

**POSTAL REGULATORY COMMISSION**

[Docket Nos. MC2010–7 and CP2010–7;  
Order No. 331]

**New Postal Product**

**AGENCY:** Postal Regulatory Commission.  
**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recently-filed Postal Service request to add Express Mail Contract 7 to the Competitive Product List. The Postal Service has also filed a related contract. This notice addresses procedural steps associated with these filings.

**DATES:** Comments are due November 9, 2009.

**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, 202–789–6820 or [stephen.sharfman@prc.gov](mailto:stephen.sharfman@prc.gov).

**SUPPLEMENTARY INFORMATION:**

- I. Introduction
- II. Notice of Filings
- III. Ordering Paragraphs

**I. Introduction**

Pursuant to 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.*, the Postal Service filed a formal request and associated supporting information to add Express Mail Contract 7 to the Competitive Product List.<sup>1</sup> The Postal Service asserts that Express Mail Contract 7 is a competitive product “not of general applicability” within the meaning of 39 U.S.C. 3632(b)(3). The Postal Service states that prices and classification underlying this contract are supported by Governors’ Decision No. 09–14 in Docket No. MC2010–5. *Id.* at 1. The Request has been assigned Docket No. MC2010–7.

The Postal Service contemporaneously filed a contract related to the proposed new product pursuant to 39 U.S.C. 3632(b)(3) and 39

CFR 3015.5. The contract has been assigned Docket No. CP2010–7.

**Request.** In support of its Request, the Postal Service filed the following materials: (1) A redacted version of the Governors’ Decision, originally filed in Docket No. MC2010–5, authorizing certain Express Mail contracts;<sup>2</sup> (2) a redacted version of the contract;<sup>3</sup> (3) a requested change in the Competitive Product List;<sup>4</sup> (4) a Statement of Supporting Justification as required by 39 CFR 3020.32;<sup>5</sup> (5) a certification of compliance with 39 U.S.C. 3633(a);<sup>6</sup> and (6) an application for non-public treatment of the materials filed under seal.<sup>7</sup>

In the Statement of Supporting Justification, Mary Prince Anderson, Acting Manager, Sales and Communications, Expedited Shipping, asserts that the service to be provided under the contract will cover its attributable costs, make a positive contribution to institutional costs, and increase contribution toward the requisite 5.5 percent of the Postal Service’s total institutional costs. *Id.*, Attachment D. Thus, Ms. Anderson contends there will be no issue of subsidization of competitive products by market dominant products as a result of this contract. *Id.*

**Related contract.** A redacted version of the specific Express Mail Contract 7 is included with the Request. The contract will become effective on the day that the Commission provides all necessary regulatory approvals. It is terminable upon 30 days’ notice by a party, but could continue for 3 years with annual adjustments. The Postal Service represents that the contract is consistent with 39 U.S.C. 3633(a)(1). *See id.*, Attachment D. The Postal Service will not provide the shipper with Express Mail packaging for eligible Express Mail items mailed by the shipper. Insurance up to \$100 and tracking service is provided to the shipper under this contract for no additional charge.

The Postal Service filed much of the supporting materials, including the specific Express Mail Contract 7, under seal. In its Request, the Postal Service maintains that the contract and related financial information, including the customer’s name and the accompanying analyses that provide prices, terms, conditions, cost data, and financial

projections should remain under seal. *Id.* at 2. It also requests that the Commission order that the duration of such treatment of all customer identifying information be extended indefinitely, instead of ending after 10 years. *Id.*, Attachment F, at 1 and 7.

**II. Notice of Filings**

The Commission establishes Docket Nos. MC2010–7 and CP2010–7 for consideration of the Request pertaining to the proposed Express Mail Contract 7 product and the related contract, respectively. In keeping with practice, these dockets are addressed on a consolidated basis for purposes of this order; however, future filings should be made in the specific docket in which issues being addressed pertain.

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 and 39 CFR part 3015 and 39 CFR 3020 subpart B. Comments are due no later than November 9, 2009. 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. MC2010–7 and CP2010–7 for consideration of the matter raised in each docket.

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

3. Comments by interested persons in these proceedings are due no later than November 9, 2009.

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

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

[FR Doc. E9–26811 Filed 11–5–09; 8:45 am]

**BILLING CODE 7710–FW–P**

<sup>1</sup> Request of the United States Postal Service to Add Express Mail Contract 7 to Competitive Product List and Notice of Filing (Under Seal) of Contract and Supporting Data, October 28–29, 2009 (Request). Due to filing errors, the filing of the entire set of documents related to this Request was not completed until October 29, 2009. *See* Notice of the United States Postal Service of Filing Errata to Request and Notice, October 29, 2009. Accordingly, the filing of the entire set of documents related to this Request was not completed until October 29, 2009.

