

**United States of America Federal Energy Regulatory Commission**  
**18 CFR Part 381**

[Docket No. RM10-14-000]

**Annual Update of Filing Fees in Part 381 Annual Update of Filing Fees**

(Issued January 20, 2010)

The Federal Energy Regulatory Commission (Commission) is issuing this notice to update filing fees that the

Commission assesses for specific services and benefits provided to identifiable beneficiaries. Pursuant to 18 CFR 381.104, the Commission is establishing updated fees on the basis of the Commission's Fiscal Year 2009 costs. The adjusted fees announced in this notice are effective February 25, 2010. The Commission has determined, with the concurrence of the Administrator of the Office of Information and Regulatory Affairs of

the Office of Management and Budget, that this Final Rule is not a major rule within the meaning of section 251 of Subtitle E of Small Business Regulatory Enforcement Fairness Act, 5 U.S.C. 804(2). The Commission is submitting this Final Rule to both houses of the United States Congress and to the Comptroller General of the United States.

The new fee schedule is as follows:

**Fees Applicable to the Natural Gas Policy Act**

1. Petitions for rate approval pursuant to 18 CFR 284.123(b)(2). (18 CFR 381.403) ..... \$11,520

**Fees Applicable to General Activities**

1. Petition for issuance of a declaratory order (except under Part I of the Federal Power Act). (18 CFR 381.302(a)) ..... 23,140

2. Review of a Department of Energy remedial order:

*Amount in controversy*

\$0-9,999. (18 CFR 381.303(b)) ..... 100

\$10,000-29,999. (18 CFR 381.303(b)) ..... 600

\$30,000 or more. (18 CFR 381.303(a)) ..... 33,780

3. Review of a Department of Energy denial of adjustment:

*Amount in controversy*

\$0-9,999. (18 CFR 381.304(b)) ..... 100

\$10,000-29,999. (18 CFR 381.304(b)) ..... 600

\$30,000 or more. (18 CFR 381.304(a)) ..... 17,710

4. Written legal interpretations by the Office of General Counsel. (18 CFR 381.305(a)) ..... 6,640

**Fees Applicable to Natural Gas Pipelines**

1. Pipeline certificate applications pursuant to 18 CFR 284.224. (18 CFR 381.207(b)) ..... \* 1,000

**Fees Applicable to Cogenerators and Small Power Producers**

1. Certification of qualifying status as a small power production facility. (18 CFR 381.505(a)) ..... 19,900

2. Certification of qualifying status as a cogeneration facility. (18 CFR 381.505(a)) ..... 22,530

\* This fee has not been changed.

**List of Subjects in 18 CFR Part 381**

Electric power plants, Electric utilities, Natural gas, Reporting and recordkeeping requirements.

**Thomas R. Herlihy,**  
*Executive Director.*

■ In consideration of the foregoing, the Commission amends Part 381, Chapter I, Title 18, Code of Federal Regulations, as set forth below.

**PART 381—FEES**

■ 1. The authority citation for Part 381 continues to read as follows:

**Authority:** 15 U.S.C. 717-717w; 16 U.S.C. 791-828c, 2601-2645; 31 U.S.C. 9701; 42 U.S.C. 7101-7352; 49 U.S.C. 60502; 49 App. U.S.C. 1-85.

**§ 381.302 [Amended]**

■ 2. In 381.302, paragraph (a) is amended by removing “\$22,550” and adding “\$23,140” in its place.

**§ 381.303 [Amended]**

■ 3. In 381.303, paragraph (a) is amended by removing “\$32,920” and adding “\$33,780” in its place.

**§ 381.304 [Amended]**

■ 4. In 381.304, paragraph (a) is amended by removing “\$17,260” and adding “\$17,710” in its place.

**§ 381.305 [Amended]**

■ 5. In 381.305, paragraph (a) is amended by removing “\$6,470” and adding “\$6,640” in its place.

**§ 381.403 [Amended]**

■ 6. Section 381.403 is amended by removing “\$11,220” and adding “\$11,520” in its place.

