

**PART 4022—BENEFITS PAYABLE IN TERMINATED SINGLE-EMPLOYER PLANS**

■ 1. The authority citation for part 4022 continues to read as follows:

Authority: 29 U.S.C. 1302, 1322, 1322b, 1341(c)(3)(D), and 1344.

■ 2. In appendix B to part 4022, Rate Set 169, as set forth below, is added to the table.

**Appendix B to Part 4022—Lump Sum Interest Rates for PBGC Payments**

\* \* \* \* \*

Rate set	For plans with a valuation date		Immediate annuity rate (percent)	Deferred annuities (percent)				
	On or after	Before		$i_1$	$i_2$	$i_3$	$n_1$	$n_2$
169	11-1-07	12-1-07	3.25	4.00	4.00	4.00	7	8

■ 3. In appendix C to part 4022, Rate Set 169, as set forth below, is added to the table.

**Appendix C to Part 4022—Lump Sum Interest Rates for Private-Sector Payments**

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Rate set	For plans with a valuation date		Immediate annuity rate (percent)	Deferred annuities (percent)				
	On or after	Before		$i_1$	$i_2$	$i_3$	$n_1$	$n_2$
169	11-1-07	12-1-07	3.25	4.00	4.00	4.00	7	8

**PART 4044—ALLOCATION OF ASSETS IN SINGLE-EMPLOYER PLANS**

■ 4. The authority citation for part 4044 continues to read as follows:

Authority: 29 U.S.C. 1301(a), 1302(b)(3), 1341, 1344, 1362.

■ 5. In appendix B to part 4044, a new entry for November 2007, as set forth below, is added to the table.

**Appendix B to Part 4044—Interest Rates Used to Value Benefits**

\* \* \* \* \*

For valuation dates occurring in the month—	The values of $i_t$ are:				
	$i_t$	for $t =$	$i_t$	for $t =$	$i_t$ for $t =$
November 2007	.0546	1-20	.0513	>20	N/A

Issued in Washington, DC, on this 10th day of October 2007.

Vincent K. Snowbarger,

Deputy Director, Pension Benefit Guaranty Corporation.

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**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 117**

[CGD08-07-025]

**Drawbridge Operation Regulations; Charenton Drainage and Navigation Canal, Baldwin, LA**

AGENCY: Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Eighth Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the BNSF Railway Company Swing Bridge across the Charenton Drainage and Navigational Canal, mile 0.4, at Baldwin, St. Mary Parish, LA. This deviation provides for the bridge to remain closed to navigation for 5 days with three hour openings each day to conduct maintenance repairs to the drawbridge.

**DATES:** This deviation is effective from 8 a.m. on October 22, 2007 through 8 p.m. on October 26, 2007.

**ADDRESSES:** Materials referred to in this document are available for inspection or copying at the office of the Eighth Coast

Guard District, Bridge Administration Branch, Hale Boggs Federal Building, Room 1313, 500 Poydras Street, New Orleans, Louisiana 70130-3310 between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (504) 671-2128. The Bridge Administration Branch maintains the public docket for this temporary deviation.

**FOR FURTHER INFORMATION CONTACT:** Bart Marcules, Bridge Administration Branch, telephone (504) 671-2128.

**SUPPLEMENTARY INFORMATION:** The BNSF Railway Company has requested a temporary deviation in order to replace or repair a bent shaft, bearings, and housing that are integral to the safe operation of the swing bridge across the Charenton Drainage and Navigational Canal, mile 0.4, at Baldwin, St. Mary Parish, LA. This bridge opens on signal

in accordance with 33 CFR 117.5, but this temporary deviation will allow the bridge to remain in the closed-to-navigation position from 8 a.m. on October 22, 2007 through 8 p.m. on October 26, 2007. BNSF will provide an opening from 8 a.m. till 11 a.m. every day starting October 23, 2007. An alternate route is available through the Berwick Locks. The bridge provides 10 feet of vertical clearance in the closed-to-navigation position. Navigation on the waterway consists of tugs with tows, fishing vessels and recreational craft including sailboats and powerboats. Due to prior experience, as well as coordination with waterway users, and an alternate route through Berwick Locks it has been determined that this closure will not have a significant effect on these vessels.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: October 2, 2007.

