

§ 386.14 Reporting requirements.

The borrower will provide annual audited financial statements, a public benefits report, and other reports to the Corps in the form and manner agreed upon in the credit agreement. These other reports may include, but are not limited to, an updated financial model and construction reports. The Corps may conduct periodic financial and compliance reviews or audits of the borrower and its project, as determined necessary by the Corps.

§ 386.15 Fees.

(a) *Application fee.* The Corps will require a non-refundable application fee for each project applying for credit assistance under the WIFIA program. The application fee will be due upon submission of the application. For public applicants with projects serving small communities or economically disadvantaged communities, the total application fee will be \$0. For all other applications, the total application fee will be \$25,000. The total application fee will be credited to the transaction processing fee required under paragraph (b) of this section.

(b) *Transaction processing fee.* Except as otherwise provided in paragraph (f) of this section, the Corps will require an additional transaction processing fee for projects selected to receive WIFIA assistance upon closing, or if the project does not proceed to closing, e.g., if the application is withdrawn or denied. The proceeds of any such fees will be used to pay the remaining portion of the Corps' cost of providing credit assistance and the costs of conducting engineering reviews and retaining expert firms, including financial and legal services, to assist in the underwriting of the Federal Credit instrument.

(c) *Servicing fee.* The Corps will require borrowers to pay a servicing fee for each credit instrument approved for funding. Separate fees may apply for each type of credit instrument (e.g., a secured loan with a single disbursement, or a secured loan with

multiple disbursements), depending upon the costs of servicing the credit instrument as determined by the Secretary. Such fees will be set at a level sufficient to enable the Corps to recover all or a portion of the costs to the Federal Government of servicing WIFIA credit instruments.

(d) *Optional credit subsidy fee.* If, in any given year, there is insufficient budget authority to fund the credit instrument for a qualified project that has been selected to receive assistance under WIFIA, the Corps and the approved applicant may agree upon a supplemental fee to be paid by or on behalf of the approved applicant at the time of execution of the term sheet to reduce the subsidy cost of that project. No such fee may be included among eligible project costs.

(e) *Reduced fees.* To the extent that Congress appropriates funds in any given year beyond those needed to cover internal administrative costs, the Corps may utilize such appropriated funds to reduce fees for a State or local governmental entity, agency, or instrumentality, a Tribal government or consortium of Tribal governments that would otherwise be charged under paragraph (c) of this section.

(f) *Enhanced monitoring fee.* The Corps may require payment in full by the borrower of additional fees, in an amount determined by the Corps, and of related fees and expenses of its independent consultants and outside counsel, to the extent that such fees and expenses are incurred by or on behalf of the Corps and to the extent such third parties are not paid directly by the borrower, in the event the borrower experiences difficulty relating to technical, financial, or legal matters or other events (e.g., engineering failure or financial workouts) which require the Corps to incur time or expenses beyond standard monitoring. No such fee may be included among eligible project costs.

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POSTAL SERVICE

39 CFR Part 20

International Competitive Services: Price Changes

AGENCY: Postal Service™.

ACTION: Final action.

SUMMARY: The Postal Service is revising Notice 123, *Price List*, to reflect the price changes to Competitive Services as established by the Governors of the United States Postal Service®.

DATES: Effective July 9, 2023.

FOR FURTHER INFORMATION CONTACT: Dale Kennedy at 202-268-6592 or Kathy Frigo at 202-268-4178.

SUPPLEMENTARY INFORMATION: This final rule describes new prices established by the Governors of the United States Postal Service and submitted for review by the Postal Regulatory Commission in Docket Number CP2023-151 (see <https://prc.gov>).

This final rule describes the international price changes for the following competitive international extra services and fees:

- International Certificate of Mailing.
- International Registered Mail.
- International Return Receipt.
- Customs Clearance and Delivery Fee.

New prices are or will be located on the Postal Explorer® website at <https://pe.usps.com>.

International Extra Services and Fees

Depending on country destination and mail type, customers may add a variety of extra services to their outbound shipments and pay a variety of fees.

The Postal Service is increasing fees for certain competitive international extra services as follows:

- *International Certificate of Mailing service:* Prices for competitive international certificate of mailing service will be as follows:

CERTIFICATE OF MAILING

	Fee
Individual pieces:	
Individual article (PS Form 3817)	\$1.95
Duplicate copy of PS Form 3817 or PS Form 3665 (per page)	1.95
Firm mailing sheet (PS Form 3665), per piece (minimum 3) First-Class Mail International only	0.57
Bulk quantities:	
For first 1,000 pieces (or fraction thereof)	10.90
Each additional 1,000 pieces (or fraction thereof)	1.40
Duplicate copy of PS Form 3606	1.95

- *International Registered Mail service*: The fee for competitive international registered mail will increase to \$20.25.