**§ 381.505 [Amended]**

■ 7. In 381.505, paragraph (a) is amended by removing “\$19,390” and adding “\$19,900” in its place and by removing “\$21,950” and adding “\$22,530” in its place.

[FR Doc. 2010-1446 Filed 1-25-10; 8:45 am]

**BILLING CODE P**

**POSTAL REGULATORY COMMISSION**

**39 CFR Part 3020**

[Docket Nos. MC2010-11 and CP2010-11; Order No. 362]

**New Postal Product**

**AGENCY:** Postal Regulatory Commission.  
**ACTION:** Final rule.

**SUMMARY:** The Commission is adding Inbound Air Parcel Post at non-Universal Postal Union rates to the product list. This action is consistent with changes in a postal reform law. The Commission is also making clarifying editorial changes to a related product that is already on the product list. Republication of the lists of market dominant and competitive products is consistent with a statutory requirement.  
**DATES:** Effective January 26, 2010 and is applicable beginning December 15, 2009.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, General Counsel, 202-789-6820 or stephen.sharfman@prc.gov.

**SUPPLEMENTARY INFORMATION:** *Regulatory History*, 74 FR 62357 (November 27, 2009).

I. Introduction  
 II. Background  
 III. Comments  
 IV. Commission Analysis  
 V. Ordering Paragraphs

### I. Introduction

The Postal Service seeks to add a new product, Inbound Air Parcel Post at Universal Postal Union (UPU) Rates, to the Competitive Product List. For the reasons discussed below, the Commission approves the Request.

### II. Background

On November 17, 2009, the Postal Service filed a request pursuant to 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.* to add Inbound Air Parcel Post at Universal Postal Union (UPU) Rates to the Competitive Product List.<sup>1</sup> The Postal Service asserts that Inbound Air Parcel Post is a competitive product within the meaning of 39 U.S.C. 3632(b)(3).

The Postal Service states that prices and classifications underlying these rates are supported by Governors' Decision No. 09–15.<sup>2</sup> *Id.* at 1–2. This 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. Governors' Decision No. 09–15 authorizes inward land rates when there is no contractual relationship with the tendering postal operator at the highest inward land rate for which the United States is eligible 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>

Inbound Air Parcels are 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. 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. 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. More specifically, the UPU Postal Operations Council sets these rates. Request at 2.

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.<sup>6</sup> UPU members may qualify for percentage "bonuses" to their base rate based upon their provision of certain value-added services.<sup>7</sup> 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. It explains that the UPU uses this information from the member posts and publishes an annual notice in the fall establishing each postal administration's parcel rates for the following year. Request at 3.

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.*

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

<sup>6</sup> The Postal Service states that the Parcel Post Regulations also permit members to seek an "inflation-linked increase" to its base inward land rate up to a cap of 5 percent.

<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.

In the Statement of Supporting Justification, Brian Hutchins, Manager, International Postal Relations, asserts that the product satisfies 39 U.S.C. 3633(a). *Id.*, Attachment 2, at 1–2.

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 No. 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.

In Order No. 345, the Commission gave notice of the two dockets, appointed a public representative, and provided the public with an opportunity to comment.<sup>8</sup>

### III. Comments

Comments were filed by the Public Representative.<sup>9</sup> No other interested person submitted comments. The Public Representative states the Postal Service Request complies with applicable provisions of title 39, Commission rules, and the UPU. *Id.* at 1. He also notes the Postal Service has provided a rationale for non-public treatment of the information under seal. *Id.* at 2.

The Public Representative theorizes that in the instant agreement the Postal Service has not shown the cost coverage for Inbound Air Parcel Post is in compliance with 39 U.S.C. 3633. *Id.* at 4. He states that the Commission will have the ability to gain further information to determine cost coverage for this product with issuance of the Annual Compliance Determination (ACD). *Id.* However, the Public

<sup>8</sup> PRC Order No. 345, Notice and Order Concerning Adding Inbound Air Parcel Post at UPU Rates to Competitive Product List, November 20, 2009 (Order No. 345).

