

to have the Agreement included within the Global Plus 1C product on the grounds of functional equivalence to previously approved baseline agreements. *Id.* at 1–2.

**Product history.** The Commission added Global Plus 1C to the competitive product list by operation of Order No. 1151.<sup>2</sup> It concurrently designated the agreements filed in companion Docket Nos. CP2012–12 and CP2012–13 as the baseline agreements for purposes of establishing the functional equivalency of other agreements proposed for inclusion with the Global Plus 1C product. *Id.* at 2. The Agreement that is the subject of this filing is the immediate successor to the agreement approved in Docket No. CP2012–12. *Id.* at 4.

Customers for Global Plus 1C contracts are Postal Qualified Wholesalers (PQWs) and other large businesses that offer mailing services to end users for shipping articles via International Priority Airmail, International Surface Air Lift, Global Express Guaranteed, Express Mail International, Priority Mail International, and/or Commercial ePacket service. *Id.* at 5.

## II. Contents of Filing

The filing includes the Notice, along with the following attachments:

- Attachment 1—a redacted copy of the Agreement;
- Attachment 2—a redacted copy of the certification required under 39 CFR 3015.5(c)(2);
- Attachment 3—a redacted copy of Governors' Decision No. 11–6; and
- Attachment 4—an application for non-public treatment of material filed under seal.

The material filed under seal consists of unredacted copies of the Agreement and supporting financial documents. *Id.* at 2. The Postal Service filed redacted versions of the sealed financial documents in public Excel spreadsheets. *Id.* at 3.

**Functional equivalency.** The Postal Service asserts that the instant Agreement and the baseline agreements are functionally equivalent because they share similar cost and market characteristics. *Id.* at 4. It notes that the pricing formula and classification established in Governors' Decision No.

08–8 ensure that each Global Plus 1C contract meets the criteria of 39 U.S.C. 3633 and related regulations. *Id.* at 4–5. The Postal Service also indicates that the pricing formula relied on for Global Plus 1C contracts is included in Governors' Decision No. 11–6. *Id.* at 5. The Postal Service further asserts that the functional terms of the two agreements are the same and the benefits are comparable. *Id.*

The Postal Service states that prices may differ, depending on when an agreement is signed, due to updated costing information. *Id.* It also identifies other differences in contractual terms, but asserts that the differences do not affect either the fundamental service being offered or the fundamental structure of the Agreement.<sup>3</sup> *Id.* at 6.

**Effective date; term.** The scheduled effective date of the Agreement is January 27, 2013. *Id.* at 3. The Agreement is expected to be in effect for approximately 1 year. Termination is either the date prior to the date in January 2014 that Canada Post Corporation makes changes to published rates affecting Qualifying Mail<sup>4</sup> or, in the event of inaction, January 31, 2014. *Id.* at 4.

## III. Commission Action

The Commission establishes Docket No. CP2013–39 for consideration of matters raised in the Notice. Interested persons may submit comments on whether the Agreement is consistent with the requirements of 39 CFR 3015.5 and the policies of sections 3632, 3633, and 3642. Comments are due no later than January 23, 2013. The public portions of the Postal Service's filing can be accessed via the Commission's Web site at <http://www.prc.gov>. Information on how to obtain access to nonpublic material appears at 39 CFR part 3007.

The Commission appoints Curtis E. Kidd to represent the interests of the general public (Public Representative) in this case.

## IV. Ordering Paragraphs

*It is ordered:*

1. The Commission establishes Docket No. CP2013–39 for consideration of matters raised in the Postal Service's Notice.

2. Pursuant to 39 U.S.C. 505, the Commission designates Curtis E. Kidd to serve as an officer of the Commission

(Public Representative) to represent the interests of the general public in this proceeding.

3. Comments are due no later than January 23, 2013.

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

By the Commission.

**Ruth Ann Abrams,**

*Acting Secretary.*

[FR Doc. 2013–00862 Filed 1–16–13; 8:45 am]

**BILLING CODE 7710–FW–P**

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94–409, that the staff of the Securities and Exchange Commission will hold a decimalization roundtable discussion on Tuesday, February 5, 2013, in the Auditorium, Room L–002. The meeting will begin at 10:00 a.m. and will be open to the public. Seating will be on a first-come, first served basis. Doors will be open at 9:30 a.m. Visitors will be subject to security checks. The roundtable will be webcast on the Commission's Web site at [www.sec.gov](http://www.sec.gov) and will be archived for later viewing.

On December 28, 2012, the Commission published notice of the roundtable discussion (Release No. 34–68510), indicating that the event is open to the public and inviting the public to submit written comments to the Commission staff. This Sunshine Act notice is being issued because a majority of the Commission may attend the roundtable discussion.

