

POSTAL REGULATORY COMMISSION**39 CFR Part 3030**

[Docket No. RM2021–2; Order No. 6537]

Market Dominant Products

AGENCY: Postal Regulatory Commission.
ACTION: Order reactivating docket.

SUMMARY: The Commission established a review seeking input from the public regarding any additional regulations that may be necessary to achieve the objectives of the Postal Accountability and Enhancement Act (PAEA) over the longer-term, particularly for issues related to maximizing incentives to increase efficiency and reduce costs, maintaining high-quality service standards, and assuring financial stability (including retained earnings). This Order reactivating docket informs the public of the docket's reactivation, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* September 15, 2023. *Reply comments are due:* October 16, 2023.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at <https://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: On January 15, 2021, the Commission established this proceeding to seek public input regarding any additional regulations that may be necessary to achieve the objectives of the Postal Accountability and Enhancement Act (PAEA)¹ over the longer-term, particularly for issues such as “maximizing incentives to increase efficiency and reduce costs, maintaining high-quality service standards, and assuring financial stability (including retained earnings).”² The Commission invited comments (*see* Order No. 5816 at 15) and subsequently extended the deadlines for filing comments (*see* Order No. 5862 at 3).

On June 24, 2021, the Postal Service filed a motion requesting that the

¹ Public Law 109–435, 201, 120 Stat. 3198, 3204 (2006).

² Advance Notice of Proposed Rulemaking Regarding Performance Incentive Mechanism, January 15, 2021, at 1 (Order No. 5816); *see* Order Extending Time to File Comments and Reply Comments, April 7, 2021, at 1 (Order No. 5862).

Commission hold this proceeding in abeyance pending resolution of a consolidated appeal from a separate Commission docket then before the United States Court of Appeals for the District of Columbia Circuit.³ The Commission granted the Motion and held the instant proceeding in abeyance until further notice.⁴

The appeal in question concerned Docket No. RM2017–3, a docket in which the Commission adopted final rules pursuant to 39 U.S.C. 3622(d)(3) implementing a modified ratemaking system. *See, e.g.*, Order No. 5928 at 1. This appeal has been resolved.⁵ Consequently, the Commission will reactivate the instant proceeding.

The Commission invites comments on the topics identified in Order No. 5816. Initial comments are due by September 15, 2023. Reply comments are due by October 16, 2023. Because the previously designated public representative is unavailable, pursuant to 39 U.S.C. 505, the Commission will designate Katalin K. Clendenin as an officer of the Commission (Public Representative) to represent the interests of the general public.

It is ordered:

1. Docket No. RM2021–2 is reactivated.
2. Interested persons may submit Initial comments no later than September 15, 2023.
3. Interested persons may submit Reply comments no later than October 16, 2023.
4. Pursuant to 39 U.S.C. 505, Katalin K. Clendenin shall serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.
5. The Secretary shall arrange for publication of this Order in the **Federal Register**.

By the Commission.

Erica A. Barker,
Secretary.

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³ *See* Motion of the United States Postal Service to Hold Proceeding in Abeyance, June 24, 2021 (Motion).

⁴ Order Granting Motion to Hold Proceeding in Abeyance, July 2, 2021, at 3 (Order No. 5928).

⁵ *See Nat'l Postal Policy Council v. Postal Regul. Comm'n*, 17 F.4th 1184 (D.C. Cir. 2021), *cert. denied*, 142 S.Ct. 2868 (2022).

POSTAL REGULATORY COMMISSION**39 CFR Part 3050**

[Docket No. RM2023–8; Order No. 6538]

Periodic Reporting

AGENCY: Postal Regulatory Commission.
ACTION: Notice of proposed rulemaking.

SUMMARY: The Commission is acknowledging a recent filing requesting the Commission initiate a rulemaking proceeding to consider changes to analytical principles relating to periodic reports (Proposal Three). This document informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* July 12, 2023.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at <https://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:**Table of Contents**

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I. Introduction

On June 7, 2023, the Postal Service filed a petition pursuant to 39 CFR 3050.11 requesting that the Commission initiate a rulemaking proceeding to consider changes to analytical principles relating to periodic reports.¹ The Petition identifies the proposed analytical changes filed in this docket as Proposal Three.