<sup>9</sup> Public Representatives Comments in Response to United States Postal Service Filing of Request to Add Inbound Air Parcel Post at UPU Rates to the Competitive Products List, December 7, 2009 (Public Representative Comments).

<sup>1</sup> Request of the United States Postal Service to Add Inbound Air Parcel Post at Universal Postal Union (UPU) Rates to the Competitive Products List, Notice of Establishment of Prices and Classifications Not of General Applicability for Inbound Air Parcel Post at UPU Rates Established in Governors' Decision No. 09–15, and Application for Non-Public Treatment of Materials Filed Under Seal, November 17, 2009 (Request).

<sup>2</sup> The Request and Governors' Decision both note that the classification for Inbound Air Parcel Post was originally proposed by the Postal Service for the Mail Classification Schedule language in response to Docket No. RM2007–1, Order Establishing Ratemaking Regulations for Market Dominant and Competitive Products, October 29, 2007 (Order No. 43). *Id.* at 1.

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

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

Representative concludes that the Postal Service's proposal results in a benefit to its customers and the general public. *Id.* at 5.

#### IV. Commission Analysis

The Commission has reviewed the Request, the agreement, the financial analysis filed under seal, and the comments filed by all parties.

*Statutory requirements.* The Commission's statutory responsibilities in this instance entail assigning the Inbound Air Parcel Post at UPU Rates to either the Market Dominant Product List or to the Competitive Product List. 39 U.S.C. 3642. As part of this responsibility, the Commission also reviews the proposal for compliance with the Postal Accountability and Enhancement Act (PAEA) requirements. This includes, for proposed competitive products, a review of the provisions applicable to rates for competitive products. 39 U.S.C. 3633.

*Product list assignment.* In determining whether to assign Inbound Air Parcel Post at UPU Rates to the Market Dominant Product List or the Competitive Product List, the Commission must consider whether "the Postal Service exercises sufficient market power that it can effectively set the price of such product substantially above costs, raise prices significantly, decrease quality, or decrease output, without risk of losing a significant level of business to other firms offering similar products." 39 U.S.C. 3642(b)(1). If so, the product will be categorized as market dominant. The competitive category of products shall consist of all other products.

The Commission is further required to consider the availability and nature of enterprises in the private sector engaged in the delivery of the product, the views of those who use the product, and the likely impact on small business concerns. 39 U.S.C. 3642(b)(3).

The Postal Service asserts that it does not have discretion to establish the formula for prices for Inbound Air Parcel Post at UPU Rates and therefore there is no connection between prices and the Postal Services' market role. Request, Attachment 2, para. (d). It affirms, as discussed above, that inward land rates are set based on formulas in the UPU Parcel Post Regulations which constitute international law. Under the Universal Postal Convention, postal operators tender air parcels to each other for delivery in the destination country at prices set by the UPU Postal Operations Council, except where postal operators have negotiated alternative prices for air parcels. Governors' Decision No. 09-15 at 1. As described

above, annually, UPU members may elect to send the UPU secretariat inflation information in accordance with the Parcel Post Regulations in order to seek an "inflation-linked increase" to its base inward land rate up to a cap of 5 percent. Additionally, UPU members may qualify for "bonuses" to their new base rate if they provide certain value-added services, such as home delivery.

The Postal Service states that the United States completes a survey each year to qualify for the bonus based on its eligibility. *Id.* At the end of each year, the UPU's secretariat publishes each member's inward land rates based on its inflation information and questionnaire responses. *Id.* The Postal Service states that new rates are implemented at the beginning of the next calendar year and are effective until the end of that year. *Id.* Therefore, it concludes it does not exercise market power over this product relative to pricing. Request, Attachment 2, at 2.

The Postal Service states there are private consolidators, freight forwarders, and integrators who can provide similar services. *Id.* at 3, para. (f). It further states that this agreement has been classified as competitive because of its exclusion from the letter monopoly and the level of competition in the relevant market. *Id.* at 3.

