmatic reports outlining accomplishments.

**Title:** "Federal Cash Transaction Report, Financial Status Report, Program Income Report, Narrative Program Report."

**Description of Respondents:** SBDC Directors.

**Form Number's:** SF 269, SF 272, SBA Form 2113.

**Annual Responses:** 126.

**Annual Burden:** 8,568.

#### FOR FURTHER INFORMATION CONTACT:

LeAnn Delaney, Deputy Associate Administrator for Business Development, 202-205-6731, [leann.delaney@sba.gov](mailto:leann.delaney@sba.gov). Curtis B. Rich, Management Analyst, 202-205-7030, [curtis.rich@sba.gov](mailto:curtis.rich@sba.gov).

#### SUPPLEMENTARY INFORMATION:

Respondents are small businesses that are seeking 8(a) or Small Disadvantaged Business certification by the SBA. SBA uses the information collected to make a determination on the eligibility for certification of the applicant and/or their suitability to participate in the 8(a) Business Development Program.

**Title:** "Application for 8(a) Business Development (BD) and Small Disadvantage Business (SDB) Certification."

**Description of Respondents:** Eligible Small Disadvantage Businesses & 8(a) businesses.

**Form Number's:** 1010, 1010-IND, 1010-AIT, 1010-ANC, 1010-CDC, 1010-NHO, 1010-REP, 1010-RECERT and 1010C.

**Annual Responses:** 9,971.

**Annual Burden:** 36,210.

**Jacqueline White,**

*Chief, Administrative Information Branch.*

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**BILLING CODE 8025-01-P**