

participants separately. Therefore, any others who wish to participate in the proceeding (or their counsel or representative) must apply for and receive a digital ID certificate before a hearing request is filed so that they may obtain access to the document via the E-Filing system.

A person filing electronically using the agency's adjudicatory e-filing system may seek assistance through the "Contact Us" link located on the NRC Web site at <http://www.nrc.gov/site-help/e-submittals.html> or by calling the NRC Meta-System Help Desk, which is available between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday, excluding government holidays. The Meta-System Help Desk can be contacted by telephone at 1-866-672-7640 or by e-mail at MSHD.Resource@nrc.gov.

Participants who believe that they have good cause for not submitting documents electronically must file a motion, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, Attention: Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service.

Documents submitted in adjudicatory proceedings will appear in NRC's electronic hearing docket which is available to the public at http://ehd.nrc.gov/EHD_Proceeding/home.asp, unless excluded pursuant to an order of the Commission, an Atomic Safety and Licensing Board, or a Presiding Officer. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their works.

If a person other than Entergy requests a hearing, that person shall set forth with particularity the manner in which his interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.309(d) and (f).

If the hearing is requested by a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Confirmatory Order should be sustained.

In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in Section V above shall be final 20 days from the date this Order is published in the **Federal Register** without further order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in Section V shall be final when the extension expires, if a hearing request has not been received.

A request for hearing shall not stay the immediate effectiveness of this order.

Dated this 10th day of November 2009.

For the U.S. Nuclear Regulatory Commission.

Mark A. Satorius,

Regional Administrator, Region III.

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BILLING CODE 7590-01-P

POSTAL REGULATORY COMMISSION

[Docket No. PI2010-1; Order No. 335]

Inquiry Into Suspended Post Offices

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is establishing a docket to address Postal Service practices related to suspension of post offices. It invites comments from the public on this topic.

DATES: 1. Comments are due: January 15, 2010. 2. Reply comments are due: February 16, 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 **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.

SUPPLEMENTARY INFORMATION:

I. Background

II. Public Representative

III. Ordering Paragraphs

I. Background

Order No. 319 concluded Docket No. A2009-1, Appeal of the Hacker Valley, West Virginia Post Office Closing.¹ During that proceeding, information came to light that convinced the Commission that further inquiry and analysis was necessary. On August 14, 2009, the Postal Service filed with the Commission its response to Commission Information Request No. 1, questions 1 through 13 (CIR No. 1).² The Commission concerns arose as a result of the responses to questions 6 through 9. The Commission gathers from the Postal Service's responses that 97 post offices have been suspended due to lease expiration during the past 5 years and most of them remain suspended. Response to CIR No. 1 at 8. The Commission initiates this public inquiry to develop further information on the status of these suspended offices and the Postal Service practice of suspending offices for extended periods without affording the public the rights guaranteed by 39 U.S.C. 404(d). The Commission seeks input from the public on this matter.

In CIR No. 1, questions 6 through 9, the Commission sought information pertaining to post offices suspended during the last 5 years due to lease expirations. The Postal Service's response to CIR No. 1, question 6, informs the Commission that 97 offices have been suspended from 2004 to 2009. *Id.* The response includes a list naming each of the 97 offices, their ZIP Codes, and date of suspension. In CIR No. 1, question 7, the Commission asks how many of the suspended post offices were subsequently closed. The Postal Service responds that 25 of the 97 offices were subsequently closed and provides another list adding a column providing the close date. *Id.* at 12. CIR No. 1, question 8, seeks to know how many of the suspended post offices were reopened. The Postal Service states that 2 of the 97 offices have been reopened. *Id.* at 14. CIR No. 1, question 9, asks how many of the suspended offices are pending closure. The Postal Service reported that the closure process had been initiated for five offices. *Id.* at 15. Based on these responses, the Commission establishes that 65 post

¹ Docket No. A2009-1, Order on Appeal of Hacker Valley, West Virginia Post Office Closing, October 19, 2009 (Order No. 319).

² Response of the United States Postal Service to Commission Information Request No. 1, August 14, 2009 (Response).

offices suspended due to the expiration of a facility lease during the previous 5 years remain suspended.

The Commission is concerned that post office customers throughout the nation do not have access to local post offices and their services due to suspensions. It is evident that several post offices have been suspended for a number of years, and the Postal Service apparently has taken no effective action to reopen or close such offices. Pursuant to 39 U.S.C. 404(a)(3), the Postal Service has the authority to determine the need for post offices. Section 404 establishes the process with which the Postal Service must comply when closing or consolidating post offices. This process allows for public comment on the proposed closure and the appeal of a determination to close a post office. 39 U.S.C. 404(d). However, based on the information gathered in Docket No. A2009-1, it appears that the Postal Service may be avoiding this process by suspending post offices and allowing them to simply remain suspended without any action.

Pursuant to Handbook PO-101 section 617, the District Manager, Customer Service and Sales, must determine a plan of action to restore service, secure suitable alternate quarters, take other corrective action, or initiate a discontinuance study within 90 days of the suspension. Docket No. A2009-1, Commission Information Request No. 2, September 29, 2009, requests the Postal Service to provide a copy of its plan of action regarding the Hacker Valley post office. The Postal Service submitted the plan of action and indicated that it was studying the office for discontinuance.³ However, in Commission Information Request No. 3, October 26, 2009, question 1, the Commission lists several of the tasks required for the Preparing for Investigation phase of the discontinuance study and asks which tasks had been completed. The Postal Service replied that though the study had commenced, none of the listed tasks had been completed.⁴

It is not sufficient to simply suspend operations at a post office without promptly developing a plan to reopen or close the existing office. The Commission initiates this public inquiry to investigate this matter to better understand the scope of this problem. Interested persons, including members of the public who are patrons of recently

suspended and not so recently suspended post offices, are invited to provide written comments.

II. Public Representative

Section 505 of title 39 requires the designation of an officer of the Commission in all public proceedings to represent the interests of the general public. The Commission hereby designates Richard A. Oliver as Public Representative in this proceeding. Pursuant to this designation, he will direct the activities of Commission personnel assigned to assist him and will, upon request, provide their names for the record. Neither he nor any of the assigned personnel will participate in or provide advice on any Commission decision in this proceeding.

An aspect of the responsibilities of the Public Representative will be to work with the Postal Service to develop an accurate representation of how written procedures related to the emergency suspension of post offices are being adhered to in actual practice. In addition, the Public Representative should review subsequent Postal Service action related to the relocation or closing of post offices that were suspended due to the expiration of the lease for the facility.

III. Ordering Paragraphs

It is ordered:

1. Docket No. PI2010-1 is established for the purpose of receiving comments pertaining to the suspension of post offices due to lease expirations.

2. Interested persons may submit written comments by January 15, 2010.

3. Reply comments also may be filed by February 16, 2010.

4. Richard A. Oliver is designated as the Public Representative to represent the interests of the general public in this docket.

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

By the Commission.

Judith M. Grady,
Acting Secretary.

[FR Doc. E9-27778 Filed 11-18-09; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-60996; File No. PCAOB-2009-03]

Public Company Accounting Oversight Board; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Postponing the Effective Date of Rules and Forms Related to Annual and Special Reporting by Registered Firms and Succession to the Registration Status of a Predecessor Firm

November 13, 2009.

Pursuant to Section 107(b) of the Sarbanes-Oxley Act of 2002 (the "Act"), notice is hereby given that on September 30, 2009, the Public Company Accounting Oversight Board (the "Board" or the "PCAOB") filed with the Securities and Exchange Commission (the "SEC" or "Commission") the proposed rule changes described in Items I, II, and III below, which items have been prepared by the Board. The PCAOB has designated the proposed rule change as "constituting a stated policy, practice, or interpretation with respect to the meaning, administration, or enforcement of an existing rule" under Section 19(b)(3)(A)(i) of the Securities Exchange of 1934 (as incorporated, by reference, into Section 107(b)(4) of the Act) and Rule 19b-4(f)(1), which renders the proposal effective upon receipt of this filing by the Commission. The Commission is publishing this notice to solicit comments on the proposed rule from interested persons.

I. Board's Statement of the Terms of Substance of the Proposed Rule Change

The Board is filing with the Commission a rule change to postpone, from October 12, 2009, to December 31, 2009, the effective date of PCAOB Rules 2200, Annual Report; 2201, Time for Filing of Annual Report; 2202, Annual Fee; 2203, Special Reports; 2204, Signatures; 2205, Amendments; 2206 Date of Filing; 2207, Assertions of Conflicts with Non-U.S. Laws; 2108, Succeeding to the Registration Status of a Predecessor; 2109, Procedure for Succeeding to the Registration Status of a Predecessor; instructions to PCAOB Form 2, Annual Report Form; PCAOB Form 3, Special Report Form; and PCAOB Form 4, Succeeding to the Registration Status of a Predecessor; and related amendments to PCAOB Rules 1001(a)(vii), 1001(n)(ii), 1001(o)(i), 2107(c), 2107(f), 2300(a), 2300(b), 2300(c), 2300(f), 2300(g), 4000, and 4003(c).

³ Response of United States Postal Service to Commission Information Request No. 2, September 29, 2009.

⁴ Response of United States Postal Service to Commission Information Request No. 3, October 26, 2009, at 1.