The Postal Service notes that even though some incoming parcels subject to this agreement may contain letters, the prices paid under the agreement are higher than six times the rate for the current price of a one-ounce, single-piece First-Class Mail letter. *Id.*, para. (e). It also remarks that international parcel service has been a feature of the UPU system for decades which it suggests means that the international community finds the terms and conditions of the agreement satisfactory since there are competitive services available from private enterprises. The Postal Service states however, that it has no specific data on foreign postal operators or their customer's views on the regulatory classification of Inbound Air Parcel Post at UPU Rates. *Id.*, para. (g). The Postal Service states that the proposed modification is unlikely to have an impact on small business concerns since the product has been available for decades, and this agreement does not affect the availability of the service or the terms and conditions which affect small business. *Id.*, para. (h). The Postal Service notes that the proposed modification does not concern a change in the rates for which the Postal Service exercises discretion, but this proceeding

formally presents the product for review by the Commission. *Id.*, para. (i).

The Postal Service's Request notes that it has previously taken steps to add Inbound Air Parcel Post paying rates established through the UPU to the competitive products list and refers to Order No. 43.<sup>10</sup> In Order No. 43, the Commission classified Inbound Air Parcel Post in the MCS as a competitive product, which included those at UPU rates. The Postal Service subsequently filed a negotiated service agreement with Royal Mail for Inbound Air Parcel Post which the Commission approved in Order No. 218, adding it as a new product to the Competitive Product List.<sup>11</sup>

The Postal Service proposes to add Inbound Air Parcel Post at UPU rates as a new product. See Request at 1. Thus, the Request presents for regulatory review a new product, Inbound Air Parcel Post at UPU Rates, for inclusion in the MCS.

Having considered the statutory requirements, the support offered by the Postal Service, and all comments, the Commission finds that Inbound Air Parcel Post at UPU Rates is appropriately classified as a competitive product and that it shall be added to the Competitive Product List.

The existing category, Inbound Air Parcel Post, shall be renamed Inbound Air Parcel Post (at non-UPU rates). Currently, this category includes the Royal Mail Inbound Air Parcel Post Agreement.

*Cost considerations.* The Postal Service presents a financial analysis showing that the Inbound Air Parcel Post at UPU Rates product covers its attributable costs, does not result in subsidization of competitive products by market dominant products, and increases contribution from competitive products.

Based on the data submitted, the Commission finds that Inbound Air Parcel Post at UPU Rates should cover its attributable costs (39 U.S.C. 3633(a)(2)), should not lead to the subsidization of competitive products by market dominant products (39 U.S.C. 3633(a)(1)), and should have a positive effect on competitive products' contribution to institutional costs (39 U.S.C. 3633(a)(3)). Thus, an initial review of the proposed Inbound Air Parcel Post at UPU Rates agreement

<sup>10</sup> See Docket No. RM2007-1, Order Establishing Rate-making Regulations for Market Dominant and Competitive Products, October 29, 2007 at para. 3030 "[A]ir Parcel Post Shipments are appropriately classified as competitive."

<sup>11</sup> See Docket Nos. MC2009-24 and CP2009-28, Order Concerning Royal Mail Inbound Air Parcel Post Negotiated Service Agreement, May 29, 2009.

indicates that it comports with the provisions applicable to rates for competitive products.

In conclusion, the Commission approves Inbound Air Parcel Post at UPU Rates as a new product. The revision to the Competitive Product List is shown below the signature of this order and is effective upon issuance of this order.

## V. Ordering Paragraphs

*It is ordered:*

1. Inbound Air Parcel Post (at UPU Rates) is added to the Competitive Product List as a new product.

2. The existing Inbound Air Parcel Post category which includes the Royal Mail Group Inbound Air Parcel Post Agreement shall be renamed Inbound Air Parcel Post (at non-UPU rates).

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

### List of Subjects in 39 CFR Part 3020

Administrative Practice and Procedure; Postal Service.

By the Commission.