II. Proposal Three

Background. The International Cost and Revenue Analysis (ICRA) model develops estimated settlement and international transportation costs for the various categories of outbound international Negotiated Service Agreement (NSA) mail by using NSA

¹ Petition of the United States Postal Service for the Initiation of a Proceeding to Consider Proposed Changes in Analytical Principles (Proposal Three), June 7, 2023 (Petition). Proposal Three is attached to the Petition. The Postal Service also filed a notice of filing of non-public material relating to Proposal Three. Notice of Filing of USPS–RM2023–8–NP1 and Application for Nonpublic Treatment, June 7, 2023.

activity to calculate product pricing group average rates. Petition, Proposal Three at 4–5. In Docket No. RM2022–9, the Commission approved changes in analytical principles to allow for more precise reporting of Revenue, Pieces, and Weight (RPW) data used in the ICRA.² As relevant here, the System for International Revenue and Volume, Outbound–International Origin–Destination Information System (SIRVO) data, which the Postal Service uses in its RPW methodology, includes fields at the destination-country level, a “Tracked” indicator for First-Class Package International Service (FCPIS), and gross weights for outbound international NSA mailpieces. Petition, Proposal Three at 5.

In addition, in January 2023, the Commission approved the Postal Service’s proposal to collapse zoned prices based on origin ZIP Code for Priority Mail International (PMI) destined to Canada into uniform rates as a single country group.³ In the Fiscal Year 2022 Annual Compliance Determination (ACD), the Commission noted that the Postal Service had included a file in a Library Reference that altered ICRA unit costs used as input to the financial models for NSAs as a result of the pricing changes for PMI destined to Canada, but did not mention the relevant computational change in the preface.⁴ Although the new file did not alter the results of the FY 2022 ACD, the Commission reminded the Postal Service of its obligations to identify any input data or quantification techniques that changed in the prior year and to request changes to analytical principles as appropriate. FY 2022 ACD at 86–87.

Proposal. The Postal Service proposes five revisions to analytical principles related to the ICRA. Three of those five revisions pertain to the use of Outbound International NSA SIRVO data.

First, the Postal Service proposes to use Outbound International NSA SIRVO data to attribute outbound settlement expenses and international transportation costs to international NSA products at the country-level. Petition, Proposal Three at 1. Currently, Outbound International NSA data used in the ICRA are reported by pricing group only. *Id.* at 11. Following the approval of Docket No. RM2022–9,

Proposal Three, the underlying report data used in the ICRA contains more granularity, including NSA country-level detail. *Id.* Thus, the Postal Service proposes to assign settlement and international transportation rates to International NSA products using actual country-level International NSA data rather than product average pricing group rates. *Id.* at 5.

Second, the Postal Service proposes to use the Outbound International NSA SIRVO data “Tracked” indicator to attribute settlement expenses more accurately to NSA FCPIS. *Id.* at 2. The Postal Service explains that Outbound FCPIS tracking remuneration is included for some countries in settlement costs, but data used in the ICRA do not distinguish between tracked and un-tracked NSA FCPIS. *Id.* at 13. As a result, the ICRA applies a higher tracked per-piece settlement rate to all countries to calculate NSA FCPIS settlement expenses. *Id.* The Postal Service proposes to incorporate the “Tracked” indicator to apply the tracked per-piece settlement rate only to countries that include FCPIS tracking remuneration in settlements. *Id.*

