

at <https://www.prc.gov/prc-pages/filing-online/login.aspx>. Commenters who cannot submit their views electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section as the source for case-related information for advice on alternatives to electronic filing.

**FOR FURTHER INFORMATION CONTACT:**

Stephen L. Sharfman, General Counsel, at 202-789-6820 (case-related information) or [DocketAdmins@prc.gov](mailto:DocketAdmins@prc.gov) (electronic filing assistance).

**SUPPLEMENTARY INFORMATION:**

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

**I. Introduction**

On August 18, 2011, the Postal Service filed a notice, pursuant to 39 CFR 3015.5, that it has entered into an additional Inbound Competitive Multi-Service Agreements with Foreign Postal Operators 1 agreement.<sup>1</sup> The Notice concerns a bilateral agreement for inbound competitive services with Posten Norge AS (Norway Post Agreement) that the Postal Service seeks to add to the Inbound Competitive Multi-Service Agreement with Foreign Postal Operators 1 product.

In Order No. 546, the Commission approved the Inbound Competitive Multi-Service Agreement with Foreign Postal Operators 1 product and a functionally equivalent agreement, Koninklijke TNT Post BV and TNT Post Pakketservice Benelux BV (TNT Agreement). The Postal Service asserts that its filing demonstrates that the Norway Post Agreement fits within the Mail Classification Schedule (MCS) language in Governors' Decision No. 10-3 originally filed in Docket Nos. MC2010-34 and CP2010-95. Notice at 2.

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

- Attachment 1—an application for non-public treatment of materials to maintain redacted portions of the agreement and supporting documents under seal;
- Attachment 2—a redacted copy of Governors' Decision No. 10-3 that establishes prices and classifications for Inbound Competitive Multi-Service Agreements with Foreign Postal Operators agreements, proposed MCS

language, formulas for prices, certification of the Governors' vote and certification of compliance with 39 U.S.C. 3633(a);

- Attachment 3—a redacted copy of the Norway Post Agreement; and
- Attachment 4—a certified statement required by 39 CFR 3015.5(c)(2).

**Norway Post Agreement.** The Postal Service filed the instant contract pursuant to 39 CFR 3015.5 and in accordance with Order No. 546. The Postal Service states that the inbound air parcel post competitive services in the Norway Post Agreement conform to the proposed MCS language for Inbound Multi-Service Agreements with Foreign Postal Operators 1. The Postal Service states it will notify the mailer of the effective date within 30 days after all necessary regulatory approvals have been received. *Id.* The agreement provides that the parties will mutually agree on the effective date. *Id.* at 3; Attachment 3 at 1. The parties intend for the agreement to become effective on October 1, 2011, and to remain in effect for 1 year with the option for renewal for another year. *Id.* at 2; Attachment 3 at 1.

**Functional equivalence.** The Postal Service asserts that the Norway Post Agreement and the TNT Agreement incorporate the same cost and market characteristics. Notice at 3. It states that the TNT Agreement includes similar terms and conditions, *e.g.*, is an agreement with a foreign postal operator and conforms to a common description. *Id.* Additionally, the Postal Service contends that the Norway Post Agreement is similar in cost characteristics with the TNT Agreement other than certain minor adjustments, such as expression of costs in different currencies, which are slight modifications that do not affect the agreement's functional equivalence. *Id.* It maintains that because of the limited changes, the cost characteristics are essentially the same as the TNT Agreement.<sup>2</sup>

The Postal Service identifies specific terms that distinguish the instant agreement from the existing agreement. These distinctions include the term, products, services, applicable law and dispute resolution methods. *Id.* at 3-4.

Despite some minor differences, the Postal Service asserts that the Norway Post Agreement is functionally equivalent to the TNT Agreement previously filed. *Id.* at 4.

In its Notice, the Postal Service maintains that certain portions of the agreement, prices, and related financial

information should remain under seal. *Id.* at 2; Attachment 1.

The Postal Service concludes that the Norway Post Agreement complies with 39 U.S.C. 3633 and is functionally equivalent to the TNT Agreement. Notice at 4. Therefore, it requests that the Commission add the Norway Post Agreement to the Inbound Competitive Multi-Service Agreement with Foreign Postal Operators 1 product. *Id.*

**II. Notice of Filing**

The Commission establishes Docket No. CP2011-69 for consideration of matters raised by the Postal Service's Notice.

The Commission appoints James F. Callow to serve as Public Representative in this docket.

