

## II. Summary of Changes

The Postal Service intends to discontinue the Special Handling service and seeks to remove all references to it from the MCS. Request at 1–2. It explains that Special Handling is an extra offering available for certain mailing and shipping services that allows mailers to request careful treatment of their items for a \$12.15 fee. *See id.* at 2–3. According to the Postal Service, however, “experience indicates that observance of [instructions to treat these items with care] is inconsistent” and many items do not receive the label that should inform handlers of these instructions. *Id.* Moreover, the Postal Service states that “[m]any types of sensitive goods for which mailers purchase Special Handling already require special packing, packaging, and labeling,” thus compliance with those requirements signals that the handler is to give the item special attention and rendering the Special Handling designation superfluous. *Id.* at 3. The Postal Service contends that “purchaser[s] of Special Handling may expect a level of service or sanctity from the Postal Service that is not fully contemplated or provided.” *Id.*

Additionally, the Postal Service asserts that the proposed change will better align the value of the service with customer expectations. *Id.* According to the Postal Service, Special Handling does not correspond with market expectations because private companies do not offer their customers an expectation of special handling for fragile items that are packed by the customer (with or without a fee). *Id.* at 4. Instead, the Postal Service contends that throughout the parcel shipping industry, a customer preparing fragile items for shipping bears the burden “to self-insure via adequate package-preparation practices, accepting the risk of damage or loss from any shortfalls.” *Id.*

The Postal Service maintains that the proposed change “is not inconsistent with the policies and applicable criteria of 39 U.S.C. Chapter 36 or any regulatory rules or directives.” *Id.* The Postal Service further asserts that these provisions are inapplicable to the proposed change. *See id.* Nevertheless, “to the extent that the Commission might deem such provisions to articulate general policies,” the Postal Service contends that it has considered the factors set forth in 39 U.S.C. 3622(c) and the provisions appearing in 39

U.S.C. 101, 403, and 404. *See id.* at 4–5.

With respect to the impact of the proposed change, the Postal Service does not expect that customers will experience a material diminution in the services received. *Id.* at 5. According to the Postal Service, the proposed change will improve the customer experience by decreasing mailing costs and better aligning customer expectations with operational realities and industry practice. *Id.* at 5–6. Finally, the Postal Service expects that the proposed change will not impact competitors significantly “because no commercial competitors offer a similar service.” *Id.* at 6.

## III. Notice of Commission Action

Pursuant to 39 CFR 3040.182, the Commission has posted the Request on its website and invites comments on whether the Postal Service’s filings are consistent with 39 CFR 3040.180. Comments are due no later than April 22, 2022. The filing can be accessed via the Commission’s website (<http://www.prc.gov>).

The Commission appoints Matthew Ashford to represent the interests of the general public (Public Representative) in this docket.

## IV. Ordering Paragraphs

*It is ordered:*

1. The Commission establishes Docket No. MC2022–51 to consider matters raised by this Notice.

2. Comments by interested persons are due by April 22, 2022.

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

4. The Commission directs the Secretary of the Commission to arrange for prompt publication of this notice in the **Federal Register**.

By the Commission.

**Jennie L. Jbara,**

*Alternate Certifying Officer.*

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–94681; File No. SR–PEARL–2022–05]

### Self-Regulatory Organizations; MIAX PEARL LLC; Notice of Withdrawal of Proposed Rule Change To Amend the MIAX PEARL Options Fee Schedule To Remove Certain Credits and Increase Trading Permit Fees

April 11, 2022.

On February 15, 2022, MIAX PEARL LLC (“MIAX Pearl” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”), 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> a proposed rule change to amend the MIAX Pearl Options Fee Schedule to remove certain credits and increase the monthly Trading Permit fees.

The proposed rule change was immediately effective upon filing with the Commission pursuant to Section 19(b)(3)(A) of the Act.<sup>3</sup> On February 25, 2022, the proposed rule change was published for comment in the **Federal Register** and, pursuant to Section 19(b)(3)(C) of the Act,<sup>4</sup> the Commission: (1) Temporarily suspended the proposed rule change; and (2) instituted proceedings under Section 19(b)(2)(B) of the Act<sup>5</sup> to determine whether to approve or disapprove the proposed rule change.<sup>6</sup> On March 30, 2022, the Exchange withdrew the proposed rule change (SR–PEARL–2022–05).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>7</sup>

**J. Matthew DeLesDernier,**

*Assistant Secretary.*

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

<sup>2</sup> 17 CFR 240.19b–4.

<sup>3</sup> 15 U.S.C. 78s(b)(3)(A). A proposed rule change may take effect upon filing with the Commission if it is designated by the exchange as “establishing or changing a due, fee, or other charge imposed by the self-regulatory organization on any person, whether or not the person is a member of the self-regulatory organization.” 15 U.S.C. 78s(b)(3)(A)(ii).

<sup>4</sup> 15 U.S.C. 78s(b)(3)(C).

<sup>5</sup> 15 U.S.C. 78s(b)(2)(B).

<sup>6</sup> *See* Securities Exchange Act Release No. 94287 (February 18, 2022), 87 FR 10837.

<sup>7</sup> 17 CFR 200.30–3(a)(12).

Handling constitutes a material modification of a product description subject to 39 CFR part 3040, subpart E, rather than the removal of a product subject to Subpart B. *See* Request at 1 n.1.