

contracts. The Postal Service states that the instant contracts are functionally equivalent with one another and to previously submitted Global Plus 1A contracts.² It states further that the instant contracts are supported by Governors' Decision No. 08–8, which establishes prices and classifications not of general applicability for Global Plus Contracts.³ The two contracts have been assigned Docket Nos. CP2011–39 and CP2011–40, respectively.

The instant contracts. The Postal Service states that the instant contracts are the immediate successors to the Global Plus 1A contracts in Docket Nos. CP2010–67 and CP2010–68 that are scheduled to expire at 11:59 p.m. on the day prior to the date of any change in the published rates that affect the qualifying mail (as defined in the contract) in the agreement. The change in published rates is expected to occur for Express Mail International and Priority Mail International on January 2, 2011. Request at 4. The instant contracts are expected to begin January 2, 2011, and expire at 11:59 p.m. on the day prior to the day of any change in the published rates that affect the qualifying mail subject to the contracts in the month of January 2012.⁴ *Id.* at 4–5.

The Postal Service filed copies of the contracts, Governors' Decision with attachments, and supporting financial documentation under seal. *Id.* at 3.

Additionally, the Postal Service filed the following five attachments:

- Attachment 1—a statement of supporting justification required by 39 CFR 3020.32;
- Attachments 2A and 2B—a redacted copy of each contract and applicable annexes;
- Attachments 3A and 3B—certified statements required by 39 CFR 3015.5(c)(2);
- Attachment 4—a redacted copy of Governors' Decision No. 08–8, which establishes prices and classifications for Global Plus Contracts, formulas for the prices, analysis and certification of the formulas and certification of the Governors' vote;
- Attachment 5—an application for non-public treatment of materials to maintain the contract and supporting documents under seal.

² See Docket Nos. CP2008–8 through CP2008–10, Order Concerning Global Plus Negotiated Service Agreements, June 27, 2008 (Order No. 85).

³ See Docket No. CP2008–8, Notice of United States Postal Service of Governors' Decision Establishing Prices and Classifications for Global Plus Contracts, June 2, 2008, at 1.

⁴ The Postal Service states that if the date of the change in published prices for qualifying mail does not occur before January 31, 2012, the contracts' termination date is January 31, 2012. *Id.* at 5.

Functional equivalence. The Postal Service asserts that the instant contracts are functionally equivalent to one another and to the precursor Global Plus 1 contracts in that they share similar cost and market characteristics. *Id.* at 5. It contends that as a result, the instant contracts should be grouped together as a single product. *Id.*

The Postal Service addresses similarities between the instant contracts and their predecessors, *e.g.*, that the customers are the same and the fundamental terms and conditions of the contracts remain essentially unchanged. *Id.* at 6. It identifies minor changes in contract terms that distinguish the instant contracts from each other, *e.g.*, customer name, postage prices, penalties, identification of prior agreements, and preservation after termination provisions. The Postal Service asserts that the differences do not affect either the service provided or the structure of the contracts. It also states that the differences do not affect functional equivalency. *Id.* at 5–6.

Baseline treatment. The Postal Service states that each of the instant contracts takes the place of its immediate predecessor which served as the baseline contracts for the Global Plus 1A Contracts product.⁵ It requests that the instant contracts be considered “the new ‘baseline’ contracts for future functional equivalency analyses concerning the Global Plus 1 product.” (Footnote omitted.) Request at 4.

Filing under part 3020. In support of its filing, the Postal Service submitted a statement of Supporting Justification and a copy of Governors' Decision No. 08–8 as Attachments 1 and 4, respectively. The Postal Service asserts that analysis under 39 U.S.C. 3642(b) is unnecessary here because of the Commission findings in Order No. 43 that Negotiated Service Agreements for outbound International Mail are classified as competitive. Further, it contends that the classification requirements of section 3642 have been met and that there is, “no further need to ponder whether Global Plus 1B contracts are market dominant or covered within the postal monopoly.” *Id.* at 7.

The Postal Service states that its filings demonstrate that the instant contracts comply with the requirements of 39 U.S.C. 3633, fit within the Mail Classification Schedule language for Global Plus Contracts and are functionally equivalent to each other.

⁵ See Docket Nos. MC2010–26, CP2010–67 and CP2010–68, Order Approving Functionally Equivalent Global Plus 1A Contracts Negotiated Service Agreement, July 30, 2010.

Id. at 8. It urges the Commission to add Global Plus 1B Contracts to the competitive product list and to establish the instant contracts as the baseline contracts for the Global Plus 1B product. *Id.*

II. Notice of Filing

The Commission establishes Docket Nos. MC2011–7, CP2011–39 and CP2011–40 for consideration of matters raised in the Postal Service's Notice.

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 part 3020 subpart B. Comments are due no later than December 21, 2010. 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. MC2011–7, CP2011–39 and CP2010–40 for consideration of matters raised by the Postal Service's Request.