**Comments.** Interested persons may submit comments on whether the Postal Service's filings in the captioned docket are consistent with the policies of 39 U.S.C. 3632, 3633 or 39 CFR part 3015. Comments are due no later than August 31, 2011. The public portions of this filing can be accessed via the Commission's Web site (<http://www.prc.gov>).

**III. Ordering Paragraphs**

*It is ordered:*

1. The Commission establishes Docket No. CP2011-69 for consideration of the matters raised in this docket.

2. Pursuant to 39 U.S.C. 505, James F. Callow is appointed to serve as officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

3. Comments by interested persons in this proceeding are due no later than August 31, 2011.

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

By the Commission.

**Shoshana M. Grove,**  
Secretary.

[FR Doc. 2011-22131 Filed 8-29-11; 8:45 am]

**BILLING CODE**

**POSTAL REGULATORY COMMISSION**

[Docket No. A2011-50; Order No. 820]

**Post Office Closing**

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** This document informs the public that an appeal of the closing of the Prairie Hill, Texas post office has been filed. It identifies preliminary steps and provides a procedural

<sup>1</sup> Notice of United States Postal Service of Filing Additional Functionally Equivalent Agreement, August 18, 2011 (Notice); *see also* Docket Nos. MC2010-34 and CP2010-95, Order Adding Inbound Competitive Multi-Service Agreements with Foreign Postal Operators 1 to the Competitive Product List and Approving Included Agreement, September 29, 2010 (Order No. 546).

<sup>2</sup> The Postal Service's Notice refers to the TNT Agreement as the "baseline agreement." *Id.*

schedule. Publication of this document will allow the Postal Service, petitioners, and others to take appropriate action.

**DATES:** *Administrative record due (from Postal Service):* September 2, 2011; *deadline for notices to intervene:* September 16, 2011. See the Procedural Schedule in the **SUPPLEMENTARY INFORMATION** section for other dates of interest.

**ADDRESSES:** Submit comments electronically by accessing the "Filing Online" link in the banner at the top of the Commission's Web site (<http://www.prc.gov>) or by directly accessing the Commission's Filing Online system at <https://www.prc.gov/prc-pages/filing-online/login.aspx>. Commenters who cannot submit their views electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section as the source for case-related information for advice on alternatives to electronic filing.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, General Counsel, at 202-789-6820 (case-related information) or [DocketAdmins@prc.gov](mailto:DocketAdmins@prc.gov) (electronic filing assistance).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that, pursuant to 39 U.S.C. 404(d), on August 18, 2011, the Commission received a petition for review of the Postal Service's determination to close the Prairie Hill post office in Prairie Hill, Texas. The petition was filed by Stell Waldrop, Jr. (Petitioner) and is postmarked August 12, 2011. The Commission hereby institutes a proceeding under 39 U.S.C. 404(d)(5) and establishes Docket No. A2011-50 to consider Petitioner's appeal. If Petitioner would like to further explain his position with supplemental information or facts, Petitioner may either file a Participant Statement on PRC Form 61 or file a brief with the Commission no later than September 22, 2011.

*Categories of issues apparently raised.* Petitioner contends that: (1) The Postal Service failed to consider the effect of the closing on the community (see 39 U.S.C. 404(d)(2)(A)(i)); (2) the Postal Service failed to consider whether or

not it will continue to provide a maximum degree of effective and regular postal services to the community (see 39 U.S.C. 404(d)(2)(A)(iii)); and (3) the Postal Service failed to adequately consider the economic savings resulting from the closure (see 39 U.S.C. 404(d)(2)(A)(iv)).

After the Postal Service files the administrative record and the Commission reviews it, the Commission may find that there are more legal issues than those set forth above, or that the Postal Service's determination disposes of one or more of those issues. The deadline for the Postal Service to file the applicable administrative record with the Commission is September 2, 2011. See 39 CFR 3001.113. In addition, the due date for any responsive pleading by the Postal Service to this notice is September 2, 2011.

*Availability; Web site posting.* The Commission has posted the appeal and supporting material on its Web site at <http://www.prc.gov>. Additional filings in this case and participants' submissions also will be posted on the Commission's Web site, if provided in electronic format or amenable to conversion, and not subject to a valid protective order. Information on how to use the Commission's Web site is available online or by contacting the Commission's webmaster via telephone at 202-789-6873 or via electronic mail at [prc-webmaster@prc.gov](mailto:prc-webmaster@prc.gov).

