

Dated: December 3, 2014.

**A.B. Cocanour,**

*Captain, U.S. Coast Guard, Captain of the Port Lake Michigan.*

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## POSTAL REGULATORY COMMISSION

### 39 CFR Part 3050

[Docket Nos. RM2015-7; Order No. 2294]

#### Periodic Reporting

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice of Proposed Rulemaking.

**SUMMARY:** The Commission is noticing a recent Postal Service filing concerning the initiation of an informal rulemaking proceeding to consider a proposed change to analytical principles relating to periodic reports (Proposal Thirteen). This notice informs the public of the filing, invites public comment, and takes other administrative steps.

**DATES:** *Comments are due:* March 11, 2015. *Reply Comments are due:* April 8, 2015.

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

**FOR FURTHER INFORMATION CONTACT:** David A. Trissell, General Counsel, at 202-789-6820.

#### SUPPLEMENTARY INFORMATION:

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#### I. Introduction

On December 11, 2014, the Postal Service filed a petition pursuant to 39 CFR 3050.11 requesting the Commission's initiation of an informal rulemaking proceeding to consider a proposed change to analytical principles relating to periodic reports.<sup>1</sup> The subject of the Petition is Proposal Thirteen, Updating the City Carrier Street Time Model.

The Petition includes two attachments. One is a summary of Proposal Thirteen (Summary); the other

is a Report on City Carrier Street Time Study (Report). *Id.* at 1. The Postal Service characterizes the Report as a more comprehensive discussion of the Proposal. Petition at 1. The Postal Service concurrently filed two library references, along with an application for non-public treatment for one.<sup>2</sup>

The Postal Service notes that Proposal Thirteen encompasses a subject which has been extensively discussed as part of the strategic rulemaking in Docket No. RM2011-3, Priorities for Future Data Collection and Analytical Work Relating to Periodic Reporting. It therefore states that it would simultaneously file a notice in that docket informing participants that it has presented Proposal Thirteen in this case.<sup>3</sup> Petition at 1.

#### II. Summary

*City carrier street time costs.* The city carrier network is the largest part of the Postal Service's delivery network, incurring a total direct labor cost in Fiscal Year (FY) 2013 of almost \$16 billion, of which over \$12 billion were in street time costs. *Id.* Summary at 1. These city carrier street time costs represented 16.7 percent of total Postal Service FY 2013 costs. *Id.*

*Scope of proposal.* Proposal Thirteen concerns changes to the city carrier street time model, which is used to determine the attributable street time costs in cost segment 7, City Carriers—Street Activities. *Id.* The Postal Service characterizes the changes as an update and improvement to the city carrier street time model. *Id.* at 2. It proposes accomplishing this by updating and refining the three main components of the model: construction of the cost pools, estimation of regular delivery variabilities, and estimation of package and accountable delivery variabilities. *Id.* In addition, the Postal Service asserts that improvements in the city carrier operational data systems have made it possible to use these systems to produce data needed for the update. *Id.* It states that this improvement allows all three parts of the model to be based upon

<sup>2</sup> Notice of Filing of USPS—RM2015-7/1, USPS—RM2015-7/NP1, and Application for Nonpublic Treatment, December 11, 2014 (Notice). Library Reference USPS—RM2015-7/1 includes the Report the Postal Service filed along with the Petition. Library Reference USPS—RM2015-7/NP1 contains supporting non-public material. The Notice incorporates by reference the Application for Non-Public Treatment of Materials contained in Attachment Two to the December 27, 2013 United States Postal Service Fiscal Year 2013 Annual Compliance Report. Notice at 1. See 39 CFR part 3007 for information on access to non-public material.

<sup>3</sup> See Docket No. RM2011-3, Notice of the United States Postal Service of Filing Proposal to Update City Carrier Costing, December 11, 2014.

larger, more stable, data sets and improved the statistical foundation for calculating attributable street time costs. *Id.*

*Anticipated implementation date.* The Postal Service anticipates implementing this methodology change as the basis for FY 2015 reporting of city carrier street time costs. Petition at 2.

#### III. Initial Commission Action

The Commission establishes Docket No. RM2015-7 for consideration of matters raised by the Petition.

Additional information concerning the Petition may be accessed via the Commission's Web site at <http://www.prc.gov>.

A technical conference will be held on January 14, 2015, at 10:00 a.m. Eastern Standard Time in the Commission's hearing room.<sup>4</sup> The technical conference will be audiocast. The Postal Service is to ensure that persons familiar with Proposal Thirteen and the supporting data and information that have been filed in this docket attend and, to the extent required, participate in the technical conference.

Interested persons may submit comments on the Petition and Proposal Thirteen no later than March 11, 2015. Reply comments are due no later than April 8, 2015.

Pursuant to 39 U.S.C. 505, Katalin K. Clendenin is designated as an officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

Any additional documents the Commission issues in this docket will be posted on the Commission's Web site (<http://www.prc.gov>), with redaction of protected material if warranted.

#### IV. Ordering Paragraphs

##### *It is ordered:*

1. The Commission establishes Docket No. RM2015-7 for consideration of the matters raised by the Petition of the United States Postal Service for the Initiation of a Proceeding to Consider Proposed Change in Analytical Principles (Proposal Thirteen), filed December 11, 2014.

