

**NATIONAL SCIENCE FOUNDATION (NSF)****National Science Board Ad Hoc Committee on Nominations for the NSB Class of 2010–2016; Sunshine Act Meetings; Notice**

The National Science Board's *ad hoc* Committee on Nominations for the NSB Class of 2010–2016, pursuant to NSF regulations (45 CFR part 614), the National Science Foundation Act, as amended (42 U.S.C. 1862n–5), and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of meetings for the transaction of National Science Board business and other matters specified, as follows:

**DATE AND TIME:** Tuesday, July 28, 2009 at 2 p.m.

**SUBJECT MATTER:** Nominations for the National Science Board Class of 2016.

**STATUS:** Closed.

This meeting will be held by teleconference originating at the National Science Board Office, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Please refer to the National Science Board Web site (<http://www.nsf.gov/nsb>) for information or schedule updates, or contact: Kim Silverman, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Telephone: (703) 292–7000.

**Ann Ferrante,**  
*Writer-Editor.*

[FR Doc. E9–16862 Filed 7–13–09; 11:15 am]

**BILLING CODE 7555–01–P**

**NATIONAL SCIENCE FOUNDATION****National Science Board; Committee on Strategy and Budget; Sunshine Act Meetings; Notice**

The National Science Board's Committee on Strategy and Budget, pursuant to NSF regulations (45 CFR Part 614), the National Science Foundation Act, as amended (42 U.S.C. 1862n–5), and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of meetings for the transaction of National Science Board business and other matters specified, as follows:

**DATE AND TIME:** Friday, July 24, 2009 at 1 p.m.

**SUBJECT MATTER:** Discussion of future NSF budgets.

**STATUS:** Closed.

This meeting will be held by teleconference originating at the National Science Board Office, National

Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Please refer to the National Science Board Web site (<http://www.nsf.gov/nsb>) for information or schedule updates, or contact: Jennie Moehlmann, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Telephone: (703) 292–7000.

**Ann Ferrante,**  
*Writer-Editor.*

[FR Doc. E9–16861 Filed 7–13–09; 11:15 am]

**BILLING CODE 7555–01–P**

**NATIONAL SCIENCE FOUNDATION****Notice of Permit Applications Received Under the Antarctic Conservation Act of 1978 (Pub. L. 95–541)**

**AGENCY:** National Science Foundation.

**ACTION:** Notice of permit applications received under the Antarctic Conservation Act of 1978, Public Law 95–541.

**SUMMARY:** The National Science Foundation (NSF) is required to publish notice of permit applications received to conduct activities regulated under the Antarctic Conservation Act of 1978. NSF has published regulations under the Antarctic Conservation Act at Title 45 Part 670 of the Code of Federal Regulations. This is the required notice of permit applications received.

**DATES:** Interested parties are invited to submit written data, comments, or views with respect to this permit application by August 14, 2009. This application may be inspected by interested parties at the Permit Office, address below.

**ADDRESSES:** Comments should be addressed to Permit Office, Room 755, Office of Polar Programs, National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia 22230.

**FOR FURTHER INFORMATION CONTACT:** Nadene G. Kennedy at the above address or (703) 292–7405.

**SUPPLEMENTARY INFORMATION:** The National Science Foundation, as directed by the Antarctic Conservation Act of 1978 (Pub. L. 95–541), as amended by the Antarctic Science, Tourism and Conservation Act of 1996, has developed regulations for the establishment of a permit system for various activities in Antarctica and designation of certain animals and certain geographic areas requiring special protection. The regulations establish such a permit system to designate Antarctic Specially Protected Areas.

The applications received are as follows:

1. *Applicant:* Charles D. Amsler, Jr., Department of Biology, University of Alabama, Birmingham, AL 35294–1170. Permit Application No. 2010–007.

**Activity for Which Permit Is Requested**

Take and Introduce Non-indigenous Species into Antarctica. The applicant plans to collect a number of filamentous brown algal endophytes for identification and additional extract bioassays back in the States. The applicant will use previously collected Antarctic macro algae in culture to perform feeding bioassays where amphipods are offered algae from culture and extract bioassays where the effects of secondary metabolites extracted from large macro algae are measured on algae from culture. Spores will be released from cultured endophytic algae and to expose macrophytes to cell-free extracts to test for oxidative burst defenses in the macrophytes. The experiments will be conducted to gain a better understanding of epiphytic and endophytic algae (both filamentous macroalgae and diatoms) with larger macroalgae and with mesoherbivores such as amphipods.

**Location**

Palmer Station, Anvers Island, Antarctica.

**Dates**

January 2, 2010 to July 31, 2011.

**Nadene G. Kennedy,**

*Permit Officer, Office of Polar Programs.*

[FR Doc. E9–16691 Filed 7–14–09; 8:45 am]

**BILLING CODE 7555–01–P**

**NATIONAL TRANSPORTATION SAFETY BOARD****Meetings; Sunshine Act****Agenda**

**TIME AND DATE:** 9:30 a.m., Tuesday, July 28, 2009.

**PLACE:** NTSB Conference Center, 429 L'Enfant Plaza SW., Washington, DC. 20594.

**STATUS:** The one item is open to the public.

**MATTER TO BE CONSIDERED:** 8132 Aircraft Accident Report—Crash of Cessna 500, N113SH, Following an In-Flight Collision With Large Birds, Oklahoma City, Oklahoma, March 4, 2008

**NEWS MEDIA CONTACT:** Telephone: (202) 314–6100.

The press and public may enter the NTSB Conference Center one hour prior to the meeting for set up and seating.