**Shoshana M. Grove**,  
Secretary.

■ For the reasons discussed in the preamble, the Postal Regulatory Commission amends chapter III of title 39 of the Code of Federal Regulations as follows:

### PART 3020—PRODUCT LISTS

■ 1. The authority citation for part 3020 continues to read as follows:

**Authority:** Authority: 39 U.S.C. 503; 3622; 3631; 3642; 3682.

■ 2. Revise Appendix A to Subpart A of Part 3020—Mail Classification Schedule to read as follows:

#### Appendix A to Subpart A of Part 3020—Mail Classification Schedule

##### Part A—Market Dominant Products

1000 Market Dominant Product List  
First-Class Mail

Single-Piece Letters/Postcards  
Bulk Letters/Postcards  
Flats  
Parcels  
Outbound Single-Piece First-Class Mail  
International  
Inbound Single-Piece First-Class Mail  
International  
Standard Mail (Regular and Nonprofit)  
High Density and Saturation Letters  
High Density and Saturation Flats/Parcels  
Carrier Route  
Letters  
Flats  
Not Flat-Machinables (NFM)/Parcels  
Periodicals  
Within County Periodicals  
Outside County Periodicals

Package Services  
Single-Piece Parcel Post  
Inbound Surface Parcel Post (at UPU rates)  
Bound Printed Matter Flats  
Bound Printed Matter Parcels  
Media Mail/Library Mail  
Special Services  
Ancillary Services  
International Ancillary Services  
Address List Services  
Caller Service  
Change-of-Address Credit Card Authentication  
Confirm  
International Reply Coupon Service  
International Business Reply Mail Service  
Money Orders  
Post Office Box Service  
Negotiated Service Agreements  
HSBC North America Holdings Inc. Negotiated Service Agreement  
Bookspan Negotiated Service Agreement  
Bank of America Corporation Negotiated Service Agreement  
The Bradford Group Negotiated Service Agreement  
Inbound International  
Canada Post—United States Postal Service Contractual Bilateral Agreement for Inbound Market Dominant Services  
Market Dominant Product Descriptions  
First-Class Mail  
[Reserved for Class Description]  
Single-Piece Letters/Postcards  
[Reserved for Product Description]  
Bulk Letters/Postcards  
[Reserved for Product Description]  
Flats  
[Reserved for Product Description]  
Parcels  
[Reserved for Product Description]  
Outbound Single-Piece First-Class Mail  
International  
[Reserved for Product Description]  
Inbound Single-Piece First-Class Mail  
International  
[Reserved for Product Description]  
Standard Mail (Regular and Nonprofit)  
[Reserved for Class Description]  
High Density and Saturation Letters  
[Reserved for Product Description]  
High Density and Saturation Flats/Parcels  
[Reserved for Product Description]  
Carrier Route  
[Reserved for Product Description]  
Letters  
[Reserved for Product Description]  
Flats  
[Reserved for Product Description]  
Not Flat-Machinables (NFM)/Parcels  
[Reserved for Product Description]  
Periodicals  
[Reserved for Class Description]  
Within County Periodicals  
[Reserved for Product Description]  
Outside County Periodicals  
[Reserved for Product Description]  
Package Services  
[Reserved for Class Description]  
Single-Piece Parcel Post  
[Reserved for Product Description]