2. A technical conference will be held on January 14, 2015, at 10:00 a.m. in the Commission's hearing room at 901 New York Avenue NW., Suite 200, Washington, DC 20268-0001.

3. The Postal Service is to ensure that persons familiar with Proposal Thirteen, including supporting data and information that have been filed in this docket, attend and, to the extent required, participate in the technical conference.

<sup>4</sup> Attendees are advised to allow sufficient time for security procedures.

<sup>1</sup> Petition of the United States Postal Service for the Initiation of a Proceeding to Consider Proposed Change in Analytical Principles (Proposal Thirteen), December 11, 2014 (Petition).

4. Comments are due no later than March 11, 2015. Reply comments are due no later than April 8, 2015.

5. Pursuant to 39 U.S.C. 505, the Commission appoints Katalin K. Clendenin to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this docket.

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

By the Commission.  
**Shoshana M. Grove**,  
Secretary.

[FR Doc. 2014-30111 Filed 12-23-14; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

RIN 0648-BE46

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery of the Gulf of Mexico; Amendment 16

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** The Gulf of Mexico (Gulf) Fishery Management Council (Council) has submitted Amendment 16 to the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico (FMP) for review, approval, and implementation by NMFS. Amendment 16 includes actions to revise the annual catch limit (ACL) for royal red shrimp, remove the royal red shrimp quota, and revise the accountability measures (AM) for royal red shrimp to remove an inconsistency in the regulations.

**DATES:** Written comments must be received on or before February 23, 2015.

**ADDRESSES:** You may submit comments on Amendment 16, identified by "NOAA-NMFS-2014-0030" by any of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to [www.regulations.gov#!/docketDetail;D=NOAA-NMFS-2014-0030](http://www.regulations.gov#!/docketDetail;D=NOAA-NMFS-2014-0030), click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to Susan Gerhart, Southeast Regional

Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701.

**Instructions:** Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

Electronic copies of Amendment 16, which includes an environmental impact statement, a Regulatory Flexibility Act analysis, and a regulatory impact review, may be obtained from the Southeast Regional Office Web site at [http://sero.nmfs.noaa.gov/sustainable\\_fisheries/gulf\\_fisheries/shrimp/2014/am16/index.html](http://sero.nmfs.noaa.gov/sustainable_fisheries/gulf_fisheries/shrimp/2014/am16/index.html).

**FOR FURTHER INFORMATION CONTACT:** Susan Gerhart, telephone: 727-824-5305, or email: [Susan.Gerhart@noaa.gov](mailto:Susan.Gerhart@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires each regional fishery management council to submit any FMP or amendment to NMFS for review and approval, partial approval, or disapproval. The Magnuson-Stevens Act also requires that NMFS, upon receiving a plan or amendment, publish an announcement in the **Federal Register** notifying the public that the plan or amendment is available for review and comment.

The FMP being revised by Amendment 16 was prepared by the Council and implemented through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Act.

#### Background

The FMP was established in 1981, and the maximum sustainable yield for royal red shrimp was estimated at 392,000 lb (177.9 mt), tail weight, annually and specified as a fixed annual quota (46 FR 27489, May 20, 1981). This quota has remained in effect since that time. On January 30, 2012, NMFS implemented regulations developed through the Generic ACL Amendment to multiple fishery management plans, including the Shrimp FMP (December

29, 2011, 76 FR 82044). That amendment included actions to establish the commercial ACL and AM for royal red shrimp. However, the "no action" alternatives and discussions in the Generic ACL Amendment incorrectly stated that there were currently no catch limits or AMs for royal red shrimp, even though a quota and in-season quota closure were in the regulations. As a consequence, through the Generic ACL Amendment, both a royal red shrimp ACL and AM were added to the regulations, but the existing quota and in-season quota closure provision were not removed. On March 11, 2014, NMFS published a notice of intent to prepare a supplemental environmental impact statement for Amendment 16 and requested public comment (79 FR 13623).

Federal regulations currently include a royal red shrimp ACL of 334,000 lb (151,000 kg), tail weight and a quota of 392,000 lb (177.8 mt), tail weight. Amendment 16 would remove the royal red shrimp quota and update the ACL to 337,000 lb (152,861 kg), tail weight, which is equal to the acceptable biological catch as recommended by the Council's Scientific and Statistical Committee at its March 2014 meeting.

Federal regulations currently include a royal red shrimp in-season closure if the quota is met or projected to be met, based on in-season monitoring (which functions as an AM), and include an AM that implements in-season monitoring and an ACL closure in the year following any ACL overage. The presence of two AMs in the regulations presents an inconsistency in the management of royal red shrimp. Amendment 16 would remove the in-season quota closure associated with the royal red shrimp quota and retain the AM associated with the ACL.

A proposed rule that would implement measures outlined in Amendment 16 has been drafted. In accordance with the Magnuson-Stevens Act, NMFS is evaluating the proposed rule to determine whether it is consistent with the FMP, the Magnuson-Stevens Act, and other applicable law. If that determination is affirmative, NMFS will publish the proposed rule in the **Federal Register** for public review and comment.

#### Consideration of Public Comments

The Council submitted Amendment 16 for Secretarial review, approval, and implementation on November 19, 2014. Comments received by February 23, 2015, whether specifically directed to the amendment or the proposed rule, will be considered by NMFS in its