Third, the Postal Service proposes to use Outbound International NSA SIRVO gross weight data to attribute settlement expenses and domestic and international transportation costs to outbound International NSA products. *Id.* at 2. Previously, data for outbound International NSA products included only net weights, so the ICRA applied gross-to-net-weight conversion factors using non-NSA product data. *Id.* at 2, 14. Following the Commission’s approval of Docket No. RM2022–9, Proposal Three, NSA gross weight is now included in the underlying data used in the ICRA. *Id.* at 14. Accordingly, the Postal Service proposes to incorporate the gross weights for outbound International NSA products to refine its calculations of settlement expenses and domestic and international transportation costs, and to make the International NSA approach consistent with the non-NSA approach. *Id.*

Fourth, beginning with Postal Quarter 2 of FY 2023, the Postal Service proposes to apply PMI average domestic transportation unit cost to calculate the domestic transportation costs for NSA PMI destined to Canada. *Id.* at 3.

Currently, the Postal Service applies PMI zone-based domestic transportation unit costs to zone profile data for NSA PMI destined to Canada. *Id.* However, in Docket No. CP2023–42, the Commission approved the Postal Service’s request to collapse zone-based prices for PMI destined to Canada into a single country

group. *See* Order No. 6384. Consequently, the Postal Service explains that the estimated zone-based unit costs that are developed in the ICRA are no longer useful for PMI destined to Canada. Petition, Proposal Three at 6.

Finally, the Postal Service proposes several “maintenance and aesthetic changes that clarify and streamline the ICRA model” in advance of the FY 2023 Annual Compliance Report (ACR). *Id.* at 4. For instance, the Postal Service proposes to remove sections of the ICRA model that are redundant or no longer used, refresh nomenclature used in the model, update product labels to align with the Mail Classification Schedule (MCS), and modify or eliminate certain workbooks to promote clarity and efficiency. *Id.* at 7.

Impact. According to the Postal Service, the proposed changes are “relatively minor, because, in total, they have a percentage impact of less than one percent.” *Id.* at 1. Specifically, the Postal Service asserts that if this proposal had been in effect in FY 2022, the net impact on total costs of Market Dominant products and Competitive products would have been zero. *Id.* at 8. Further, with respect to International NSAs, the Postal Service represents that there would have been no impact on Inbound International NSAs, all positive contribution Outbound International NSAs would have remained positive, and all negative contribution Outbound International NSAs would have remained negative. *Id.*

III. Notice and Comment

The Commission establishes Docket No. RM2023–8 for consideration of matters raised by the Petition. More information on the Petition may be accessed via the Commission’s website at <https://www.prc.gov>. Interested persons may submit comments on the Petition and Proposal Three no later than July 12, 2023. Pursuant to 39 U.S.C. 505, Samuel Koroma is designated as an officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

IV. Ordering Paragraphs

It is ordered:

1. The Commission establishes Docket No. RM2023–8 for consideration of the matters raised by the Petition of the United States Postal Service for the Initiation of a Proceeding to Consider Proposed Changes in Analytical Principles (Proposal Three), filed June 7, 2023.

²Docket No. RM2022–9, Order on Analytical Principles Used in Periodic Reporting (Proposal Three), September 12, 2022 (Order No. 6272).

³Docket No. CP2023–42, Order Approving Price Adjustments for Competitive Products, December 22, 2022 (Order No. 6384).

⁴Docket No. ACR2022, Annual Compliance Determination, March 29, 2023, at 86 (FY 2022 ACD).

2. Comments by interested persons in this proceeding are due no later than July 12, 2023.

3. Pursuant to 39 U.S.C. 505, the Commission appoints Samuel Koroma to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this docket.

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

By the Commission.

Erica A. Barker,

Secretary.

[FR Doc. 2023-12895 Filed 6-15-23; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[EPA-HQ-OAR-2023-0072; FRL-8536-03-OAR]

RIN 2060-AV09

New Source Performance Standards for Greenhouse Gas Emissions From New, Modified, and Reconstructed Fossil Fuel-Fired Electric Generating Units; Emission Guidelines for Greenhouse Gas Emissions From Existing Fossil Fuel-Fired Electric Generating Units; and Repeal of the Affordable Clean Energy Rule

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; extension of comment period.

