

“Guidelines for 10 CFR 50.59 Evaluations,” Revision 1 (November 2000). NEI 96–07, Revision 1, provides licensees with a method that the staff considers acceptable for use in complying with the Commission’s regulations on the process by which licensees, under certain conditions, may make changes to their facilities and procedures as described in the FSAR (as updated) and conduct tests or experiments not described in the FSAR (as updated) without obtaining a license amendment pursuant to 10 CFR 50.90.

RG 1.187, Revision 2, provides guidance on complying with the requirements of 10 CFR 50.59 when performing a digital instrumentation and control (I&C) modification. Specifically, it endorses, with clarifications, NEI 96–07, Appendix D, Revision 1, “Supplemental Guidance for Application of 10 CFR 50.59 to Digital Modifications” (ADAMS Accession No. ML20135H168). The NRC staff published Draft Guide (DG)–1356 for public comment on May 30, 2019 (84 FR 25077), which proposed to endorse NEI 96–07, Appendix D, in RG 1.187, Revision 2, with certain exceptions and additions.

The staff revised the RG in response to NEI’s revisions to NEI 96–07, Appendix D; public comments on DG–1356; and two public meetings (ADAMS Accession Nos. ML19297G592 and ML20135H231). Based on the revised Appendix D, the staff removed the exception in the proposed Revision 2 of RG 1.187. The staff recognizes that the changes to RG 1.187, Revision 2, may be significant changes, beyond what a member of the public might have anticipated from these documents and public interactions. Therefore, the staff is providing an opportunity to submit additional, post-promulgation comments in accordance with Sections I and VII of this document. Consequently, the NRC will evaluate any significant comments received on this RG and will consider revising the RG as a result of the comments and evaluation.

### III. Additional Information

Proposed Revision 2 of RG 1.187 was issued with a temporary identification of Draft Regulatory Guide (DG)–1356. The NRC published a notice of the availability of DG–1356 in the **Federal Register** on May 30, 2019 (84 FR 25077) for a 45-day public comment period. The public comment period closed on July 15, 2019. Public comments on DG–1356 and the staff responses to the public comments are available in ADAMS under Accession No. ML20125A729.

### IV. Congressional Review Act

This RG is a rule as defined in the Congressional Review Act (5 U.S.C. 801–808). However, the Office of Management and Budget has not found it to be a major rule as defined in the Congressional Review Act.

### V. Submitting Suggestions for Improvement of Regulatory Guides

A member of the public may, at any time, submit suggestions to the NRC for improvement of existing RGs or for the development of new RGs to address new issues. Suggestions can be submitted on the NRC’s public website at <https://www.nrc.gov/reading-rm/doc-collections/reg-guides/contactus.html>.

### VI. Backfitting, Forward Fitting, and Issue Finality

Revision 2 of RG 1.187 endorses, with clarifications, NEI 96–07, Appendix D, Revision 1, which provides guidance on the application of the requirements of 10 CFR 50.59 to proposed digital modifications to nuclear power plant I&C systems. As explained in RG 1.187, Revision 2, licensees are not required to comply with the positions set forth in this regulatory guide. Therefore, RG 1.187, Revision 2, does not constitute backfitting as defined in 10 CFR 50.109, “Backfitting,” and as described in NRC Management Directive (MD) 8.4, “Management of Backfitting, Forward Fitting, Issue Finality, and Information Requests”; constitute forward fitting as that term is defined and described in MD 8.4; or affect issue finality of any approval issued under 10 CFR part 52, “Licenses, Certificates, and Approvals for Nuclear Power Plants.” If, in the future, the NRC were to impose a position in this RG 1.187, Revision 2, in a manner that would constitute backfitting or forward fitting or affect the issue finality for a part 52 approval, then the NRC would address the backfitting provision in 10 CFR 50.109, the forward fitting provision of MD 8.4, or the applicable issue finality provision in part 52, respectively.

### VII. Request for Post-Promulgation Comment

The NRC is requesting post-promulgation comments on this RG. Comments on Revision 2 to RG 1.187 must be received by August 6, 2020. The NRC will publish a document in the **Federal Register** containing an evaluation of the significant comments and any revisions made to this RG as a result of the comments received.

Dated: July 1, 2020.

For the Nuclear Regulatory Commission.

**Meraj Rahimi,**

*Chief, Regulatory Guidance and Generic Issues Branch, Division of Engineering, Office of Nuclear Regulatory Research.*

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## POSTAL REGULATORY COMMISSION

[Docket No. CP2020–211; Order No. 5575]

### Inbound Competitive Multi-Service Agreements With Foreign Postal Operators

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is acknowledging a recent filing by the Postal Service that it has entered into the Inbound Competitive Multi-Service Agreement with Foreign Postal Operators (FPOs). This notice informs the public of the filing, invites public comment, and takes other administrative steps.

**DATES:** *Comments are due:* July 9, 2020.

**ADDRESSES:** Submit comments electronically via the Commission’s Filing Online system at <http://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

**FOR FURTHER INFORMATION CONTACT:** David A. Trissell, General Counsel, at 202–789–6820.

### SUPPLEMENTARY INFORMATION:

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#### I. Introduction

On June 30, 2020, the Postal Service (USPS) filed a notice with the Commission pursuant to 39 CFR 3035.105 and Order No. 546,<sup>1</sup> giving notice that it has entered into an Inbound Competitive Multi-Service Agreement with a Foreign Postal Operator (FPO). The Notice concerns the inbound portions of the competitive multi-product agreement entered into by the Postal Service and a FPO, referred

<sup>1</sup> Notice of United States Postal Service of Filing Functionally Equivalent Inbound Competitive Multi-Service Agreement with Foreign Postal Operator—FY20–3, June 30, 2020 (Notice). Docket Nos. MC2010–34 and CP2010–95, Order Adding Inbound Competitive Multi-Service Agreements with Foreign Postal Service Operators 1 to the Competitive Product List and Approving Included Agreement, September 29, 2010 (Order No. 546).

to as “FPO–USPS Agreement FY20–3.” Notice at 1. The Postal Service seeks to include the FPO–USPS Agreement FY20–3 within the Inbound Competitive Multi-Service Agreement with Foreign Postal Operators 1 (MC2010–34) product. *Id.*

The Postal Service asserts that FPO–USPS Agreement FY20–3 “is functionally equivalent to the baseline agreement filed in Docket No. MC2010–34 because the terms of this agreement are similar in scope and purpose to the terms of the CP2010–95 Agreement.” *Id.* at 3. Concurrent with the Notice, the Postal Service filed supporting financial documentation and the following documents:

- Attachment 1—an application for non-public treatment;
- Attachment 2—the FPO–USPS Agreement FY20–3;
- Attachment 3—Governors’ Decision No. 19–1;
- Attachment 4—a certified statement required by 39 CFR 3035.105(c)(2). *Id.* at 5.

The Postal Service states it intends for FPO–USPS Agreement FY20–3 to take effect on July 1, 2020. *Id.* at 1, 2, 6. The Postal Service “acknowledges that, despite the best efforts of the counterparties . . . , this Notice is not being filed at least 15 days prior to the rates’ intended effective date.”<sup>2</sup> It maintains that because “settlement would not occur until well after th[e] intended effective date,” the Commission could timely review FPO–USPS Agreement FY20–3 and allow parties to implement rates on July 1, 2020. *Id.* The Postal Service contends that a later implementation date “could lead to complexities in accounting for the time period between July 1 and the date that [FPO–USPS Agreement FY20–3] would become effective.” *Id.*

The Postal Service notes that FPO–USPS Agreement FY20–3 provides rates for inbound tracked packets. *Id.* at 6. The Postal Service states that FPO–USPS Agreement FY20–3 is in compliance with 39 U.S.C. 3633 and is functionally equivalent to the inbound competitive portions of the CP2010–95 agreement, which was included in the Inbound Competitive Multi-Service Agreements with Foreign Postal Operators 1 product. *Id.* at 9. For these reasons, the Postal Service states that, “FPO–USPS Agreement FY20–3 should be added to the Inbound Competitive Multi-Service Agreements with Foreign Postal Operators 1 [ ] product with effect from July 1, 2020.” *Id.*

<sup>2</sup> *Id.* at 2. The Postal Service’s Notice was filed 1 day prior to the FPO–USPS Agreement FY20–3 intended effective date. See generally Notice.

## II. Commission Action

The Commission establishes Docket No. CP2020–211 to consider the Notice. Interested persons may submit comments on whether FPO–USPS Agreement FY20–3 is consistent with 39 U.S.C. 3633 and 39 CFR 3035.105 and whether it is functionally equivalent to the inbound competitive portions of the Docket No. CP2010–95 agreement, which was included in the Inbound Competitive Multi-Service Agreements with Foreign Postal Operators 1 product. Comments are due by July 9, 2020.

The Notice and related filings are available on the Commission’s website (<http://www.prc.gov>). The Commission encourages interested persons to review the Notice for further details.

The Commission appoints Christopher C. Mohr to serve as Public Representative in this proceeding.

## III. Ordering Paragraphs

*It is ordered:*

1. The Commission establishes Docket No. CP2020–211 for consideration of the matters raised by the Notice of United States Postal Service of Filing Functionally Equivalent Inbound Competitive Multi-Service Agreement with Foreign Postal Operator—FY20–3, filed on June 30, 2020.

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

3. Comments by interested persons are due by July 9, 2020.

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

By the Commission.

**Erica A. Barker,**  
*Secretary.*

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**BILLING CODE 7710–FW–P**

## POSTAL REGULATORY COMMISSION

[Docket Nos. MC2020–187 and CP2020–212]

### New Postal Products

**AGENCY:** Postal Regulatory Commission.  
**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recent Postal Service filing for the Commission’s consideration concerning negotiated service agreements. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

**DATES:** *Comments are due:* July 9, 2020.

**ADDRESSES:** Submit comments electronically via the Commission’s Filing Online system at <http://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

**FOR FURTHER INFORMATION CONTACT:** David A. Trissell, General Counsel, at 202–789–6820.

### SUPPLEMENTARY INFORMATION:

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- I. Introduction
- II. Docketed Proceeding(s)

#### I. Introduction

The Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to negotiated service agreement(s). The request(s) may propose the addition or removal of a negotiated service agreement from the market dominant or the competitive product list, or the modification of an existing product currently appearing on the market dominant or the competitive product list.

Section II identifies the docket number(s) associated with each Postal Service request, the title of each Postal Service request, the request’s acceptance date, and the authority cited by the Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 (Public Representative). Section II also establishes comment deadline(s) pertaining to each request.

The public portions of the Postal Service’s request(s) can be accessed via the Commission’s website (<http://www.prc.gov>). Non-public portions of the Postal Service’s request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.<sup>1</sup>

The Commission invites comments on whether the Postal Service’s request(s) in the captioned docket(s) are consistent with the policies of title 39. For request(s) that the Postal Service states concern market dominant product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3622, 39 U.S.C. 3642, 39 CFR part 3030, and 39 CFR part 3040, subpart B. For request(s) that the Postal Service states concern competitive product(s), applicable

<sup>1</sup> See Docket No. RM2018–3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19–22 (Order No. 4679).