The appeal and all related documents are also available for public inspection in the Commission's docket section. Docket section hours are 8 a.m. to 4:30 p.m., eastern time, Monday through Friday, except on Federal government holidays. Docket section personnel may be contacted via electronic mail at [prc-dockets@prc.gov](mailto:prc-dockets@prc.gov) or via telephone at 202-789-6846.

*Filing of documents.* All filings of documents in this case shall be made using the Internet (Filing Online) pursuant to Commission rules 9(a) and 10(a) at the Commission's Web site, <http://www.prc.gov>, unless a waiver is obtained. See 39 CFR 3001.9(a) and 3001.10(a). Instructions for obtaining an account to file documents online may be

found on the Commission's Web site or by contacting the Commission's docket section at [prc-dockets@prc.gov](mailto:prc-dockets@prc.gov) or via telephone at 202-789-6846.

The Commission reserves the right to redact personal information which may infringe on an individual's privacy rights from documents filed in this proceeding.

*Intervention.* Persons, other than Petitioner and respondent, wishing to be heard in this matter are directed to file a notice of intervention. See 39 CFR 3001.111(b). Notices of intervention in this case are to be filed on or before September 16, 2011. A notice of intervention shall be filed using the Internet (Filing Online) at the Commission's Web site unless a waiver is obtained for hardcopy filing. See 39 CFR 3001.9(a) and 3001.10(a).

*Further procedures.* By statute, the Commission is required to issue its decision within 120 days from the date it receives the appeal. See 39 U.S.C. 404(d)(5). A procedural schedule has been developed to accommodate this statutory deadline. In the interest of expedition, in light of the 120-day decision schedule, the Commission may request the Postal Service or other participants to submit information or memoranda of law on any appropriate issue. As required by the Commission rules, if any motions are filed, responses are due 7 days after any such motion is filed. See 39 CFR 3001.21.

#### *It is ordered:*

1. The Postal Service shall file the applicable administrative record regarding this appeal no later than September 2, 2011.
2. Any responsive pleading by the Postal Service to this notice is due no later than September 2, 2011.
3. The procedural schedule listed below is hereby adopted.
4. Pursuant to 39 U.S.C. 505, Malin Moench is designated officer of the Commission (Public Representative) to represent the interests of the general public.
5. The Secretary shall arrange for publication of this notice and order in the **Federal Register**.

#### PROCEDURAL SCHEDULE

August 18, 2011 .....	Filing of Appeal.
September 2, 2011 .....	Deadline for the Postal Service to file the applicable administrative record in this appeal.
September 2, 2011 .....	Deadline for the Postal Service to file any responsive pleading.
September 16, 2011 .....	Deadline for notices to intervene (see 39 CFR 3001.111(b)).
September 22, 2011 .....	Deadline for Petitioner's Form 61 or initial brief in support of petition (see 39 CFR 3001.115(a) and (b)).
October 12, 2011 .....	Deadline for answering brief in support of the Postal Service (see 39 CFR 3001.115(c)).
October 27, 2011 .....	Deadline for reply briefs in response to answering briefs (see 39 CFR 3001.115(d)).
November 3, 2011 .....	Deadline for motions by any party requesting oral argument; the Commission will schedule oral argument only when it is a necessary addition to the written filings (see 39 CFR 3001.116).

## PROCEDURAL SCHEDULE—Continued

December 12, 2011 .....	Expiration of the Commission's 120-day decisional schedule ( <i>see</i> 39 U.S.C. 404(d)(5)).
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By the Commission.  
**Shoshana M. Grove,**  
*Secretary.*

[FR Doc. 2011–22055 Filed 8–29–11; 8:45 am]

**BILLING CODE 7710–FW–P**

## POSTAL REGULATORY COMMISSION

[Docket No. A2011–49; Order No. 819]

### Post Office Closing

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** This document informs the public that an appeal of the closing of the Pinehurst Village Station, Pinehurst, North Carolina has been filed. It identifies preliminary steps and provides a procedural schedule. Publication of this document will allow the Postal Service, petitioners, and others to take appropriate action.