Inbound Surface Parcel Post (at UPU rates)  
[Reserved for Product Description]  
Bound Printed Matter Flats  
[Reserved for Product Description]  
Bound Printed Matter Parcels  
[Reserved for Product Description]  
Media Mail/Library Mail  
[Reserved for Product Description]  
Special Services  
[Reserved for Class Description]  
Ancillary Services  
[Reserved for Product Description]  
Address Correction Service  
[Reserved for Product Description]  
Applications and Mailing Permits  
[Reserved for Product Description]  
Business Reply Mail  
[Reserved for Product Description]  
Bulk Parcel Return Service  
[Reserved for Product Description]  
Certified Mail  
[Reserved for Product Description]  
Certificate of Mailing  
[Reserved for Product Description]  
Collect on Delivery  
[Reserved for Product Description]  
Delivery Confirmation  
[Reserved for Product Description]  
Insurance  
[Reserved for Product Description]  
Merchandise Return Service  
[Reserved for Product Description]  
Parcel Airlift (PAL)  
[Reserved for Product Description]  
Registered Mail  
[Reserved for Product Description]  
Return Receipt  
[Reserved for Product Description]  
Return Receipt for Merchandise  
[Reserved for Product Description]  
Restricted Delivery  
[Reserved for Product Description]  
Shipper-Paid Forward  
[Reserved for Product Description]  
Signature Confirmation  
[Reserved for Product Description]  
Special Handling  
[Reserved for Product Description]  
Stamped Envelopes  
[Reserved for Product Description]  
Stamped Cards  
[Reserved for Product Description]  
Premium Stamped Stationery  
[Reserved for Product Description]  
Premium Stamped Cards  
[Reserved for Product Description]  
International Ancillary Services  
[Reserved for Product Description]  
International Certificate of Mailing  
[Reserved for Product Description]  
International Registered Mail  
[Reserved for Product Description]  
International Return Receipt  
[Reserved for Product Description]  
International Restricted Delivery  
[Reserved for Product Description]  
Address List Services  
[Reserved for Product Description]  
Caller Service  
[Reserved for Product Description]  
Change-of-Address Credit Card Authentication  
[Reserved for Product Description]  
Confirm  
[Reserved for Product Description]

