

**DATES:** Comments are due: May 19, 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 the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on alternatives to electronic filing.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, General Counsel, 202-789-6820 and [stephen.sharfman@prc.gov](mailto:stephen.sharfman@prc.gov).

**SUPPLEMENTARY INFORMATION:**

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**I. Introduction**

On May 7, 2010, the Postal Service filed a notice announcing that it has entered into two additional Global Expedited Package Services 2 (GEPS 2) contracts.<sup>1</sup> The Postal Service believes the instant contracts are functionally equivalent to previously submitted GEPS 2 contracts, and are supported by Governors' Decision No. 08-7, attached to the Notice and originally filed in Docket No. CP2008-4. *Id.* at 1, Attachment 3. The Notice also explains that Order No. 86, which established GEPS 1 as a product, also authorized functionally equivalent agreements to be included within the product, provided that they meet the requirements of 39 U.S.C. 3633. *Id.* at 1. In Order No. 290, the Commission approved the GEPS 2 product.<sup>2</sup>

*The instant contracts.* The Postal Service filed the instant contracts pursuant to 39 CFR 3015.5. In addition, the Postal Service contends that each contract is in accordance with Order No. 86. The term of each contract is one year from the date the Postal Service notifies the customer that all necessary regulatory approvals have been received. Notice at 2-3.

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

- Attachments 1A and 1B—redacted copies of the two contracts and applicable annexes;

- Attachments 2A and 2B—a certified statement required by 39 CFR 3015.5(c)(2) for each of the two contracts;

- Attachment 3—a redacted copy of Governors' Decision No. 08-7 which establishes prices and classifications for GEPS contracts, a description of applicable GEPS contracts, formulas for prices, an analysis and certification of the formulas and certification of the Governors' vote; and

- Attachment 4—an application for non-public treatment of materials to maintain redacted portions of the contracts and supporting documents under seal.

The Notice advances reasons why the instant GEPS 2 contracts fit within the Mail Classification Schedule language for GEPS 2. The Postal Service identifies customer-specific information, general contract terms and other differences that distinguish the instant contracts from the baseline GEPS 2 agreement, all of which are highlighted in the Notice. *Id.* at 3-6. These modifications as described in the Postal Service's Notice apply to each of the instant contracts.

The Postal Service contends that the instant contracts are functionally equivalent to the GEPS 2 contracts filed previously notwithstanding these differences. *Id.* at 6-7.

The Postal Service asserts that several factors demonstrate the contracts' functional equivalence with previous GEPS 2 contracts, including the product being offered, the market in which it is offered, and its cost characteristics. *Id.* at 3. The Postal Service concludes that because the GEPS agreements "incorporate the same cost attributes and methodology, the relevant cost and market characteristics are similar, if not the same." despite any incidental differences. *Id.* at 6.

The Postal Service contends that its filings demonstrate that each of the new GEPS 2 contracts complies with the requirements of 39 U.S.C. 3633 and is functionally equivalent to previous GEPS 2 contracts. It also requests that the contracts be included within the GEPS 2 product. *Id.* at 7.

**II. Notice of Filing**

The Commission establishes Docket Nos. CP2010-48 and CP2010-49 for consideration of matters related to the contracts identified in the Postal Service's Notice.

These dockets are addressed on a consolidated basis for purposes of this Order. Filings with respect to a particular contract should be filed in that docket.

Interested persons may submit comments on whether the Postal

Service's contracts are consistent with the policies of 39 U.S.C. 3632, 3633 or 3642. Comments are due no later than May 19, 2010. The public portions of these filings can be accessed via the Commission's website ([www.prc.gov](http://www.prc.gov)).

The Commission appoints Paul L. Harrington to serve as Public Representative in the captioned proceedings.

**III. Ordering Paragraphs**

*It is ordered:*

1. The Commission establishes Docket Nos. CP2010-48 and CP2010-49 for consideration of matters raised by the Postal Service's Notice.

2. Comments by interested persons in these proceedings are due no later than May 19, 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. 2010-11771 Filed 5-17-10; 8:45 am]

**BILLING CODE 7710-FW-S**

**SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration #12157 and #12158]**

**Alabama Disaster Number AL-00031**

**AGENCY:** Small Business Administration.

**ACTION:** Amendment 1.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of Alabama (FEMA-1908-DR), dated 05/03/2010.

*Incident:* Severe Storms, Tornadoes, Straight-line Winds, and Flooding.

*Incident Period:* 04/24/2010 through 04/25/2010.

**DATES:** *Effective Date:* 05/07/2010.

*Physical Loan Application Deadline Date:* 07/02/2010.