**DATES:** *Administrative record due (from Postal Service):* September 2, 2011; *deadline for notices to intervene:* September 16, 2011. *See the Procedural Schedule in the SUPPLEMENTARY INFORMATION section for other dates of interest.*

**ADDRESSES:** Submit comments electronically by accessing the “Filing Online” link in the banner at the top of the Commission’s Web site (<http://www.prc.gov>) or by directly accessing the Commission’s Filing Online system at <https://www.prc.gov/prc-pages/filing-online/login.aspx>. Commenters who cannot submit their views electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section as the source for case-related information for advice on alternatives to electronic filing.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, General Counsel, at 202–789–6820 (case-related information) or [DocketAdmins@prc.gov](mailto:DocketAdmins@prc.gov) (electronic filing assistance).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that, pursuant to 39 U.S.C. 404(d), on August 18, 2011, the Commission received a petition for review of the Postal Service’s determination to close the Pinehurst Village Station in Pinehurst, North Carolina. The petition was filed by John M. Marcum and Bettye M. Marcum (Petitioners) and is postmarked August 12, 2011. The Commission hereby institutes a proceeding under 39 U.S.C.

404(d)(5) and establishes Docket No. A2011–49 to consider Petitioners’ appeal. If Petitioners would like to further explain their position with supplemental information or facts, Petitioners may either file a Participant Statement on PRC Form 61 or file a brief with the Commission no later than September 22, 2011.

*Categories of issues apparently raised.* Petitioners contend that: (1) The Postal Service failed to consider the effect of the closing on the community (*see* 39 U.S.C. 404(d)(2)(A)(i)); and (2) and failure of the Postal Service to follow procedures required by law regarding closures (*see* 39 U.S.C. 404(d)(5)(B)).

After the Postal Service files the administrative record and the Commission reviews it, the Commission may find that there are more legal issues than the one set forth above, or that the Postal Service’s determination disposes of one or more of those issues. The deadline for the Postal Service to file the applicable administrative record with the Commission is September 2, 2011. *See* 39 CFR 3001.113. In addition, the due date for any responsive pleading by the Postal Service to this notice is September 2, 2011.

*Availability; Web site posting.* The Commission has posted the appeal and supporting material on its Web site at <http://www.prc.gov>. Additional filings in this case and participants’ submissions also will be posted on the Commission’s Web site, if provided in electronic format or amenable to conversion, and not subject to a valid protective order. Information on how to use the Commission’s Web site is available online or by contacting the Commission’s webmaster via telephone at 202–789–6873 or via electronic mail at [prc-webmaster@prc.gov](mailto:prc-webmaster@prc.gov).

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*Filing of documents.* All filings of documents in this case shall be made using the Internet (Filing Online) pursuant to Commission rules 9(a) and 10(a) at the Commission’s Web site, <http://www.prc.gov>, unless a waiver is obtained. *See* 39 CFR 3001.9(a) and

3001.10(a). Instructions for obtaining an account to file documents online may be found on the Commission’s Web site or by contacting the Commission’s docket section at [prc-dockets@prc.gov](mailto:prc-dockets@prc.gov) or via telephone at 202–789–6846.

The Commission reserves the right to redact personal information which may infringe on an individual’s privacy rights from documents filed in this proceeding.

*Intervention.* Persons, other than Petitioners and respondent, wishing to be heard in this matter are directed to file a notice of intervention. *See* 39 CFR 3001.111(b). Notices of intervention in this case are to be filed on or before September 16, 2011. A notice of intervention shall be filed using the Internet (Filing Online) at the Commission’s Web site unless a waiver is obtained for hardcopy filing. *See* 39 CFR 3001.9(a) and 3001.10(a).

*Further procedures.* By statute, the Commission is required to issue its decision within 120 days from the date it receives the appeal. *See* 39 U.S.C. 404(d)(5). A procedural schedule has been developed to accommodate this statutory deadline. In the interest of expedition, in light of the 120-day decision schedule, the Commission may request the Postal Service or other participants to submit information or memoranda of law on any appropriate issue. As required by the Commission rules, if any motions are filed, responses are due 7 days after any such motion is filed. *See* 39 CFR 3001.21.

#### *It is ordered:*

1. The Postal Service shall file the applicable administrative record regarding this appeal no later than September 2, 2011.

2. Any responsive pleading by the Postal Service to this notice is due no later than September 2, 2011.

3. The procedural schedule listed below is hereby adopted.

4. Pursuant to 39 U.S.C. 505, Malin Moench is designated officer of the Commission (Public Representative) to represent the interests of the general public.

5. The Secretary shall arrange for publication of this notice and order in the **Federal Register**.

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