International Reply Coupon Service [Reserved for Product Description]	Express Mail & Priority Mail Contract 1 (MC2009-6 and CP2009-7)	Priority Mail Contract 23 (MC2010-9 and CP2010-9)
International Business Reply Mail Service [Reserved for Product Description]	Express Mail & Priority Mail Contract 2 (MC2009-12 and CP2009-14)	Outbound International
Money Orders [Reserved for Product Description]	Express Mail & Priority Mail Contract 3 (MC2009-13 and CP2009-17)	Direct Entry Parcels Contracts
Post Office Box Service [Reserved for Product Description]	Express Mail & Priority Mail Contract 4 (MC2009-17 and CP2009-24)	Direct Entry Parcels 1 (MC2009-26 and CP2009-36)
Negotiated Service Agreements [Reserved for Class Description]	Express Mail & Priority Mail Contract 5 (MC2009-18 and CP2009-25)	Global Direct Contracts (MC2009-9, CP2009-10, and CP2009-11)
HSBC North America Holdings Inc. Negotiated Service Agreement [Reserved for Product Description]	Express Mail & Priority Mail Contract 6 (MC2009-31 and CP2009-42)	Global Expedited Package Services (GEPS) Contracts
Bookspan Negotiated Service Agreement [Reserved for Product Description]	Express Mail & Priority Mail Contract 7 (MC2009-32 and CP2009-43)	GEPS 1 (CP2008-5, CP2008-11, CP2008-12, CP2008-13, CP2008-18, CP2008-19, CP2008-20, CP2008-21, CP2008-22, CP2008-23, and CP2008-24)
Bank of America Corporation Negotiated Service Agreement	Express Mail & Priority Mail Contract 8 (MC2009-33 and CP2009-44)	Global Expedited Package Services 2 (CP2009-50)
The Bradford Group Negotiated Service Agreement	Parcel Select & Parcel Return Service Contract 1 (MC2009-11 and CP2009-13)	Global Plus Contracts
Part B—Competitive Products	Parcel Select & Parcel Return Service Contract 2 (MC2009-40 and CP2009-61)	Global Plus 1 (CP2008-8, CP2008-46 and CP2009-47)
2000 Competitive Product List	Parcel Return Service Contract 1 (MC2009-1 and CP2009-2)	Global Plus 2 (MC2008-7, CP2008-48 and CP2008-49)
Express Mail	Priority Mail Contract 1 (MC2008-8 and CP2008-26)	Inbound International
Express Mail	Priority Mail Contract 2 (MC2009-2 and CP2009-3)	Inbound Direct Entry Contracts with Foreign Postal Administrations
Outbound International Expedited Services	Priority Mail Contract 3 (MC2009-4 and CP2009-5)	Inbound Direct Entry Contracts with Foreign Postal Administrations (MC2008-6, CP2008-14 and MC2008-15)
Inbound International Expedited Services	Priority Mail Contract 4 (MC2009-5 and CP2009-6)	Inbound Direct Entry Contracts with Foreign Postal Administrations 1 (MC2008-6 and CP2009-62)
Inbound International Expedited Services 1 (CP2008-7)	Priority Mail Contract 5 (MC2009-21 and CP2009-26)	International Business Reply Service Competitive Contract 1 (MC2009-14 and CP2009-20)
Inbound International Expedited Services 2 (MC2009-10 and CP2009-12)	Priority Mail Contract 6 (MC2009-25 and CP2009-30)	Competitive Product Descriptions
Priority Mail	Priority Mail Contract 7 (MC2009-25 and CP2009-31)	Express Mail
Priority Mail	Priority Mail Contract 8 (MC2009-25 and CP2009-32)	[Reserved for Group Description]
Outbound Priority Mail International	Priority Mail Contract 9 (MC2009-25 and CP2009-33)	Express Mail
Inbound Air Parcel Post (at non-UPU rates)	Priority Mail Contract 10 (MC2009-25 and CP2009-34)	[Reserved for Product Description]
Royal Mail Group Inbound Air Parcel Post Agreement	Priority Mail Contract 11 (MC2009-27 and CP2009-37)	Outbound International Expedited Services
Inbound Air Parcel Post (at UPU rates)	Priority Mail Contract 12 (MC2009-28 and CP2009-38)	[Reserved for Product Description]
Parcel Select	Priority Mail Contract 13 (MC2009-29 and CP2009-39)	Priority
Parcel Return Service	Priority Mail Contract 14 (MC2009-30 and CP2009-40)	[Reserved for Product Description]
International	Priority Mail Contract 15 (MC2009-35 and CP2009-54)	Priority Mail
International Priority Airlift (IPA)	Priority Mail Contract 16 (MC2009-36 and CP2009-55)	[Reserved for Product Description]
International Surface Airlift (ISAL)	Priority Mail Contract 17 (MC2009-37 and CP2009-56)	Outbound Priority Mail International
International Direct Sacks—M—Bags	Priority Mail Contract 18 (MC2009-42 and CP2009-63)	[Reserved for Product Description]
Global Customized Shipping Services	Priority Mail Contract 19 (MC2010-1 and CP2010-1)	Inbound Air Parcel Post
Inbound Surface Parcel Post (at non-UPU rates)	Priority Mail Contract 20 (MC2010-2 and CP2010-2)	[Reserved for Product Description]
Canada Post—United States Postal Service Contractual Bilateral Agreement for Inbound Competitive Services (MC2009-8 and CP2009-9)	Priority Mail Contract 21 (MC2010-3 and CP2010-3)	Parcel Select
International Money Transfer Service	Priority Mail Contract 22 (MC2010-4 and CP2010-4)	[Reserved for Group Description]
International Ancillary Services		Parcel Return Service
Special Services		[Reserved for Group Description]
Premium Forwarding Service		International
Negotiated Service Agreements		[Reserved for Group Description]
Domestic		International Priority Airlift (IPA)
Express Mail Contract 1 (MC2008-5)		[Reserved for Product Description]
Express Mail Contract 2 (MC2009-3 and CP2009-4)		International Surface Airlift (ISAL)
Express Mail Contract 3 (MC2009-15 and CP2009-21)		[Reserved for Product Description]
Express Mail Contract 4 (MC2009-34 and CP2009-45)		International Direct Sacks—M—Bags
Express Mail Contract 5 (MC2010-5 and CP2010-5)		[Reserved for Product Description]
Express Mail Contract 6 (MC2010-6 and CP2010-6)		Global Customized Shipping Services
Express Mail Contract 7 (MC2010-7 and CP2010-7)		[Reserved for Product Description]

International Money Transfer Service

[Reserved for Product Description]  
Inbound Surface Parcel Post (at non-UPU rates)