The agenda for the roundtable includes opening remarks followed by three panel discussions. The participants in the first panel will address the impact of tick sizes on small and middle capitalization companies, the economic consequences (including the costs and benefits) of increasing or decreasing minimum tick sizes, and whether other policy alternatives might better address the concerns animating Section 106(b) of the JOBS Act. The participants in the second panel will address the impact of tick sizes on the securities market in general, including what benefits may have been achieved, and what, if any, negative effects have resulted. The participants in the third panel will address potential methods for analysis of the issues, including whether and how to conduct a pilot for alternative minimum tick sizes.

Service of Filing a Functionally Equivalent Global Plus 1C Negotiated Service Agreement and Application for Non-Public Treatment of Materials Filed Under Seal, January 11, 2013.

<sup>2</sup>Docket Nos. MC2012–6, CP2012–12, and CP2012–13, Order Adding Global Plus 1C to the Competitive Product List and Approving Related Global Plus 1C Agreements, January 19, 2012 (Order No. 1151).

<sup>3</sup>The list includes, among other things, the non-inclusion of a particular service, the addition and revision of articles, and related renumbering of articles. See *id.* at 6–7.

<sup>4</sup>Article 3 of the Agreement outlines the requirements for mail to be considered as Qualifying Mail. *Id.* at 2–3.

For further information, please contact the Office of the Secretary at (202) 551-5400.

Dated: January 15, 2013.

**Kevin M. O'Neill,**  
Deputy Secretary.

[FR Doc. 2013-00975 Filed 1-15-13; 11:15 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-68625; File No. SR-BX-2013-003]

### Self-Regulatory Organizations; NASDAQ OMX BX, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Reduce Fees Assessed for Certain Co-Location Services

January 11, 2013.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on January 2, 2013, NASDAQ OMX BX, Inc. ("BX" or "Exchange") filed with the Securities and Exchange Commission ("Commission") a proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is

publishing this notice to solicit comments on the proposed rule change from interested persons.

### I. Self-Regulatory Organization's Statement of the Terms of the Substance of the Proposed Rule Change

BX proposes to reduce the fees assessed under BX Rule 7034 for certain co-location services. The Exchange is proposing to implement the proposed fee beginning on January 2, 2013. The text of the proposed rule change is available at <http://nasdaqomxbx.cchwallstreet.com>, at BX's principal office, and at the Commission's Public Reference Room.

### II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item III [sic] below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

### A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

#### 1. Purpose

The Exchange proposes to amend BX Rule 7034 to reduce the monthly recurring cabinet ("MRC") fees assessed for the installation of certain new co-location cabinets. The reduced MRC fees will apply to new cabinets ordered by customers using the CoLo Console<sup>3</sup> during the months of January and February of 2013, provided that such cabinets are fully operational by May 31, 2013. The reduced fee shall apply to any cabinet that increases the number of dedicated cabinets beyond the total number dedicated to that customer as of December 31, 2012 ("Baseline Number"), for so long as the total number of dedicated cabinets exceeds that customer's Baseline Number. The reduced MRC fees will apply for a period of 24 months from the date the new cabinet becomes fully operational under BX rules, provided that the customer's total number of cabinets continues to exceed the Baseline Number.

The Exchange proposes to reduce the applicable fees as follows:

Cabinet type	Current ongoing monthly fee	Reduced ongoing monthly fee
Low Density .....	\$4,000	\$2,000
Medium Density .....	5,000	2,500
Medium-High Density .....	6,000	3,500
High Density .....	7,000	4,500
Super High Density .....	13,000	8,000

New cabinets shall be assessed standard installation fees.

BX proposes to reduce colocation cabinet fees by different amounts to maintain a sliding scale of lower fees for

higher density cabinets on a per kilowatt basis. The chart below reflects this scale:

Cabinet type	Max kW	Reduced MRC fee	Discount (%)	Fee per kW
Low Density .....	2.88	\$2,000	50.00	\$694.44
Medium Density .....	5	2,500	50.00	500.00
Medium-High Density .....	7	3,500	41.67	500.00
High Density .....	10	4,500	35.71	450.00
Super High Density .....	17	8,000	38.46	470.59

#### 2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6 of the Act,<sup>4</sup> in general, and with Section 6(b)(4) of

the Act,<sup>5</sup> in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among members and issuers and other persons using any facility or system which the Exchange operates or

controls. The proposed reduced fee will be assessed equally on all customers that place an order for a new cabinet during the designated period. The proposed amendments will provide an incentive for customers to avail

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> The "CoLo Console" is BX's web-based ordering tool, and it is the exclusive means for ordering colocation services.

<sup>4</sup> 15 U.S.C. 78f.

<sup>5</sup> 15 U.S.C. 78f(b)(4).