2. Comments by interested persons in these proceedings are due no later than December 21, 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.

[FR Doc. 2010–31657 Filed 12–16–10; 8:45 am]

BILLING CODE 7710–FW–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2011–8, CP2011–41 and CP2011–42; Order No. 608]

New Postal Product

AGENCY: Postal Regulatory Commission.
ACTION: Notice.

SUMMARY: The Commission is noticing a recently-filed Postal Service request to add Global Plus 2B Contracts to the competitive product list. This notice addresses procedural steps associated with this filing.

DATES: *Comments are due:* December 21, 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 **FOR FURTHER INFORMATION CONTACT** 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
- II. Notice of Filing
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I. Introduction

Pursuant to 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.*, the Postal Service seeks to add a new product Global Plus 2B Contracts, to the competitive product list and to that end, filed notice, pursuant to 39 CFR 3015.5, announcing that it has entered into two Global Plus 2B contracts.¹

The Postal Service states that the instant contracts are functionally equivalent with one another and to previously submitted Global Plus 2B contracts.² It states further that the instant contracts are supported by Governors' Decision No. 08-10, which establishes prices and classifications not of general applicability for Global Plus Contracts.³

The Request has been assigned Docket No. MC2011-8.

The Postal Service contemporaneously filed copies of the contracts related to the proposed competitive product classification pursuant to 39 U.S.C. 3632(b)(3) and 39 CFR 3015.5. The two contracts have been assigned Docket Nos. CP2011-41 and CP2011-42, respectively.

The instant contracts. The Postal Service states that the instant contracts are the immediate successors to the Global Plus 2A contracts in Docket Nos. CP2010-69 and CP2010-70 that are scheduled to expire on 11:59 p.m. on January 16, 2011. Request at 3. The

instant contracts are expected to begin January 17, 2011, and expire at 11:59 p.m. on the day prior to the day in January 2012 when Canada Post Corporation institutes price changes for its domestic Lettermail, Incentive Lettermail, Admail, and/or Publications Mail products. If these prices do not change during the month of January the contracts terminate on January 31, 2012. *Id.* at 4-5.

The Postal Service filed copies of the contracts, Governors' Decision with attachments, and supporting financial documentation under seal. *Id.* at 3.

Additionally, in support of its Request and Notice, the Postal Service filed the following five attachments:

- Attachment 1—a statement of supporting justification required by 39 CFR 3020.32;
- Attachments 2A and 2B—a redacted copy of each contract and applicable annexes;
- Attachments 3A and 3B—certified statements required by 39 CFR 3015.5(c)(2);
- Attachment 4—a redacted copy of Governors' Decision No. 08-10, which establishes prices and classifications for Global Direct, Global Bulk Economy, and Global Plus Contracts, formulas for the prices, analysis and certification of the formulas and certification of the Governors' vote;
- Attachment 5—an application for non-public treatment of materials to maintain the contract and supporting documents under seal.

Functional equivalence. The Postal Service asserts that the instant contracts are functionally equivalent both to one another and to the precursor Global Plus 2A contracts in that they share similar cost and market characteristics. *Id.* at 4. It contends as a result the instant contracts should be grouped together as a single product. *Id.* at 4-6.

The Postal Service addresses similarities between the instant contracts and their predecessors, *e.g.*, the fundamental terms and conditions of the contracts remain essentially unchanged. *Id.* at 6. It identifies minor changes in contract terms that distinguish the instant contracts from each other, *e.g.*, customer name, penalties, and identification of prior agreements. The Postal Service asserts that the differences do not affect functional equivalency. *Id.* at 5-6.

Baseline treatment. The Postal Service states that each of the instant contracts takes the place of its immediate predecessor which served as the baseline contract for the Global Plus 2A

Contracts product.⁴ It requests that the instant contracts be considered "the new 'baseline' agreements for consideration of future functional analyses of the Global Plus 2B product." *Id.* at 4.

Filing under part 3020. In support of its filing, the Postal Service submitted a statement of Supporting Justification and a copy of Governors' Decision No. 08-10 as Attachments 1 and 4 respectively. The Postal Service asserts that analysis under 39 U.S.C. 3642(b) is unnecessary here because of the Commission findings in Order No. 43 that Negotiated Service Agreements for outbound International Mail are classified as competitive. Further it contends that the classification requirements of section 3642 have been met and that there is, "no further need to ponder whether Global Plus 2B contracts are market dominant or covered by the postal monopoly." *Id.* at 7.

The Postal Service states that its filings demonstrate that the instant contracts comply with the requirements of 39 U.S.C. 3633, fit within the Mail Classification Schedule language for Global Plus Contracts under Governors' Decision 08-10 and are functionally equivalent to each other. *Id.* at 8. It urges the Commission to add Global Plus 2B Contracts to the competitive product list and to establish the instant contracts as the baseline contracts for the Global Plus 2B product. *Id.*

II. Notice of Filing

The Commission establishes Docket Nos. MC2011-8, CP2011-41 and CP2011-42 for consideration of matters raised in the Postal Service's Request.