**David M. Frank,**

*Bridge Administrator.*

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BILLING CODE 4910-15-P

## POSTAL SERVICE

### 39 CFR Part 601

#### Purchasing of Property and Services

**AGENCY:** Postal Service.

**ACTION:** Final rule.

**SUMMARY:** The Postal Service™ is making several minor revisions to its regulations governing the purchasing of property and services to comply with certain findings and suggestions of the Government Accountability Office, and to clarify a variety of procedural matters.

**DATES:** This final rule is effective November 14, 2007.

**FOR FURTHER INFORMATION CONTACT:** Paul McGinn, (202) 268-4638, or Syvera O'Pharrow, (202) 268-8110.

**SUPPLEMENTARY INFORMATION:** The Postal Service is making several minor revisions to its regulations governing the purchasing of property and services in order to (1) comply with some of the findings in the Government Accountability Office's (GAO) report, GAO-06-190, *U.S. Postal Service: Purchasing Changes Seem Promising, but Revisions to Ombudsman Position are Needed*, and (2) clarify some procedural matters. In its report, GAO

stated that the Postal Service's Ombudsman regulatory provisions and guidance contained in 39 CFR Part 601 were inconsistent with leading Ombudsman principles and practices. In response, the Postal Service benchmarked its supplier disagreement resolution process against a variety of private sector companies, and found that the process conforms to leading business principles and practices. We do agree with GAO that the use of the term Ombudsman is inaccurate, however, and therefore have changed the term to Supplier Disagreement Resolution Official (SDR Official). In addition, several minor procedural changes have been made to the regulations and business processes published in May of 2005, and these are explained in more detail below.

#### Explanation of Changes

##### *Section 601.100 Purchasing Policy*

This section has been revised for clarity, specifically by stating that the Postal Service acquires property and services pursuant to the authority of 39 U.S.C. 410.

##### *Section 601.101 Effective Date*

This section has been revised to state that the revised regulations will take effect thirty days after publication.

##### *Section 601.102 Revocation of Prior Purchasing Regulations*

The reference to section 601.103 has been deleted due to a revision to that section.

##### *Section 601.103 Applicability and Coverage*

This section has been revised to state that these regulations apply to all Postal Service acquisitions of property (except real property) and services.

##### *Section 601.104 Postal Purchasing Authority*

This section has not been changed.

##### *Section 601.105 Business Relationships*

In paragraph (a), the last sentence of the text has been revised to make it clear that the Postal Service reserves the right to decline to accept or consider proposals from a person or organization when that person or organization fails to meet reasonable business expectations. Previous section 601.106 has been revised and included in this section as a new paragraph (b). The first sentence in the new paragraph (b) has been revised for clarity by indicating under what circumstances the Postal Service reserves the right to decline to accept or consider proposals. Paragraph (c) has

been revised to state that written notices must be by certified mail, return receipt requested. Subparagraph (c)(4) has been revised to require that the written notice to the supplier establish the period of time during which the decision to decline to accept or consider proposals is in effect. Paragraph (d) has been revised to provide a cross-reference to section 601.108.

##### *Section 601.106 Reserved*

As discussed above, the previous text in this section has been combined into a new paragraph (b) of section 601.105.

##### *Section 601.107 Initial Disagreement Resolution*

This section includes a new paragraph (a) "Definitions", that provides definition for certain terms that appear throughout the regulations. Paragraph (b) has been revised to state that all disagreements lodged with the contracting officer must be in writing and to describe the methods in which a person or organization may lodge a business disagreement with the contracting officer and to delineate the timeframe a person or organization has to lodge a disagreement. This section has also been revised to state that the contracting officer's manager may help to resolve the disagreement and that at the conclusion of the ten day resolution period, the contracting officer must communicate, in writing, to the supplier his or her resolution of the disagreement. This section has been further revised by moving the text discussing disagreements not resolved within 10 days to section 601.108(a). The text regarding alternative dispute resolution has been retained and codified in paragraph (c).

##### *Section 601.108 SDR Official Disagreement Resolution*

The Ombudsman has been given a new title: Supplier Disagreement Resolution Official ("SDR Official"), and this term is used throughout the regulations. Text regarding disagreements not resolved within 10 days has been moved from section 601.107 to this section under paragraph (a). Because neither 39 U.S.C. 410 nor other public laws apply to the Postal Service's administrative resolution of supplier disagreements, the previous reference to "39 U.S.C. 410, and all other applicable public laws enacted by Congress" has been deleted. The definition of disagreements in paragraph (b) has been deleted and is now included in the "Definitions" paragraph discussed above. Paragraph (c) has been expanded to include the address for submitting supplier disagreements. In