SUMMARY: On May 23, 2023, the Environmental Protection Agency (EPA) issued a proposal titled, “New Source Performance Standards for Greenhouse Gas Emissions from New, Modified, and Reconstructed Fossil Fuel-Fired Electric Generating Units; Emission Guidelines for Greenhouse Gas Emissions from Existing Fossil Fuel-Fired Electric Generating Units; and Repeal of the Affordable Clean Energy Rule”. The EPA is extending the comment period on the proposed rules from July 24, 2023, to August 8, 2023.

DATES: The public comment period for the proposed rule published in the **Federal Register** (FR) on May 23, 2023 (88 FR 33240) is being extended by 15 days. The comment period will now remain open until August 8, 2023, to allow additional time for stakeholders to review and comment on the proposals.

ADDRESSES: You may send comments, identified by Docket ID No. EPA-HQ-OAR-2023-0072, by any of the following methods:

- **Federal eRulemaking Portal:** <https://www.regulations.gov> (our preferred method). Follow the online instructions for submitting comments.

- **Email:** a-and-r-docket@epa.gov. Include Docket ID No. EPA-HQ-OAR-2023-0072 in the subject line of the message.

- **Fax:** (202) 566-9744. Attention Docket ID No. EPA-HQ-OAR-2023-0072.

- **Mail:** U.S. Environmental Protection Agency, EPA Docket Center, Docket ID No. EPA-HQ-OAR-2023-0072, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.

- **Hand/Courier Delivery:** EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. The Docket Center's hours of operation are 8:30 a.m.–4:30 p.m., Monday–Friday (except Federal holidays).

Instructions. All submissions received must include the Docket ID No. for this rulemaking. Comments received may be posted without change to <https://www.regulations.gov/>, including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: For questions about this action, contact Mr. Christian Fellner, Sector Policies and Programs Division (D243-02), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, P.O. Box 12055, Research Triangle Park, North Carolina 27711; telephone number: (919) 541-4003; and email address: fellner.christian@epa.gov or Ms. Lisa Thompson, Sector Policies and Programs Division (D243-02), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, P.O. Box 12055, Research Triangle Park, North Carolina 27711; telephone number: (919) 541-9775; and email address: thompson.lisa@epa.gov.

SUPPLEMENTARY INFORMATION:

Rationale. On May 23, 2023, the Environmental Protection Agency (EPA) issued a proposal titled, “New Source Performance Standards for Greenhouse Gas Emissions from New, Modified, and Reconstructed Fossil Fuel-Fired Electric Generating Units; Emission Guidelines for Greenhouse Gas Emissions from Existing Fossil Fuel-Fired Electric Generating Units; and Repeal of the Affordable Clean Energy Rule,” 88 FR 33240 (May 23, 2023). In that proposal, the EPA provided a public comment period until July 24, 2023. The EPA has

received several requests for additional time to review and comment on the proposed rules. After considering these requests, the EPA has decided to extend the public comment period another 15 days, until August 8, 2023, so that the comment period will be a total of 77 days. This extension will ensure that the public has additional time to review the proposed rules.

Docket. The EPA has established a docket for this rulemaking under Docket ID No. EPA-HQ-OAR-2023-0072. All documents in the docket are listed in <https://www.regulations.gov/>. Although listed, some information is not publicly available, e.g., Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy. With the exception of such material, publicly available docket materials are available electronically in *Regulations.gov*.

Instructions. Direct your comments to Docket ID No. EPA-HQ-OAR-2023-0072. The EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <https://www.regulations.gov/>, including any personal information provided, unless the comment includes information claimed to be CBI or other information whose disclosure is restricted by statute. Do not submit electronically to <https://www.regulations.gov/> any information that you consider to be CBI or other information whose disclosure is restricted by statute. This type of information should be submitted as discussed below.

The EPA may publish any comment received to its public docket. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (i.e., on the Web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>.

The <https://www.regulations.gov/> website allows you to submit your comment anonymously, which means the EPA will not know your identity or contact information unless you provide it in the body of your comment. If you