<sup>2</sup> Attachment A to the Request, reflecting Governors’ Decision No. 09–14, October 26, 2009.

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

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

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

<sup>6</sup> Attachment E to the Request.

<sup>7</sup> Attachment F to the Request.

**SMALL BUSINESS ADMINISTRATION**

[Disaster Declaration #11922 and #11923]

**Kentucky Disaster #KY–00031**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Notice.

**SUMMARY:** This is a notice of an Administrative declaration of a disaster for the Commonwealth of Kentucky dated 10/29/2009.

*Incident:* Tornado and Severe Storms.

*Incident Period:* 10/09/2009.

*Effective Date:* 10/29/2009.

*Physical Loan Application Deadline Date:* 12/28/2009.

*Economic Injury (EIDL) Loan Application Deadline Date:* 07/29/2010.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties:

Casey.

Contiguous Counties:

Kentucky:

Adair, Boyle, Lincoln, Marion, Pulaski, Russell, Taylor.

The Interest Rates are:

	Percent
Homeowners with Credit Available Elsewhere .....	5.500
Homeowners without Credit Available Elsewhere .....	2.750
Businesses with Credit Available Elsewhere .....	6.000
Businesses & Small Agricultural Cooperatives without Credit Available Elsewhere .....	4.000
Other (Including Non-Profit Organizations) with Credit Available Elsewhere .....	4.500
Businesses and Non-Profit Organizations without Credit Available Elsewhere .....	4.000

The number assigned to this disaster for physical damage is 11922 C and for economic injury is 11923 O.

The State which received an EIDL Declaration Number is Kentucky.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Dated: October 29, 2009.

**Karen G. Mills,**  
Administrator.

[FR Doc. E9-26766 Filed 11-5-09; 8:45 am]

**BILLING CODE 8025-01-P**

## SMALL BUSINESS ADMINISTRATION

[Disaster Declaration # 11880 and # 11881]

### California Disaster # CA-00142

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Amendment 1.

**SUMMARY:** This is an amendment of the Administrative declaration of disaster for the State of California dated 09/14/2009.

*Incident:* Station Fire.

*Incident Period:* 08/26/2009 through 09/25/2009.

*Effective Date:* 10/29/2009.

*Physical Loan Application Deadline Date:* 11/13/2009.

*EIDL Loan Application Deadline Date:* 06/14/2010.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** The notice of the Administrator's disaster declaration for the State of California, dated 09/14/2009 is hereby amended to establish the incident period for this disaster as beginning 08/26/2009 and continuing through 09/25/2009.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Dated: October 29, 2009.

**Karen G. Mills,**  
Administrator.

[FR Doc. E9-26768 Filed 11-5-09; 8:45 am]

**BILLING CODE 8025-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Rule 17Ad-11; SEC File No. 270-261; OMB Control No. 3235-0274]

### Proposed Collection; Comment Request

*Upon Written Request, Copies Available From:* Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549-0213.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") is soliciting comments

on the existing collection of information provided for in Rule 17Ad-11 (17 CFR 240.17Ad-11) under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*) ("Exchange Act"). The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Rule 17Ad-11 requires all registered transfer agents to report to issuers and the appropriate regulatory agency in the event that aged record differences exceed certain dollar value thresholds. An aged record difference occurs when an issuer's records do not agree with those of securityowners as indicated, for instance, on certificates presented to the transfer agent for purchase, redemption or transfer. In addition, the rule requires transfer agents to report to the appropriate regulatory agency in the event of a failure to post certificate detail to the master securityholder file within 5 business days of the time required by Rule 17Ad-10 (17 CFR 240.10). Also, transfer agents must maintain a copy of each report prepared under Rule 17Ad-11 for a period of three years following the date of the report. These recordkeeping requirements assist the Commission and other regulatory agencies with monitoring transfer agents and ensuring compliance with the rule.

Because the information required by Rule 17Ad-11 is already available to transfer agents, any collection burden for small transfer agents is minimal. Based on a review of the number of Rule 17Ad-11 reports the Commission, the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, and the Federal Deposit Insurance Corporation received since 2006, the Commission estimates that 25 respondents will file a total of approximately 30 reports annually. The Commission estimates that each report can be completed in 30 minutes. Therefore, the total annual hourly burden to the entire transfer agent industry is approximately 15 hours (30 minutes multiplied by 30 reports). Assuming an average hourly rate of a transfer agent staff employee of \$25, the average total cost of the report is \$12.50. The total cost for the approximate 25 respondents is approximately \$750.

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's estimates of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity