

approved Nasdaq's improved market access rule on January 13, 2010.²²

The Nasdaq rule requires a combination of contractual provisions, financial controls, and regulatory controls for Nasdaq members providing direct market access or sponsored access. Nasdaq's rule differs from its previous access rule, and other SRO access rules, by: (1) Clearly defining "direct market access" and "sponsored access;" (2) requiring by rule that broker-dealers providing those services establish controls designed to address specified financial and regulatory risks; (3) requiring that appropriate supervisory personnel of the sponsoring member receive immediate post-trade execution reports for all direct market access and sponsored access customers.²³

With respect to controls for financial risk, Nasdaq's rule requires members offering direct market access or sponsored access to establish procedures and controls designed to systemically limit the sponsoring member's financial exposure.²⁴ At a minimum, these procedures and controls must be designed to prevent sponsored customers from: (1) Entering orders that exceed appropriate preset credit thresholds; (2) trading products that the sponsored customer or sponsoring member is restricted from trading; and (3) submitting erroneous orders, by rejecting orders that exceed certain price or size parameters or that indicate duplicative orders.²⁵

Services, Inc., dated February 27, 2009; Samuel F. Lek, Chief Executive Officer, Lek Securities Corporation, dated June 15, 2009; letter to David S. Shillman, Associate Director, Division of Trading and Markets ("Division") Commission, from Gary LaFever, Chief Corporate Development Officer, FTEN, Inc., dated April 29, 2009; letter to James Brigagliano, Co-Acting Director, Division, Commission, from John Jacobs, Chief Operations Officer, Lime Brokerage LLC, dated June 30, 2009; and letter to David S. Shillman, Associate Director, Division, from Ann Vlcek, Managing Director and Associate General Counsel, SIFMA, dated November 23, 2009. Nasdaq amended the filing and responded to comments. See File No. SR-NASDAQ-2008-104, Amendments No. 2 and 3, received respectively on October 19 and 23, 2009. A more extensive summary of comments and NASDAQ's response to comments is contained in the Nasdaq Market Access Approval Order. See Securities Exchange Act Release No. 61345 (January 13, 2010) ("Nasdaq Market Access Approval Order").

²² See Nasdaq Market Access Approval Order, *supra* note 21.

²³ For sponsored access arrangements, the Nasdaq rule also requires sponsoring members to obtain certain contractual commitments from sponsored participants that echo those required by current exchange rules, and go further by requiring the sponsored participant (1) provide access to books and records, financial information and otherwise cooperate with the sponsoring member for regulatory purposes; (2) maintain its trading activity within the credit thresholds set by the sponsoring member; and (3) allow immediate termination of the access arrangement if it poses serious risk to the sponsoring member or the integrity of the market. See Nasdaq Rule 4611(d)(3)(A). In addition, if a service bureau or other third party provides the sponsored access system, the sponsoring member must obtain contractual commitments from the third party analogous to clauses (1) and (3) above, as well as to restrict access to authorized persons. See Nasdaq Rule 4611(d)(3)(B).

²⁴ See Nasdaq Rule 4611(d)(4).

²⁵ See Nasdaq Rule 4611(d)(4)(A)–(C).

With respect to controls for regulatory risk, Nasdaq's rule requires members offering direct market access or sponsored access to establish systemic controls designed to ensure compliance with applicable regulatory requirements.²⁶ In addition, Nasdaq's rule requires a sponsoring member to ensure that appropriate supervisory personnel receive and review timely reports of all trading activity by its sponsored customers, including immediate post-trade execution reports.²⁷

[FR Doc. 2010-1269 Filed 1-25-10; 8:45 am]

BILLING CODE 8011-01-P

POSTAL SERVICE

39 CFR Part 111

Streamlining Hard-Copy Postage Statement Processing

AGENCY: Postal Service™.

ACTION: Proposed rule.

SUMMARY: The Postal Service™ is proposing to revise *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM®), to reflect changes in the processing of hard-copy postage statements accompanying commercial and permit imprint mailings at *PostalOne!*® facilities.

DATES: We must receive your comments on or before February 25, 2010.

ADDRESSES: Mail or deliver written comments to the Manager, Mailing Standards, U.S. Postal Service, 475 L'Enfant Plaza, SW., Room 3436, Washington, DC, 20260-3436. You may inspect and photocopy all written comments at USPS Headquarters Library, 475 L'Enfant Plaza, SW., 11th Floor N, Washington, DC, between 9 a.m. and 4 p.m., Monday through Friday. E-mail comments concerning the proposed rule, containing the name and address of the commenter, may be sent to: MailingStandards@usps.gov, with a subject line of "Postage Statement Processing." Faxed comments are not accepted.

FOR FURTHER INFORMATION CONTACT: Cher Rupp-Ruggeri at 202-268-4019,

²⁶ The Nasdaq rule defines "regulatory requirements" to include all applicable Federal securities laws and rules and Nasdaq rules, including but not limited to the Nasdaq Certificate of Incorporation, Bylaws, Rules and Nasdaq Market Center procedures. See Nasdaq Rule 4611(d)(3)(i).

²⁷ The immediate post-trade execution reports should include the identity of the applicable sponsored customer. In addition, appropriate supervisory personnel of the sponsoring member should receive all required audit trail information no later than the end of the trading day; and all information necessary to create and maintain the trading records required by regulatory requirements, no later than the end of the trading day. See Nasdaq Rule 4611(d)(5).

Anthony Frost at 202-268-8093, or Michael F. Lee at 202-268-7263.

SUPPLEMENTARY INFORMATION: In coordination with ongoing efforts to improve efficiencies of USPS® business mail acceptance operations, the Postal Service proposes to revise its procedures and policies relating to the processing of postage statements in facilities with *PostalOne!*® capability.

The *PostalOne!* system, which can be accessed by business customers as well as by postal employees, is an automated, streamlined method of managing the business mail acceptance process. Expanded use of *PostalOne!* allows the Postal Service to contain costs and provide greater visibility and ease of use to the mailing community.

With this proposal, the Postal Service would not complete the "USPS Use Only" section of, or round date, hard-copy postage statements (including duplicates) accompanying mailings accepted at *PostalOne!* facilities. Mailers with *PostalOne!* access would obtain documentation of their mailings by accessing their account via the Business Customer Gateway. Additional information on the Business Customer Gateway is found at <https://gateway.usps.com/bcg> or by contacting their district Manager, Business Mail Entry.

In the upcoming March 15, 2010 release of *PostalOne!*, PS Form 3607, *Weighing and Dispatch Certificate*, would be revised and re-titled PS Form 3607-R, *Mailing Transaction Receipt*.

Any mailing entered at other than single-piece prices and all permit imprint mailings must be accompanied by a postage statement. In accordance with current mailing standards, hard-copy postage statements must be completed and signed by the mailer or agent. Postal facilities with *PostalOne!* capability would enter mailing data electronically and produce a PS Form 3607-R to document the mailing. Upon request, a mailer could obtain a copy of PS Form 3607-R after acceptance and verification are completed. PS Form 3607-R would not be mailed.

There would be no changes in acceptance/postage statement processes for mailings accepted at Post Offices™ without *PostalOne!* access.

Although we are exempt from the notice and comment requirements of the Administrative Procedure Act [5 U.S.C. of 553(b), (c)] regarding proposed rulemaking by 39 U.S.C. 410 (a), we invite public comments on the following proposed revisions to *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM), incorporated by reference in the *Code of*

Federal Regulations. See 39 CFR Part 111.

List of Subjects in 39 CFR Part 111

Administrative practice and procedure, Postal Service.

Accordingly, 39 CFR Part 111 is proposed to be amended as follows:

PART 111—[AMENDED]

1. The authority citation for 39 CFR Part 111 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 404, 414, 416, 3001–3011, 3201–3219, 3403–3406, 3621, 3622, 3626, 3632, 3633, and 5001.

2. Revise the following sections of *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM), as follows:

Mailing Standards of the United States Postal Service, Domestic Mail Manual (DMM)

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200 Commercial Mail Letters and Cards

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230 First Class Mail

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234 Postage Payment and Documentation

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4.0 Mailing Documentation

4.1 Completing Postage Statements

[Revise 4.1 as follows:]

Any mailing claiming other than single-piece prices and all permit imprint mailings must be accompanied by a postage statement using one of the following approved methods:

a. Electronic, at *PostalOne!* facilities only. Copies of finalized postage statements are available online at the Business Customer Gateway. A change made to any postage statement requires the mailer (agent) to cancel the postage statement online and submit a corrected version.

b. By hard-copy, if the hard-copy postage statements are completed and signed by the mailer (agent). The mailer (agent) may submit a computer-generated facsimile (*see 4.10, Facsimile Postage Statements*). A change made to any postage statement requires the mailer (agent) to correct the postage statement accordingly and document the correction. Hard-copy postage statements are processed as follows:

1. At *PostalOne!* facilities—business mail acceptance will enter hardcopy mailing data manually to document the mailing and produce a PS Form 3607–

R, Mailing Transaction Receipt. Receipts are available to customers upon request but will not be mailed. Copies of finalized postage statements from *PostalOne!* facilities are available online at the Business Customer Gateway.

2. At non-*PostalOne!* facilities—business mail acceptance will provide a signed and round-dated copy of the postage statement when the copy is provided by the mailer (agent).

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240 Standard Mail

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244 Postage Payment and Documentation

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4.0 Mailing Documentation

4.1 Completing Postage Statements

[Revise 4.1 as follows:]

Any mailing claiming Standard Mail prices must be accompanied by a postage statement using one of the following approved methods:

a. Electronic, at *PostalOne!* facilities only. Copies of finalized postage statements are available online at the Business Customer Gateway. A change made to any postage statement requires the mailer (agent) to cancel the postage statement online and submit a corrected version.

b. By hard-copy, if the hard-copy postage statements are completed and signed by the mailer (agent). The mailer (agent) may submit a computer-generated facsimile (*see 4.10, Facsimile Postage Statements*). A change made to any postage statement requires the mailer (agent) to correct the postage statement accordingly and document the correction. Hard-copy postage statements are processed as follows:

1. At *PostalOne!* facilities—business mail acceptance will enter hardcopy mailing data manually to document the mailing and produce a PS Form 3607–R, Mailing Transaction Receipt. Receipts are available to customers upon request but will not be mailed. Copies of finalized postage statements from *PostalOne!* facilities are available online at the Business Customer Gateway.

2. At non-*PostalOne!* facilities—business mail acceptance will provide a signed and round-dated copy of the postage statement when the copy is provided by the mailer (agent).

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300 Commercial Flats

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330 First Class Mail

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334 Postage Payment and Documentation

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4.0 Mailing Documentation

4.1 Completing Postage Statements

[Revise 4.1 as follows:]

Any mailing claiming other than single-piece prices and all permit imprint mailings must be accompanied by a postage statement using one of the following approved methods:

a. Electronic, at *PostalOne!* facilities only. Copies of finalized postage statements are available online at the Business Customer Gateway. A change made to any postage statement requires the mailer (agent) to cancel the postage statement online and submit a corrected version.

b. By hard-copy, if the hard-copy postage statements are completed and signed by the mailer (agent). The mailer (agent) may submit a computer-generated facsimile (*see 4.10, Facsimile Postage Statements*). A change made to any postage statement requires the mailer (agent) to correct the postage statement accordingly and document the correction. Hard-copy postage statements are processed as follows:

1. At *PostalOne!* facilities—business mail acceptance will enter hardcopy mailing data manually to document the mailing and produce a PS Form 3607–R, Mailing Transaction Receipt. Receipts are available to customers upon request but will not be mailed. Copies of finalized postage statements from *PostalOne!* facilities are available online at the Business Customer Gateway.

2. At non-*PostalOne!* facilities—business mail acceptance will provide a signed and round-dated copy of the postage statement when the copy is provided by the mailer (agent).

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340 Standard Mail

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344 Postage Payment and Documentation

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4.0 Mailing Documentation

4.1 Completing Postage Statements

[Revise 4.1 as follows:]

Any mailing claiming Standard Mail prices must be accompanied by a postage statement using one of the following approved methods:

a. Electronic, at *PostalOne!* facilities only. Copies of finalized postage statements are available online at the Business Customer Gateway. A change made to any postage statement requires the mailer (agent) to cancel the postage

statement online and submit a corrected version.

b. By hard-copy, if the hard-copy postage statements are completed and signed by the mailer (agent). The mailer (agent) may submit a computer-generated facsimile (see 4.10, *Facsimile Postage Statements*). A change made to any postage statement requires the mailer (agent) to correct the postage statement accordingly and document the correction. Hard-copy postage statements are processed as follows:

1. At *PostalOne!* facilities—business mail acceptance will enter hardcopy mailing data manually to document the mailing and produce a PS Form 3607–R, Mailing Transaction Receipt. Receipts are available to customers upon request but will not be mailed. Copies of finalized postage statements from *PostalOne!* facilities are available online at the Business Customer Gateway.

2. At non-*PostalOne!* facilities—business mail acceptance will provide a signed and round-dated copy of the postage statement when the copy is provided by the mailer (agent).

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360 Bound Printed Matter

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364 Postage Payment and Documentation

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2.0 Mailing Documentation

2.1 Completing Postage Statements

[Revise 2.1 as follows:]

All mailings must be paid by permit imprint and must be accompanied by a postage statement using one of the following approved USPS methods:

a. Electronic, at *PostalOne!* facilities only. Copies of finalized postage statements are available online at the Business Customer Gateway. A change made to any postage statement requires the mailer (agent) to cancel the postage statement online and submit a corrected version.

b. By hard-copy, if the hard-copy postage statements are completed and signed by the mailer (agent). The mailer (agent) may submit a computer-generated facsimile (see 2.10, *Facsimile Postage Statements*). A change made to any postage statement requires the mailer (agent) to correct the postage statement accordingly and document the correction. Hard-copy postage statements are processed as follows:

1. At *PostalOne!* facilities—business mail acceptance will enter hardcopy mailing data manually to document the mailing and produce a PS Form 3607–R, Mailing Transaction Receipt. Receipts

are available to customers upon request but will not be mailed. Copies of finalized postage statements from *PostalOne!* facilities are available online at the Business Customer Gateway.

2. At non-*PostalOne!* facilities—business mail acceptance will provide a signed and round-dated copy of the postage statement when the copy is provided by the mailer (agent).

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370 Media Mail

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374 Postage Payment and Documentation

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2.0 Mailing Documentation

2.1 Completing Postage Statements

[Revise 2.1 as follows:]

Any mailing claiming other than single-piece prices and all permit imprint mailings must be accompanied by a postage statement using one of the following approved methods:

a. Electronic, at *PostalOne!* facilities only. Copies of finalized postage statements are available online at the Business Customer Gateway. A change made to any postage statement requires the mailer (agent) to cancel the postage statement online and submit a corrected version.

b. By hard-copy, if the hard-copy postage statements are completed and signed by the mailer (agent). The mailer (agent) may submit a computer-generated facsimile (see 2.7, *Facsimile Postage Statements*). A change made to any postage statement requires the mailer (agent) to correct the postage statement accordingly and document the correction. Hard-copy postage statements are processed as follows:

1. At *PostalOne!* facilities—business mail acceptance will enter hardcopy mailing data manually to document the mailing and produce a PS Form 3607–R, Mailing Transaction Receipt. Receipts are available to customers upon request but will not be mailed. Copies of finalized postage statements from *PostalOne!* facilities are available online at the Business Customer Gateway.

2. At non-*PostalOne!* facilities—business mail acceptance will provide a signed and round-dated copy of the postage statement when the copy is provided by the mailer (agent).

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384 Library Mail

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384 Postage Payment and Documentation

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2.0 Mailing Documentation

2.1 Completing Postage Statements

[Revise 2.1 as follows:]

Any mailing claiming other than single-piece prices and all permit imprint mailings must be accompanied by a postage statement using one of the following approved methods:

a. Electronic, at *PostalOne!* facilities only. Copies of finalized postage statements are available online at the Business Customer Gateway. A change made to any postage statement requires the mailer (agent) to cancel the postage statement online and submit a corrected version.

b. By hard-copy, if the hard-copy postage statements are completed and signed by the mailer (agent). The mailer (agent) may submit a computer-generated facsimile (see 2.7, *Facsimile Postage Statements*). A change made to any postage statement requires the mailer (agent) to correct the postage statement accordingly and document the correction. Hard-copy postage statements are processed as follows:

1. At *PostalOne!* facilities—business mail acceptance will enter hardcopy mailing data manually to document the mailing and produce a PS Form 3607–R, Mailing Transaction Receipt. Receipts are available to customers upon request but will not be mailed. Copies of finalized postage statements from *PostalOne!* facilities are available online at the Business Customer Gateway.

2. At non-*PostalOne!* facilities—business mail acceptance will provide a signed and round-dated copy of the postage statement when the copy is provided by the mailer (agent).

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400 Commercial Parcels

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420 Priority Mail

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424 Postage Payment and Documentation

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2.0 Postage Paid With Permit Imprint

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2.3 Postage Statement

[Revise 2.3 as follows:]

Unless manifested using eVS under 705.2.9, any mailing claiming other than single-piece prices and all permit imprint mailings must be accompanied by a postage statement using one of the following approved methods:

a. Electronic, at *PostalOne!* facilities only. Copies of finalized postage statements are available online at the

Business Customer Gateway. A change made to any postage statement requires the mailer (agent) to cancel the postage statement online and submit a corrected version.

b. By hard-copy, if the hard-copy postage statements are completed and signed by the mailer (agent). The mailer (agent) may submit a computer-generated facsimile (see 2.4, *Facsimile Postage Statements*). A change made to any postage statement requires the mailer (agent) to correct the postage statement accordingly and document the correction. Hard-copy postage statements are processed as follows:

1. At *PostalOne!* facilities—business mail acceptance will enter hardcopy mailing data manually to document the mailing and produce a PS Form 3607–R, Mailing Transaction Receipt. Receipts are available to customers upon request but will not be mailed. Copies of finalized postage statements from *PostalOne!* facilities are available online at the Business Customer Gateway.

2. At non-*PostalOne!* facilities—business mail acceptance will provide a signed and round-dated copy of the postage statement when the copy is provided by the mailer (agent).

[Add 2.4 as follows:]

2.4 Facsimile Postage Statements

Facsimile postage statements must contain data and elements in locations as close as possible to where they appear on the USPS form. Data fields that do not pertain to information and prices claimed in the mailing and other extraneous information that appears on the USPS form do not have to be included. Facsimiles must include all other information pertaining to the mailing, including the class of mail (or subclass as appropriate), postage payment method (e.g., permit imprint), and four-digit form number (hyphen and suffix optional). All parts, and line numbers within each part, must reflect those on the USPS form. In some cases, this can include fields from multiple USPS forms onto a single facsimile. Most importantly, the facsimile must fully and exactly reproduce the “Certification” and “USPS Use Only” fields that appear on the USPS form. A facsimile postage statement produced by software certified by the USPS Presort Accuracy Validation and Evaluation (PAVE) or Manifest Analysis and Certification (MAC) program is considered a USPS-approved form for these standards. Others may be approved by the entry office postmaster.

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430 First Class Mail

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434 Postage Payment and Documentation

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3.0 Mailing Documentation

3.1 Completing Postage Statements

[Revise 3.1 as follows:]

Unless manifested using eVS under 705.2.9, any mailing claiming other than single-piece prices and all permit imprint mailings must be accompanied by a postage statement using one of the following approved methods:

a. Electronic, at *PostalOne!* facilities only. Copies of finalized postage statements are available online at the Business Customer Gateway. A change made to any postage statement requires the mailer (agent) to cancel the postage statement online and submit a corrected version.

b. By hard-copy, if the hard-copy postage statements are completed and signed by the mailer (agent). The mailer (agent) may submit a computer-generated facsimile (see 3.8, *Facsimile Postage Statements*). A change made to any postage statement requires the mailer (agent) to correct the postage statement accordingly and document the correction. Hard-copy postage statements are processed as follows:

1. At *PostalOne!* facilities—business mail acceptance will enter hardcopy mailing data manually to document the mailing and produce a PS Form 3607–R, Mailing Transaction Receipt. Receipts are available to customers upon request but will not be mailed. Copies of finalized postage statements from *PostalOne!* facilities are available online at the Business Customer Gateway.

2. At non-*PostalOne!* facilities—business mail acceptance will provide a signed and round-dated copy of the postage statement when the copy is provided by the mailer (agent).

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440 Standard Mail

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444 Postage Payment and Documentation

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3.0 Mailing Documentation

3.1 Completing Postage Statements

[Revise 3.1 as follows:]

Unless manifested using eVS under 705.2.9, any mailing claiming Standard Mail prices must be accompanied by a postage statement using one of the following approved methods:

a. Electronic, at *PostalOne!* facilities only. Copies of finalized postage statements are available online at the Business Customer Gateway. A change

made to any postage statement requires the mailer (agent) to cancel the postage statement online and submit a corrected version.

b. By hard-copy, if the hard-copy postage statements are completed and signed by the mailer (agent). The mailer (agent) may submit a computer-generated facsimile (see 3.8, *Facsimile Postage Statements*). A change made to any postage statement requires the mailer (agent) to correct the postage statement accordingly and document the correction. Hard-copy postage statements are processed as follows:

1. At *PostalOne!* facilities—business mail acceptance will enter hardcopy mailing data manually to document the mailing and produce a PS Form 3607–R, Mailing Transaction Receipt. Receipts are available to customers upon request but will not be mailed. Copies of finalized postage statements from *PostalOne!* facilities are available online at the Business Customer Gateway.

2. At non-*PostalOne!* facilities—business mail acceptance will provide a signed and round-dated copy of the postage statement when the copy is provided by the mailer (agent).

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450 Parcel Select

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454 Postage Payment and Documentation

1.0 Basic Standards for Postage Payment

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1.3 Completing Postage Statements

[Revise 1.3 as follows:]

Unless manifested using eVS under 705.2.9, any mailing claiming Parcel Select prices must be accompanied by a postage statement using one of the following approved methods:

a. Electronic, at *PostalOne!* facilities only. Copies of finalized postage statements are available online at the Business Customer Gateway. A change made to any postage statement requires the mailer (agent) to cancel the postage statement online and submit a corrected version.

b. By hard-copy, if the hard-copy postage statements are completed and signed by the mailer (agent). The mailer (agent) may submit a computer-generated facsimile (see 1.10, *Facsimile Postage Statements*). A change made to any postage statement requires the mailer (agent) to correct the postage statement accordingly and document the correction. Hard-copy postage statements are processed as follows:

1. At *PostalOne!* facilities—business mail acceptance will enter hardcopy

mailing data manually to document the mailing and produce a PS Form 3607—R, Mailing Transaction Receipt. Receipts are available to customers upon request but will not be mailed. Copies of finalized postage statements from *PostalOne!* facilities are available online at the Business Customer Gateway.

2. At non-*PostalOne!* facilities—business mail acceptance will provide a signed and round-dated copy of the postage statement when the copy is provided by the mailer (agent).

1.4 Documentation

[Revise 1.4 as follows:]

When presented for acceptance, all Parcel Select mailings must be documented as follows:

a. Documentation of postage by entry office and presort level (e.g., by DBMC, OBMC Presort and BMC Presort mail and by 5-digit ZIP Code for DSCF and DDU prices) as required under 705.2.0 through 705.4.0.

b. Except for DSCF, mail palletized under the alternate preparation option that requires separate documentation, other documentation is not required when the correct price is affixed to each piece, or when each piece is of identical weight and the pieces are separated by zone and within each zone are grouped by pieces subject to the same combination of prices.

c. DSCF mail palletized under the alternate preparation option in 705.8.0 must submit the detailed documentation required in 705.8.20.2.

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460 Bound Printed Matter

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464 Postage Payment and Documentation

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2.0 Mailing Documentation

2.1 Completing Postage Statements

[Revise 2.1 as follows:]

Unless manifested using eVS under 705.2.9, all permit imprint mailings must be accompanied by a postage statement using one of the following approved methods:

a. Electronic, at *PostalOne!* facilities only. Copies of finalized postage statements are available online at the Business Customer Gateway. A change made to any postage statement requires the mailer (agent) to cancel the postage statement online and submit a corrected version.

b. By hard-copy, if the hard-copy postage statements are completed and signed by the mailer (agent). The mailer (agent) may submit a computer-

generated facsimile (see 2.8, *Facsimile Postage Statements*). A change made to any postage statement requires the mailer (agent) to correct the postage statement accordingly and document the correction. Hard-copy postage statements are processed as follows:

1. At *PostalOne!* facilities—business mail acceptance will enter hardcopy mailing data manually to document the mailing and produce a PS Form 3607—R, Mailing Transaction Receipt. Receipts are available to customers upon request but will not be mailed. Copies of finalized postage statements from *PostalOne!* facilities are available online at the Business Customer Gateway.

2. At non-*PostalOne!* facilities—business mail acceptance will provide a signed and round-dated copy of the postage statement when the copy is provided by the mailer (agent).

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470 Media Mail

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474 Postage Payment and Documentation

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2.0 Mailing Documentation

2.1 Completing Postage Statements

[Revise 2.1 as follows:]

Unless manifested using eVS under 705.2.9, any mailing claiming other than single-piece prices and all permit imprint mailings must be accompanied by a postage statement using one of the following approved methods:

a. Electronic, at *PostalOne!* facilities only. Copies of finalized postage statements are available online at the Business Customer Gateway. A change made to any postage statement requires the mailer (agent) to cancel the postage statement online and submit a corrected version.

b. By hard-copy, if the hard-copy postage statements are completed and signed by the mailer (agent). The mailer (agent) may submit a computer-generated facsimile (see 2.7, *Facsimile Postage Statements*). A change made to any postage statement requires the mailer (agent) to correct the postage statement accordingly and document the correction. Hard-copy postage statements are processed as follows:

1. At *PostalOne!* facilities—business mail acceptance will enter hardcopy mailing data manually to document the mailing and produce a PS Form 3607—R, Mailing Transaction Receipt. Receipts are available to customers upon request but will not be mailed. Copies of finalized postage statements from *PostalOne!* facilities are available online at the Business Customer Gateway.

2. At non-*PostalOne!* facilities—business mail acceptance will provide a signed and round-dated copy of the postage statement when the copy is provided by the mailer (agent).

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480 Library Mail

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484 Postage Payment and Documentation

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2.0 Mailing Documentation

2.1 Completing Postage Statements

[Revise 2.1 as follows:]

Unless manifested using eVS under 705.2.9, any mailing claiming other than single-piece prices and all permit imprint mailings must be accompanied by a postage statement using one of the following approved methods:

a. Electronic, at *PostalOne!* facilities only. Copies of finalized postage statements are available online at the Business Customer Gateway. A change made to any postage statement requires the mailer (agent) to cancel the postage statement online and submit a corrected version.

b. By hard-copy, if the hard-copy postage statements are completed and signed by the mailer (agent). The mailer (agent) may submit a computer-generated facsimile (see 2.7, *Facsimile Postage Statements*). A change made to any postage statement requires the mailer (agent) to correct the postage statement accordingly and document the correction. Hard-copy postage statements are processed as follows:

1. At *PostalOne!* facilities—business mail acceptance will enter hardcopy mailing data manually to document the mailing and produce a PS Form 3607—R, Mailing Transaction Receipt. Receipts are available to customers upon request but will not be mailed. Copies of finalized postage statements from *PostalOne!* facilities are available online at the Business Customer Gateway.

2. At non-*PostalOne!* facilities—business mail acceptance will provide a signed and round-dated copy of the postage statement when the copy is provided by the mailer (agent).

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We will publish an appropriate amendment to 39 CFR Part 111 to reflect these changes if our proposal is adopted.

Stanley F. Mires,
Chief Counsel, Legislative.

[FR Doc. 2010-1499 Filed 1-25-10; 8:45 am]

BILLING CODE 7710-12-P