*Economic Injury (EIDL) Loan Application Deadline Date:* 02/03/2011.

**ADDRESSES:** Submit completed loan applications to: 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.

<sup>1</sup> Notice of United States Postal Service Filing of Two Functionally Equivalent Global Expedited Package Services 2 Negotiated Service Agreements and Application for Non-Public Treatment of Materials Filed Under Seal, May 7, 2010 (Notice).

<sup>2</sup> Docket No. CP2009-50, Order Granting Clarification and Adding Global Expedited Package Services 2 to the Competitive Product List, August 28, 2009 (Order No. 290).

**SUPPLEMENTARY INFORMATION:** The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of Alabama, dated 05/03/2010, is hereby amended to include the following areas as adversely affected by the disaster.

Primary Counties: Walker.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**James E. Rivera,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 2010-11744 Filed 5-17-10; 8:45 am]

**BILLING CODE 8025-01-P**

## SMALL BUSINESS ADMINISTRATION

### [Disaster Declaration #12163]

#### Louisiana Disaster #LA-00032 Declaration of Economic Injury

**AGENCY:** Small Business Administration.

**ACTION:** Amendment 1.

**SUMMARY:** This is an amendment of an Economic Injury Disaster Loan (EIDL) declaration for the State of Louisiana, dated 05/10/2010.

*Incident:* Deepwater BP Oil Spill.

*Incident Period:* 04/20/2010 and continuing.

**DATES:** *Effective Date:* 05/10/2010.

*EIDL Loan Application Deadline Date:* 02/07/2011.

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

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

**SUPPLEMENTARY INFORMATION:** The notice of an Economic Injury declaration for the State of Louisiana dated 05/05/2010, is hereby amended to include the following areas as adversely affected by the disaster.

*Primary Parishes:*

Ascension, East Feliciana, Evangeline, Iberia, Livingston, Saint Charles, Saint Martin, Tangipahoa, Terrebonne, Washington

*Contiguous Parishes and Counties:*

Louisiana: Acadia, Allen, Avoyelles, East Baton Rouge, Iberville, Jefferson Davis, Lafayette, Pointe Coupee, Rapides, Saint Helena, Saint Landry, Saint Mary, Vermilion, West Baton Rouge, West

Feliciana

Mississippi: Amite, Marion, Pike, Walthall, Wilkinson

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59002)

*Dated:* May 10, 2010.

**Karen G. Mills,**

*Administrator.*

[FR Doc. 2010-11747 Filed 5-17-10; 8:45 am]

**BILLING CODE 8025-01-P**

## SMALL BUSINESS ADMINISTRATION

### [Disaster Declaration #12161 and #12162]

#### Tennessee Disaster Number TN-00038

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

**ACTION:** Amendment 4.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of Tennessee (FEMA-1909-DR), dated 05/04/2010.

*Incident:* Severe Storms, Flooding, Straight-Line Winds and Tornadoes.

*Incident Period:* 04/30/2010 and continuing.

**DATES:** *Effective Date:* 05/08/2010.

*Physical Loan Application Deadline Date:* 07/06/2010.

*Economic Injury (EIDL) Loan Application Deadline Date:* 02/04/2011.

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

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

**SUPPLEMENTARY INFORMATION:** The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of Tennessee, dated 05/04/2010, is hereby amended to include the following areas as adversely affected by the disaster.

Primary Counties: Chester, Clay, Dekalb, Hardin, Jackson, Lauderdale, Lawrence, Lewis, Macon, Robertson, Smith, Stewart, Trousdale, Wayne, Wilson.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**James E. Rivera,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 2010-11749 Filed 5-17-10; 8:45 am]

**BILLING CODE 8025-01-P**

## SMALL BUSINESS ADMINISTRATION

### [Disaster Declaration #12107 and #12108]

#### New Jersey Disaster Number NJ-00014

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

**ACTION:** Amendment 2.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for the State of New Jersey (FEMA-1897-DR), dated 04/02/2010.

*Incident:* Severe Storms and Flooding.

*Incident Period:* 03/12/2010 Through 04/15/2010.

*Effective Date:* 05/07/2010.

*Physical Loan Application Deadline Date:* 06/01/2010.

*EIDL Loan Application Deadline Date:* 01/03/2011.

**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 Presidential disaster declaration for the State of New Jersey, dated 04/02/2010 is hereby amended to include the following areas as adversely affected by the disaster:

*Primary Counties: (Physical Damage and Economic Injury Loans):* Burlington, Cumberland, Ocean.

All other counties contiguous to the above named primary counties have previously been declared.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**James E. Rivera,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 2010-11751 Filed 5-17-10; 8:45 am]

**BILLING CODE 8025-01-P**