[Reserved for Product Description]  
International Ancillary Services

[Reserved for Product Description]  
International Certificate of Mailing

[Reserved for Product Description]  
International Registered Mail

[Reserved for Product Description]  
International Return Receipt

[Reserved for Product Description]  
International Restricted Delivery

[Reserved for Product Description]  
International Insurance

[Reserved for Product Description]  
Negotiated Service Agreements

[Reserved for Group Description]  
Domestic

[Reserved for Product Description]  
Outbound International

[Reserved for Group Description]  
Part C—Glossary of Terms and Conditions [Reserved]

Part D—Country Price Lists for International Mail [Reserved]

[FR Doc. 2010-1452 Filed 1-25-10; 8:45 am]

BILLING CODE 7710-FW-S

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R08-OAR-2008-0307; FRL-8968-3]

#### Approval and Promulgation of Air Quality Implementation Plans; Montana; Revisions to the Administrative Rules of Montana

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule.

**SUMMARY:** EPA is taking direct final action approving State Implementation Plan (SIP) revisions submitted by the State of Montana on November 1, 2006 and November 20, 2007. The revisions are to the Administrative Rules of Montana; they include minor editorial and grammatical changes, updates to the citations and references to federal and state laws and regulations, other minor changes to conform to federal regulations, and updates to links to sources of information. This action is being taken under section 110 of the Clean Air Act.

**DATES:** This rule is effective on March 29, 2010 without further notice, unless EPA receives adverse comment by February 25, 2010. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R08-OAR-2008-0307, by one of the following methods:

- <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *E-mail:* [dolan.kathy@epa.gov](mailto:dolan.kathy@epa.gov).
- *Fax:* (303) 312-6064 (please alert the individual listed in the **FOR FURTHER INFORMATION CONTACT** if you are faxing comments).

- *Mail:* Director, Air Program, Environmental Protection Agency (EPA), Region 8, Mailcode 8P-AR, 1595 Wynkoop Street, Denver, Colorado 80202-1129.

- *Hand Delivery:* Director, Air Program, Environmental Protection Agency (EPA), Region 8, Mailcode 8P-AR, 1595 Wynkoop Street, Denver, Colorado 80202-1129. Such deliveries are only accepted Monday through Friday, 8 a.m. to 4:30 p.m., excluding Federal holidays. Special arrangements should be made for deliveries of boxed information.

**Instructions:** Direct your comments to Docket ID No. EPA-R08-OAR-2008-0307. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional instructions on submitting comments, go to Section I.

General Information of the **SUPPLEMENTARY INFORMATION** section of this document.

**Docket:** All documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at the Air Program, Environmental Protection Agency (EPA), Region 8, 1595 Wynkoop Street, Denver, Colorado 80202-1129. EPA requests that if at all possible, you contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section to view the hard copy of the docket. You may view the hard copy of the docket Monday through Friday, 8 a.m. to 4 p.m., excluding Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Kathy Dolan, Air Program, U.S. Environmental Protection Agency (EPA), Region 8, Mailcode 8P-AR, 1595 Wynkoop Street, Denver, Colorado 80202-1129. 303-312-6142, [dolan.kathy@epa.gov](mailto:dolan.kathy@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Table of Contents

- I. General Information
- II. Summary of SIP Revisions
- III. EPA's Review of the State of Montana's November 1, 2006 and November 20, 2007 Submittals
- IV. Final Action
- V. Statutory and Executive Order Reviews

#### Definitions

For the purpose of this document, we are giving meaning to certain words or initials as follows:

- (i) The words or initials *Act* or *CAA* mean or refer to the Clean Air Act, unless the context indicates otherwise.
- (ii) The words *EPA*, *we*, *us* or *our* mean or refer to the United States Environmental Protection Agency.
- (iii) The initials *SIP* mean or refer to State Implementation Plan.
- (iv) The words *State* or *Montana* mean the State of Montana, unless the context indicates otherwise.

#### I. General Information

##### A. What Should I Consider as I Prepare My Comments for EPA?

1. **Submitting CBI.** Do not submit this information to EPA through <http://www.regulations.gov> or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI