

matter identified in subsection I, "Areas of Review," above has been addressed.

2. A comparison of the information with the acceptance criteria of subsection II, "Acceptance Criteria," above.

3. Review of information provided by the NRC Regional Office position statement on the applicant's organizational and administrative commitments made in the SAR, as appropriate.

4. Verification of the implementation of the management structure and technical resources based on visits to corporate headquarters and the site, as appropriate.

The reviewer then determines, based upon the foregoing, the overall acceptability of the applicant's operating organizations and plant staffing plans.

For transfer of an operating license or late stage COL under 10 CFR Part 50.80, the operating organization was found acceptable as part of the initial licensing of the plant. Subsequent changes to the operating organization should have been made in accordance with an appropriate evaluation methodology. Therefore, the existing organization should still be acceptable. The review for license transfer should be focused on the changes that are proposed to the operating organization as a result of the transfer.

For standard design certification reviews under 10 CFR Part 52, the procedures above should be followed, as modified by the procedures in SRP Section 14.3, to verify that the design set forth in the standard safety analysis report, including inspections, tests, analysis, and acceptance criteria (ITAAC), site interface requirements and combined license action items, meet the acceptance criteria given in subsection II, "Acceptance Criteria." SRP Section 14.3 contains procedures for the review of certified design material (CDM) for the standard design, including the site parameters, interface criteria, and ITAAC.

IV. Evaluation Findings

The reviewer verifies that the information presented and its review support conclusions of the following type to be used in the staff's safety evaluation report:

For a Safety Evaluation Report on an Initial CP or early stage COL or for Transfer of a CP or early stage COL

The staff concludes that the applicant's operating organization is acceptable and meets the relevant requirements of 10 CFR 50.40(b), 10 CFR 50.80, as applicable, and 10 CFR

50.54(j) through (m). This conclusion is based on the following:

The applicant has described the assignment of plant operating responsibilities; the reporting chain up through the chief executive office of the applicant; the proposed size of the regular plant staff; the functions and responsibilities of each major plant staff group; and the proposed shift crew complement for single unit or multiple unit operation; the qualification requirements for members of its plant staff; and (personnel resumes for management and principal supervisory and technical positions as submitted during the later stages of construction, plant design, and licensing). This information has been reviewed, and it is the conclusion of the staff that the proposed operating organization is acceptable.

The applicant's operating organization is characterized as follows:

1. The applicant is technically qualified as specified in 10 CFR 50.40(b) and 10 CFR 50.80, as applicable;

2. An adequate number of licensed operators will be available at all required times to satisfy the minimum staffing requirements of 10 CFR 50.54(j) through (m);

3. Onshift personnel are able to provide initial facility response in the event of an emergency;

4. Organizational requirements for the plant manager and radiation protection manager have been satisfied;

5. Qualification requirements and qualifications of plant personnel conform with the guidance of Regulatory Guide 1.8; and

6. Organizational requirements conform with the guidance of Regulatory Guide 1.33.

In addition, the applicant has complied with TMI Action Plan items I.A.1.1 and I.A.1.3.

For a Safety Evaluation Report on a transfer of an OL or Late Stage COL, the findings will summarize the staff's evaluation of the applicant's proposed changes to the operating organization.

For design certification reviews, the findings will also summarize, to the extent that the review is not discussed in other safety evaluation report sections, the staff's evaluation of inspections, tests, analyses, and acceptance criteria (ITAAC), including design acceptance criteria (DAC), site interface requirements, and combined license action items that are relevant to this SRP section.

V. Implementation

The following is intended to provide guidance to applicants and licensees

regarding the NRC staff's plans for using this SRP section.

This SRP section will be used by the staff when performing safety evaluations of license applications or license transfer applications submitted by applicants pursuant to 10 CFR parts 50 or 52. Except in those cases in which the applicant proposes an acceptable alternative method for complying with specified portions of the Commission's regulations, the method described herein will be used by the staff in its evaluation of conformance with Commission regulations.

The provisions of this SRP section apply to reviews of applications docketed six months or more after the date of issuance of this SRP section.

Implementation schedules for conformance to parts of the method discussed herein are contained in the referenced guides and NUREGs.

VI. References

- 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities."
- Regulatory Guide 1.8, "Qualification and Training of Personnel for Nuclear Power Plants."
- Regulatory Guide 1.33, "Quality Assurance Program Requirements (Operation)." (endorses ANSI N18.7-1976/ANS-3.2, "Administrative Controls and Quality Assurance for the Operational Phase of Nuclear Power Plants," as supplemented by its regulatory positions)
- Regulatory Guide 1.114, "Guidance to Operators at the Controls and to Senior Operators in the Control Room of a Nuclear Power Unit."
- NUREG-0694, "TMI-Related Requirements for Operating Licenses."
- NUREG-0711, "Human Factors. Engineering Program Review Mode."
- NUREG-0737, "Clarification of TMI Action Plan Requirements."
- The Commission Policy Statement on Engineering Expertise on Shift (50 FR 43621).

Dated Rockville, Maryland, this 27th day of May, 1999.

For the Nuclear Regulatory Commission.

Robert M. Gallo,

Chief, Operator Licensing, Human Performance and Plant Support Branch, Division of Inspection Program Management.
[FR Doc. 99-14050 Filed 6-2-99; 8:45 am]

BILLING CODE 7590-01-P

POSTAL RATE COMMISSION

[Docket No. MC99-1; Order No. 1247]

Mail Classification Case

AGENCY: Postal Rate Commission.

ACTION: Initiation of new mail classification docket.

SUMMARY: The Commission announces a formal mail classification docket to consider expansion of the legal definition of bulk parcel return service (BPRS). It also authorizes settlement negotiations based on a stipulation and agreement, request comments on expedited treatment, and issues other procedural rulings. These actions will allow the proposed expansion of BPRS eligibility to be addressed.

DATES: The deadline for intervention, comments on expedited treatment, and hearing requests is June 21, 1999; the prehearing conference is June 24, 1999. See **SUPPLEMENTARY INFORMATION** for other dates.

ADDRESSES: Address all communications regarding this notice to the attention of Margaret P. Crenshaw, Secretary of the Commission, 1333 H Street NW., Suite 300, Washington, DC 20268-0001.

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, General Counsel, 1333 H Street NW., Suite 300, Washington, DC 20268-0001.

SUPPLEMENTARY INFORMATION: On May 25, 1999, the Postal Service filed a request for a recommended decision approving a classification change expanding the terms on which it offers Bulk Parcel Return Service (BPRS). (Docket No. MC99-4, Bulk Parcel Return Service Expedited Minor Classification Case.) The request invokes expedited review under Commission rules for cases involving minor classification changes. See 39 CFR 3001.69-69c. The Service notes that these rules require that notices of intervention, responses to proposed treatment under the expedited rules, and requests for a hearing be submitted within 26 days of the filing, or no later than June 21, 1999 in this proceeding. May 25, 1999 Notice of United States Postal Service of the Filing of a Request for an Expedited Recommended Decision on a Minor Classification Change for BPRS.

Contents of the filing. The request was accompanied by the testimony of two Postal Service witnesses (Adra and Eggleston), proposed amendments to the Domestic Mail Classification Schedule (DMCS), and an explanation of why the proposal is a minor change qualifying for expedited treatment. It also includes a statement regarding compliance with other procedural rules and a proposed stipulation and agreement. The Service says it filed the stipulation and agreement to encourage parties to consider expeditious resolution of this case. May 25, 1999 Notice of United States Postal Service Filing of Proposed Stipulation and Agreement.

Limitations of current legal definition of BPRS. The Service's filing notes that as currently defined, BPRS provides a method for high-volume mailers to have parcels that are undeliverable-as-addressed (UAA)—and therefore unopened—returned to designated postal facilities at the original mailer's expense. To qualify for this service, UAA parcels must have been initially mailed under the Regular or Nonprofit subclasses of Standard (A) Mail. They must also be machinable (under one pound), carry a designated BPRS endorsement, and meet other Postal Service requirements. The BPRS fee is \$1.75 for each returned piece.

Proposed expansion of the definition. The Service's proposal expands the definition of BPRS to include qualifying parcels that are successfully delivered (and therefore not UAA), but then opened, resealed and redeposited in the mailstream by the recipient for return to the original mailer. The expanded definition recognizes two situations. One is when a qualifying parcel is returned using a mailer-supplied BPRS return label. The other is when a qualifying parcel is returned with neither a mailer-supplied BPRS label nor customer-affixed postage, and it is impracticable or inefficient for the Service to return the mail piece to the recipient for payment of applicable postage. In both situations, the Service proposes allowing qualifying parcels to be handled as BPRS, with the original mailer paying the \$1.75 BPRS fee for each returned parcel.

In support of its proposal, the Service asserts that the requested change will further the general policies of efficient postal operations and reasonable rates and fees enunciated in the Postal Reorganization Act. Id. at 2 (citing 39 U.S.C. 101(a), 403(a), and 403(b)). It also states that the change conforms to the classification criteria of 39 U.S.C. 3623(c). Request at 2. The Service maintains that the proposed change does not have any rate, fee or measurable total cost change implication. Id., Attachment C-10.

Expedited review. Under rules 69-69c, requests for expedited consideration of a classification change characterized as minor must include a description of the proposed change, along with proposed changes in the DMCS and any pertinent rate schedules; a thorough explanation of the reasons why the Service characterizes the change as minor; and an estimate of the overall impact of the change on postal costs, and revenues, mail users, and competitors. The Service states that witness Adra provides the required description of the proposed

classification change, notes that the proposed DMCS changes are provided in Attachment A to its request, and asserts that no rate or fee schedule changes are proposed. It also states that witnesses Adra and Eggleston address the Service's rationale for characterizing the requested change as minor in character. Id. at C-12.

Testimony of witness Adra. Witness Adra provides an overview of the existing BPRS offering and discusses the Service's rationale for proposing the requested changes. He also reviews the proposal's consistency with classification criteria, describes why the case should be considered under the expedited rules, and identifies the proposal's financial impact. His discussion includes this observation about problems encountered under existing circumstances:

If a customer receives a BPRS-endorsed mailpiece, opens it, then decides to return it, the customer should bring it to a post office and pay single-piece postage for return. If a customer drops an opened parcel in the mail without paying postage, the mailpiece should be returned to the customer and return postage collected. In reality, however, it is often more practicable or efficient for the Postal Service to return it to the original mailer together with the mailer's other BPRS parcels, with the return fee paid by that mailer. This is because: (1) it is inefficient for the Postal Service to incur the expense and difficulty of having the carrier return the parcel to the customer and seek payment of postage; or (2) it is not possible to tell that the parcel was opened; or (3) the fact that the parcel was opened is not discovered until the parcel is at or near the original mailer's delivery office. Another potential problem for customers is that the parcel may not always make it back to the original mailer. Depending on its condition, a parcel could be treated as dead mail and sent to a mail recovery center. Meanwhile, customers assume that their merchandise was returned and their account was credited.

USPS-T-1 at 3.

Testimony of witness Eggleston. Witness Eggleston identifies relevant costing issues, discusses anticipated handling of qualifying parcels in terms of the cost components in a previous BPRS cost study, and concludes that there are no additional costs associated with extending the definition of BPRS to include opened and resealed parcels. USPS-T-2 at 2-6. Moreover, she asserts that when these opened and resealed parcels carry a label, they will be less costly for the Postal Service to process. Id. at 6.

Proposed DMCS changes. The proposed amendments to the DMCS include revisions to existing sections 935.11 (the definition of BPRS) and 935.62 (permit cancellation terms). They also include the addition of a new

section 935.36 describing the mailer-supplied return label option. The amendments are set out in attachments to the Service's request and the proposed stipulation and agreement.

Proposed stipulation and agreement. The Service has submitted a proposed stipulation and agreement to encourage parties to consider expeditious resolution of this case. Part I (Background) provides a brief statement identifying the docket, filing date, and supporting testimony. Part II (Terms and Conditions) consists of 10 numbered paragraphs addressing matters such as the evidentiary record, consistency of the proposed agreement with applicable postal policies and mail classification criteria, and the extent to which signatories are bound by the agreement.

Satisfaction of criteria for treatment as an expedited minor classification case. Witness Adra asserts that the proposal qualifies as an expedited minor classification change under applicable criteria because it does not entail any fee changes for BPRS and does not impose any additional restriction of eligibility. He asserts that the proposal does not significantly change the estimated institutional cost contribution of BPRS. He further states that the proposed change does not entail any measurable financial impact because of the small number of BPRS participants, the lack of any change in the BPRS fee, and the lack of additional costs anticipated from this classification change. Finally, Adra says the Service does not foresee any adverse impact from this proposal on mail users and competitors, and considers it beneficial for both mailers and recipients. In particular, he says the Service does not anticipate any impact on competitors, since the parcels affected have already been entered into the postal system. Id. at 7.

Intervention. Anyone wishing to be heard in this proceeding is directed to file a notice of intervention with Margaret P. Crenshaw, Secretary of the Commission, 1333 H Street NW, Suite 300, Washington, DC 20268-0001 no later than June 21, 1999. Notices should indicate whether an intervenor will participate on a full or limited basis. See 39 CFR 3001.20 and 3001.20a.

Comments on proposed expedited treatment and requests for a hearing. Persons wishing to comment on the appropriateness of considering this request under the expedited rules for minor classification cases are directed to file comments no later than June 21, 1999. Requests for a hearing shall also be filed no later than June 21, 1999.

Prehearing conference; appointment of Postal Service as settlement

coordinator. A prehearing conference will be held on Thursday, June 24, 1999 at 9:30 a.m. in the Commission's hearing room. The Commission asks that attendees be prepared to discuss not only the request for expedited treatment and their interest in a hearing, but also the status of discussions on the proposed stipulation and agreement the Postal Service has usefully provided with its initial filing. To facilitate discussion of this document, the Commission (on its own motion) authorizes settlement discussions in this proceeding, appoints the Postal Service as settlement coordinator, and requests that the coordinator provide a status report at (or before) the prehearing conference.

Representation of the general public. In conformance with section 3624(a) of title 39, U.S. Code, the Commission designates Ted P. Gerarden, director of the Commission's Office of the Consumer Advocate, to represent the interests of the general public in both proceedings. Pursuant to this designation, Mr. Gerarden will direct the activities of Commission personnel assigned to assist him and, upon request, supply their names for the record. Neither Mr. Gerarden nor any of the assigned personnel will participate in or provide advice on any Commission decision in this proceeding. The OCA shall be separately served with three copies of all filings, in addition to and at the same time as service on the Commission of the 24 copies required in section 10(c) of the Commission's rules of practice (39 CFR 3001.10(c)).

It is ordered:

1. Docket No. MC99-4 is established to consider the Service's request for a change in Bulk Parcel Return Service.
2. The Commission will sit en banc in this proceeding.
3. Notices of intervention in this case shall be filed no later than June 21, 1999.
4. Ted P. Gerarden, Director of the Commission's Office of the Consumer Advocate, is designated to represent the interests of the general public in this case.
5. Comments on the appropriateness of the considering the Service's Docket No. MC99-4 request under Commission rules 69-69c allowing for expedited treatment of minor classification cases shall be filed no later than June 21, 1999.
6. Requests for a hearing shall be filed no later than June 21, 1999.
7. A prehearing conference is scheduled for 9:30 a.m. on Thursday, June 24, 1999 in the Commission's hearing room.

8. The Commission authorizes settlement discussions in this proceeding, and appoints the Postal Service as settlement coordinator.

9. The settlement coordinator shall present a status report at (or before) the June 24, 1999 prehearing conference.

10. The Secretary of the Commission shall arrange for publication of this order in the **Federal Register** in a manner consistent with applicable requirements.

Authority: 39 U.S.C. 3623.

Dated: May 27, 1999.

Margaret P. Crenshaw,

Secretary.

[FR Doc. 99-14001 Filed 6-2-99; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

Issuer Delisting; Notice of Application To Withdraw From Listing and Registration; (SoftNet Systems, Inc., Common Stock, \$.01 Par Value Per Share) File No. 1-5270

May 27, 1999.

SoftNet Systems, Inc. ("Company") has filed an application with the Securities and Exchange Commission ("Commission"), pursuant to section 12(d) of the Securities Exchange Act of 1934 ("Act") and rule 12d2-2(d) promulgated thereunder, to withdraw the security specified above ("Security") from listing and registration on the American Stock Exchange LLC ("Amex" or "Exchange").

The Security has been listed for trading on the Amex and on April 14, 1999, became designated for quotation on the Nasdaq National Market ("Nasdaq").

The Company, whose primary business relates to technology, has told the Amex that it believes its shareholders would be better served if the Security was trading exclusively on the Nasdaq, which, in the opinion of the Company, is the preferred marketplace for the securities of growth companies in the technology industry.

The Company has complied with the rules of the Amex by filing with the Exchange a certified copy of the resolutions adopted by the Board of Directors of the Company authorizing the withdrawal of the Security from listing on the Amex and by setting forth in detail to the Exchange the reasons for such proposed withdrawal, and the facts in support thereof.

The Amex has informed the Company of its determination not to interpose any objection to the Company's application