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 21, 2010. 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. MC2011-8, CP2011-41 and CP2011-42 for consideration of matters raised by the Postal Service's Request.

⁴ See Docket Nos. MC2010-27, CP2010-69 and CP2010-70, Order Approving Functionally Equivalent Global Plus 2A Contracts Negotiated Service Agreements, July 30, 2010.

¹ Request of the United States Postal Service to Add Global Plus 2B to the Competitive Product List and Notice of Filing Two Functionally Equivalent Global Plus 2B Contracts Negotiated Service Agreements and Application for Non-Public Treatment of Materials Filed Under Seal, December 9, 2010 (Notice).

² See Docket Nos. CP2008-8 through CP2008-10, Order Concerning Global Plus negotiated Service Agreements, June 27, 2008 (Order No. 85).

³ See Docket No. CP2008-8, Notice of United States Postal Service of Governors' Decision Establishing Prices and Classifications for Global Plus Contracts, June 2, 2008, at 1.

2. Comments by interested persons in these proceedings are due no later than December 21, 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.

[FR Doc. 2010-31671 Filed 12-16-10; 8:45 am]

BILLING CODE 7710-FW-P

RAILROAD RETIREMENT BOARD

Proposed Data Collection(s) Available for Public Comment and Recommendations

SUMMARY: In accordance with the requirement of Section 3506 (c)(2)(A) of

the Paperwork Reduction Act of 1995 which provides opportunity for public comment on new or revised data collections, the Railroad Retirement Board (RRB) will publish periodic summaries of proposed data collections.

Comments are invited on: (a) Whether the proposed information collections are necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the RRB's estimate of the burden for the collection of the information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden related to the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

1. Title and Purpose of Information Collection

Representative Payee Parental Custody Monitoring; OMB 3220-0176.

Under Section 12 (a) of the Railroad Retirement Act (RRA), the Railroad Retirement Board (RRB) is authorized to select, make payments to, and to conduct transactions with, a beneficiary's relative or some other person willing to act on behalf of the beneficiary as a representative payee. The RRB is responsible for determining if direct payment to the beneficiary or payment to a representative payee would best serve the beneficiary's interest. Inherent in the RRB's authorization to select a representative payee is the responsibility to monitor the payee to assure that the beneficiary's interests are protected. The RRB utilizes Form G-99d, Parental Custody Report, to obtain information needed to verify that a parent-for-child representative payee still has custody of the child. One response is required from each respondent. The RRB proposes no changes to Form G-99d.

The estimated annual respondent burden is as follows:

Form #(s)	Annual responses	Time (min)	Burden (hrs)
G-99d	1,030	5	86

2. Title and Purpose of Information Collection

Report of Medicaid State Office on Beneficiary's Buy-In Status; OMB 3220-0185.

Under Section 7(d) of the Railroad Retirement Act, the RRB administers the Medicare program for persons covered by the railroad retirement system. Under Section 1843 of the Social Security Act, states may enter into "buy-in agreements" with the Secretary of

Health and Human Services for the purpose of enrolling certain groups of low-income individuals under the Medicare medical insurance (Part B) program and paying the premiums for their insurance coverage. Generally, these individuals are categorically needy under Medicaid and meet the eligibility requirements for Medicare Part B. States can also include in their buy-in agreements, individuals who are eligible for medical assistance only. The RRB uses Form RL-380-F, Report to

State Medicaid Office, to obtain information needed to determine if certain railroad beneficiaries are entitled to receive Supplementary Medical Insurance program coverage under a state buy-in agreement in states in which they reside. Completion of Form RL-380-F is voluntary. One response is received from each respondent. The RRB proposes no changes to Form RL-380-F.

The estimated annual respondent burden is as follows:

Form #(s)	Annual responses	Time (min)	Burden (hrs)
RL-380-F	600	10	100

Additional Information or Comments: To request more information or to obtain a copy of the information collection justification, forms, and/or supporting material, please call the RRB Clearance Officer at (312) 751-3363 or send an e-mail request to Charles.Mierzwa@RRB.GOV. Comments regarding the information collection should be addressed to Patricia A. Henaghan, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092 or send an e-mail to Patricia.Henaghan@RRB.GOV. Written

comments should be received within 60 days of this notice.

Charles Mierzwa,
Clearance Officer.

[FR Doc. 2010-31795 Filed 12-16-10; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-63530; File No. SR-NASDAQ-2010-164]

Self-Regulatory Organizations; The NASDAQ Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change to Provide an Exemption from the Thirty-Day Written Notice Requirement of Rule 7018(i)(3)

December 10, 2010.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934