Individuals requesting specific accommodations should contact Rochelle Hall at (202) 314-6305 by Friday, July 24, 2009.

The public may view the meeting via a live or archived Web cast by accessing a link under "News & Events" on the NTSB home page at <http://www.nts.gov>.

**FOR MORE INFORMATION CONTACT:** Vicky D'Onofrio, (202) 314-6410.

Dated: Friday, July 10, 2009.

**Vicky D'Onofrio,**

*Federal Register Liaison Officer.*

[FR Doc. E9-16864 Filed 7-13-09; 11:15 am]

**BILLING CODE 7533-01-P**

## NUCLEAR REGULATORY COMMISSION

### Sunshine Federal Register Notice

**AGENCY HOLDING THE MEETINGS:** Nuclear Regulatory Commission.

**DATES:** Weeks of July 13, 20, 27, August 3, 10, 17, 2009.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and Closed.

#### Week of July 13, 2009

There are no meetings scheduled for the week of July 13, 2009.

#### Week of July 20, 2009—Tentative

There are no meetings scheduled for the week of July 20, 2009.

#### Week of July 27, 2009—Tentative

There are no meetings scheduled for the week of July 27, 2009.

#### Week of August 3, 2009—Tentative

There are no meetings scheduled for the week of August 3, 2009.

#### Week of August 10, 2009—Tentative

There are no meetings scheduled for the week of August 10, 2009.

#### Week of August 17, 2009—Tentative

There are no meetings scheduled for the week of August 17, 2009.

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\* The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings, call (recording)—(301) 415-1292. Contact person for more information: Rochelle Baval, (301) 415-1651.

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The NRC Commission Meeting Schedule can be found on the Internet

at: <http://www.nrc.gov/about-nrc/policy-making/schedule.html>.

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The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (e.g. braille, large print), please notify the NRC's Disability Program Coordinator, Rohn Brown, at 301-492-2279, TDD: 301-415-2100, or by e-mail at [rohn.brown@nrc.gov](mailto:rohn.brown@nrc.gov). Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

\* \* \* \* \*

This notice is distributed electronically to subscribers. If you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301-415-1969), or send an e-mail to [darlene.wright@nrc.gov](mailto:darlene.wright@nrc.gov).

Dated: July 9, 2009.

**Rochelle C. Baval,**

*Office of the Secretary.*

[FR Doc. E9-16912 Filed 7-13-09; 4:15 pm]

**BILLING CODE 7590-01-P**

## POSTAL REGULATORY COMMISSION

[Docket No. C2009-1; Order No. 235]

### Complaint of GameFly, Inc.

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission has initiated a case to address allegations of undue discrimination and other issues raised by GameFly, Inc. (GameFly) in a formal complaint related to sending and receiving DVDs. Accepting the case will provide an opportunity for review of pertinent issues.

**DATES:** 1. Joint prehearing conference memorandum is due July 20, 2009.

2. Notices of intervention are due July 22, 2009.

3. A prehearing conference will be held July 23, 2009 (10 a.m.).

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Stephen L. Sharfman, General Counsel, 202-789-6820 and [stephen.sharfman@prc.gov](mailto:stephen.sharfman@prc.gov).

**SUPPLEMENTARY INFORMATION:** The Complaint of GameFly, Inc. (Complaint)

was filed on April 23, 2009. The Complaint asserts several claims that concern unreasonable discrimination and other undue preferences allowed by the United States Postal Service in violation of the law. In support of its Complaint, GameFly, Inc. (GameFly) alleges that the Postal Service extended preferential services and inequitable rates to certain high volume rival mailers who similarly use First-Class Mail to send and receive DVDs.

GameFly specifically contends its pieces are being processed through the automated letter mail processing equipment that continues to cause damage, and that the favored high volume DVD mailers are not suffering the high level of broken DVDs. It further alleges that ever since it resorted to higher cost flat rates and inserts to reduce breakage, it is still suffering more damage than these other mailers, while it is also paying the additional ounce postage charges and more for the flats shape of its pieces.

The Answer of the United States Postal Service (Answer) in response to the Complaint was filed on May 26, 2009, together with a Motion of the United States Postal Service for Partial Dismissal of Complaint (Motion for Partial Dismissal). The Answer denied that the Postal Service's updated policy favors special handling by hand for inbound pieces, even though some exceptions arise in the field. The Motion for Partial Dismissal asserts that GameFly's reliance upon 39 U.S.C. 404(b) for jurisdiction appears misplaced. On June 2, 2009, GameFly, under a Motion of GameFly, Inc. for Leave to File Reply to Requests of the USPS for Disposition of Complaint (Motion for Leave), filed a Reply of GameFly, Inc. to Requests of the USPS for Disposition of Complaint (Reply).

For the reasons explained below, the Commission concludes it has jurisdiction over the dispute, grants GameFly's Motion for Leave, and, upon a review of the pleadings, denies the Postal Service's Motion for Partial Dismissal. The Commission also concludes that the Complaint raises material issues of fact and law, and shall begin proceedings to hear the issues involved. 39 U.S.C. 3662(b).

### I. The GameFly Complaint

GameFly claims that the rates and services extended to some high volume DVD mailers violate 39 U.S.C. 101(d), 403(c), 404(b) and 3622(b)(8), which prohibit undue discrimination. Complaint at 1. It explains that it, like many other businesses that rent DVDs to consumers, uses a two-way DVD mailer. *Id.* at 3. It distributes game DVDs to