- *International return receipt service*: The fee for competitive international return receipt service will increase to \$5.65.

- *Customs clearance and delivery fee*: The competitive customs clearance and delivery fee per dutiable item will increase to \$8.30.

Sarah Sullivan,

Attorney, Ethics and Legal Compliance.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 15

[ET Docket Nos. 20–36 and 14–165; FCC 23–24; FRS 139311]

Unlicensed White Space Device Operations in the Television Bands

AGENCY: Federal Communications Commission.

ACTION: Final rule.

In this document, the Federal Communications Commission (Commission) continues taking steps to sustain and spur growth within the white space ecosystem and adopts three orders addressing pending issues associated with white space devices. These actions will provide additional certainty to white space device users and manufacturers to enable unlicensed white space devices to operate efficiently while protecting other spectrum users. In the Report and Order the Commission adopts rules specifying the database re-check interval for the new categories of mobile and narrowband white space devices established in 2020. In the Order on Reconsideration, the Commission dismisses in part and, on alternative and independent grounds, denies a petition for reconsideration of two rule changes for white space devices operating in the broadcast television (TV) bands. In the Memorandum Opinion and Order, the Commission declines to modify the rules to permit white space databases to use more complex terrain-based models to determine the available frequencies for white space devices and will instead continue to rely on the simpler established model that has worked reliably to prevent interference to TV and other protected services.

DATES: Effective June 21, 2023.

FOR FURTHER INFORMATION CONTACT: Hugh Van Tuyl, Office of Engineering and Technology, (202) 418–7506 or Hugh.VanTuyl@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's document, *Order on Reconsideration, Report and Order and Memorandum Opinion and Order*, ET Docket Nos. 20–36 and 14–165; FCC 23–24, adopted April 11, 2023 and released April 12, 2023. The full text of this document is available for public inspection and can be downloaded at: <https://www.fcc.gov/document/fcc-adopts-white-spaces-order>. Alternative formats are available for people with disabilities (Braille, large print, electronic files, audio format) by sending an email to FCC504@fcc.gov or calling the Commission's Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY).

Procedural Matters

Final Regulatory Flexibility Analyses. The Regulatory Flexibility Act of 1980 (RFA) requires that an agency prepare a regulatory flexibility analysis for notice and comment rulemakings, unless the agency certifies that “the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities.” Accordingly, the Commission has prepared a Final Regulatory Flexibility Analysis (FRFA) concerning the possible impact of the rule changes contained in this Order on Reconsideration, Report and Order and Memorandum Opinion and Order on small entities. As required by the RFA, an Initial Regulatory Flexibility Analysis (IRFA) was incorporated in the Notice of Proposed Rulemaking (NPRM) (86 FR 38969, July 23, 2021). The Commission sought written public comment on the proposals in the NPRM, including comments on the IRFA. No comments were filed addressing the IRFA. Accordingly, the Commission has prepared a Final Regulatory Flexibility Analysis (FRFA) concerning the possible impact of the rule changes contained in the document on small entities. The present FRFA conforms to the RFA and can be viewed under Appendix E of the item at: <https://www.fcc.gov/document/fcc-adopts-white-spaces-order>.

Paperwork Reduction Act. This document does not contain new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104–13. In addition, therefore, it does not contain any new or modified information collection burden for small business concerns with fewer than 25

employees, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506 (c)(4).

Congressional Review Act. The Commission has determined, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, concurs, that this rule is “non-major” under the Congressional Review Act, 5 U.S.C. 804(2). The Commission will send a copy of this Order on Reconsideration, Report and Order and Memorandum Opinion and Order to Congress and the Government Accountability Office pursuant to 5 U.S.C. 801(a)(1)(A).

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (tty).

Additional Information. For additional information on this proceeding, contact Hugh L. Van Tuyl, Hugh.VanTuyl@fcc.gov, (202) 418–7506 or Syed Hasan, Syed.Hasan@fcc.gov, (202) 418–2454.

Synopsis

Background

Unlicensed white space devices, which operate in the TV broadcast bands and portions of the 600 MHz band at locations where frequencies are not in use by licensed services or other protected entities, provide a variety of wireless services to the public. For example, Wireless internet Service Providers (WISPs) use fixed white space devices to provide internet connectivity in rural and underserved areas, including broadband data for schools and libraries, and on tribal lands. These devices obtain a list of available channels and data on power levels that may be used at their particular locations from databases administered by private entities approved by the Commission. Fixed and mobile white space devices must incorporate a geo-location capability and a means to access a database. Personal/Portable white space devices can either acquire a list of available channels via another white space device (Mode I), or themselves include geo-location and database access capabilities (Mode II). Once the white space device acquires channel and power information for its location, it selects an appropriate frequency from that list for transmitting.

Since 2008 when the Commission first authorized unlicensed white space