

PBGC needs information from premium filings to identify the plans for which premiums are paid, to verify whether the amounts paid are correct, to help PBGC determine the magnitude of its exposure in the event of plan termination, to help track the creation of new plans and transfer of participants and plan assets and liabilities among plans, and to keep PBGC's insured-plan inventory up to date. That information and the retained records are also needed for audit purposes.

All plans covered by Title IV of ERISA pay a flat-rate per-participant premium. An underfunded single-employer plan also pays a variable-rate premium based on the value of the plan's unfunded vested benefits.

Large-plan filers (*i.e.*, plans that were required to pay premiums for 500 or more participants for the prior plan year) are required to pay PBGC's flat-rate premium early in the premium payment year. Because the participant count often is not available until late in the premium payment year, PBGC permits filers to make an "Estimated flat-rate premium filing."

All plans are required to make a "Comprehensive premium filing." Comprehensive filings are used to report (i) the flat-rate premium and related data (all plans), (ii) the variable-rate premium and related data (single-employer plans), and (iii) additional data such as identifying information and miscellaneous plan-related or filing-related data (all plans). For large plans, the Comprehensive filing also serves to reconcile an estimated flat-rate premium paid earlier in the year.

PBGC intends to revise the 2011 filing instructions to:

- Remove references to a transition rule in section 430 of the Internal Revenue Code that no longer applies.
- Remove instructions about the credit card payment option for premium payments, which is being eliminated because of low usage.
- Clarify that if a plan has been frozen more than once, a filer should report the most recent date that the plan became closed to new entrants. These instructions parallel the benefit-accrual-freeze instructions.
- Make minor editorial changes.

PBGC intends to revise the 2012 filing instructions to require plans using the alternative premium funding target to report the "effective interest rate" (defined in section 430(h) of the Internal Revenue Code). PBGC will use this information to update its annual contingency list and financial statements more timely and accurately. PBGC is not making this change until 2012 to provide time to modify its

premium accounting system to handle the new data element.

The collection of information under the regulation has been approved through February 28, 2011, by OMB under control number 1212-0007. PBGC is requesting that OMB extend approval of the collection of information, with modifications, for another three years. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

PBGC estimates that it will receive 34,300 premium filings per year from 28,500 plan administrators under this collection of information. PBGC further estimates that the average annual burden of this collection of information is 9,000 hours and \$59,960,000.

Issued in Washington, DC, July 21, 2010.

John H. Hanley,

Director, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation.

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POSTAL REGULATORY COMMISSION

[Docket Nos. MC2010-28 and CP2010-71; Order No. 492]

New Postal Product

AGENCY: Postal Regulatory Commission.
ACTION: Notice.

SUMMARY: The Commission is noticing a recently-filed Postal Service filing to add Global Expedited Package Services 3 to the competitive product list. The Postal Service has also filed a related contract. This notice addresses procedural steps associated with the filing.

DATES: Comments are due: July 27, 2010.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>. Commenters who cannot submit their views electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on alternatives to electronic filing.

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

SUPPLEMENTARY INFORMATION:

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I. Introduction

On July 14, 2010, the Postal Service filed a notice announcing that it has entered into an additional Global Expedited Package Services (GEPS) contract and seeks to add it as Global Expedited Package Services 3 to the competitive product list.¹ The Postal Service believes the instant contract is functionally equivalent to previously submitted GEPS 2 contracts, and is supported by Governors' Decision No. 08-7, attached to the Notice and originally filed in Docket No. CP2008-4. *Id.* at 1, Attachment 4. The Notice also explains that Order No. 86, which established GEPS 1 as a product, also authorized functionally equivalent agreements to be included within the product, provided that they meet the requirements of 39 U.S.C. 3633. *Id.* at 1. In Order No. 290, the Commission approved the GEPS 2 product.²

The Postal Service seeks to add the GEPS 3 product to the competitive product list. *Id.* at 2. Although the filing is styled as a "request," it does not appear to have been submitted pursuant to 39 CFR 3020.30 *et seq.* Docket No. MC2010-28 is established to consider this aspect of the Postal Service's filing. Docket No. CP2010-71 is established to consider the instant contract.

The instant contract. The Postal Service filed the instant contract pursuant to 39 CFR 3015.5. In addition, the Postal Service contends that the contract is in accordance with Order No. 86. The term of the contract is 1 year from the date the Postal Service notifies the customer that all necessary regulatory approvals have been received. The Postal Service relates that the instant contract is for the same mailer as in Docket No. CP2009-50. It states the mailer's current contract ends July 31, 2010, and it expects the new contract to begin August 1, 2010.

In support of its Notice, the Postal Service filed five attachments as follows:

1. Attachment 1—statement of supporting justification required by 39 CFR 3020.32;

¹ Notice and Request of the United States Postal Service to Add Global Expedited Package Services 3 to the competitive products list and Notice of Filing of Functionally Equivalent Negotiated Service Agreement and Application for Non-Public Treatment of Materials Filed Under Seal, July 14, 2010 (Notice); see also Notice of Errata Concerning Electronic Filing, July 15, 2010.

² Docket No. CP2009-50, Order Granting Clarification and Adding Global Expedited Package Services 2 to the competitive product list, August 28, 2009 (Order No. 290).

2. Attachment 2—a redacted copy of the contract a certified statement required by 39 CFR 3015.5(c)(2);

3. Attachment 3—a certified statement required by 39 CFR 3015.5(c)(2);

4. Attachment 4—a redacted copy of Governors' Decision No. 08-07, which establishes prices and classifications for GEPS contracts, a description of applicable GEPS contracts, formulas for prices, an analysis and certification of the Governors' vote; and

5. Attachment 5—an application for non-public treatment of materials to maintain redacted portions of the contract and supporting documents under seal.

Functional equivalence. The Notice advances reasons why the instant GEPS 3 contract fits within the Mail Classification Schedule language for GEPS contracts. The Postal Service contends that instant contract is functionally equivalent to previous GEPS 2 contracts and should be added to the competitive product list as GEPS 3 to replace GEPS 2 contracts as they expire. *Id.* at 4. It asserts that the instant contract shares the same cost and market characteristics as the previously filed GEPS 2 contracts and the same customers, small or medium-sized businesses, that mail products directly to foreign destinations using Express Mail International, Priority Mail International, or both. *Id.*

The Postal Service identifies customer-specific information, general contract terms and other differences that distinguish the instant contract from the baseline GEPS 2 agreement, all of which are highlighted in the Notice. *Id.* at 5-8.

The Postal Service contends that in spite of these differences the instant contract is functionally equivalent to previously filed GEPS contracts and fits within the requirements of the Governors Decision for GEPS agreements. *Id.* at 5. *See also id.* (“[T]he relevant characteristics are similar, if not the same, for this GEPS 3 contract and the previously filed contracts.”).

The Postal Service also contends that its filings demonstrate that the new GEPS 3 contract complies with the requirements of 39 U.S.C. 3633, is functionally equivalent to other GEPS contracts and should be considered the baseline for future GEPS agreements. It requests approval for the contract to be included within the GEPS 3 product. *Id.* at 8.

Baseline treatment. The Postal Service states that the instant contract takes the place of its immediate predecessor which served as the baseline contract for the GEPS 2 product. It requests that the instant contract be considered the

new ‘baseline’ agreement for consideration of future GEPS 3 agreements’ functional equivalency.” *Id.* at 8.

II. Notice of Filing

The Commission establishes Docket Nos. MC2010-28 and CP2010-71 for consideration of matters raised in the Postal Service's Notice.

Interested persons may submit comments on whether the Postal Service's contract is 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 July 27, 2010. The public portions of these filings can be accessed via the Commission's Website (<http://www.prc.gov>).

The Commission appoints Paul L. Harrington to serve as Public Representative in the captioned filings.

III. Ordering Paragraphs

It is ordered:

1. The Commission establishes Docket Nos. MC2010-28 and CP2010-71 for consideration of matters raised by the Postal Service's Notice.

2. Comments by interested persons in these proceedings are due no later than July 27, 2010.

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

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

By the Commission.

Shoshana M. Grove,
Secretary.

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RAILROAD RETIREMENT BOARD

Agency Forms Submitted for OMB Review, Request for Comments

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Railroad Retirement Board (RRB) is forwarding an Information Collection Request (ICR) to the Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget (OMB) to request an extension of an existing collection of information: 3220-0025, RUIA Investigations and Continuing Entitlement, consisting of RRB Form(s) UI-9, Applicant's Statement of Employment and Wages, UI-23, Claimant's Statement of Service, UI-44,

Claim for Credit for Military Service, ID-4F, Advising of Ineligibility for RUIA Benefits, ID-4U, Advising of Service/Earnings Requirements for RUIA Benefits, ID-4Y, Advising of Ineligibility for Sickness Benefits, ID-4X, Advising of Service/Earnings Requirements for Sickness Benefits, ID-20-1, Advising that Normal Unemployment Benefits Are About to Be Exhausted, ID-20-2, Advising that Normal Sickness Benefits Are About to Be Exhausted, ID-20-4, Advising That Normal Sickness Benefits Are About to Be Exhausted/Non-Entitlement, ID-5I, Letter to Non-Railroad Employers on Employment and Earnings of a Claimant, ID-5R (SUP), Report of Employees Paid RUIA Benefits for Every Day in Month Reported as Month of Creditable Service, ID-49R, Letter to Railroad Employers for Payroll Information, and UI-48, Claimant's Statement Regarding Benefit Claim for Days of Employment. Our ICR describes the information we seek to collect from the public. Review and approval by OIRA ensures that we impose appropriate paperwork burdens.

Completion of Forms ID-5I, ID-5R(SUP), ID-49R and UI-48 is voluntary. Completion of Forms UI-9, UI-23, UI-44, ID-4F, ID-4U, ID-4K, ID-4Y, ID-20-1, ID-20-2, and ID-204 is required to obtain or retain benefits. One response is required of each respondent.

The RRB invites comments on the proposed collection of information to determine (1) the practical utility of the collection; (2) the accuracy of the estimated burden of the collection; (3) ways to enhance the quality, utility and clarity of the information that is the subject of collection; and (4) ways to minimize the burden of collections on respondents, including the use of automated collection techniques or other forms of information technology. Comments to RRB or OIRA must contain the OMB control number of the ICR. For proper consideration of your comments, it is best if RRB and OIRA receive them within 30 days of publication date.

Previous Requests for Comments: The RRB has already published the initial 60-day notice (75 FR 16874 on April 2, 2010) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

Information Collection Request (ICR)

Title: RUIA Investigations and Continuing Entitlement.

OMB Control Number: 3220-0025.

Form(s) submitted: UI-9, UI-23, UI-44, ID-4F, ID-4U, ID-4X, ID-4Y, ID-20-1, ID-20-2, ID-20-4, ID-5I, ID-5R(SUP), ID-49R, UI-48.