

POSTAL REGULATORY COMMISSION**[Docket Nos. PI2015–1; Order No. 2336]****Public Inquiry on Service Performance Measurement Systems****AGENCY:** Postal Regulatory Commission.**ACTION:** Notice.

SUMMARY: The Commission is establishing a public inquiry to receive comments regarding the Postal Service's proposed service performance measurement systems for Market Dominant products. In addition, the Commission is scheduling a technical conference where the Postal Service will briefly outline its proposals. This notice informs the public of this proceeding and the technical conference, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* March 26, 2015. *Reply Comments are due:* April 8, 2015.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at <http://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 October 17, 2014, the Postal Service began discussions with the Commission on proposals to develop new internal service performance measurement systems for several of its market dominant products, including products within domestic First-Class Mail, Periodicals, Standard Mail and Package Services.¹ Service performance, for the products under consideration, are currently measured using either external, or hybrid (combined internal and external), measurement systems.²

For reporting service performance to the Commission, service performance must be measured by an objective external performance measurement system unless the Commission approves the use of an internal measurement system. See 39 U.S.C. 3691(b)(1)(D) and (b)(2). This docket will consider a Postal

Service request for the Commission to approve newly proposed internal service performance measurement systems for product level reporting within domestic First-Class Mail, Periodicals, Standard Mail and Package Services.

The Postal Service's proposals are outlined in United States Postal Service, Service Performance Measurement, January 2015, which is concomitantly being filed as Library Reference PRC-LR-PI2015–1/1. The proposals would change at least two aspects of service performance measurement. First, the External First-Class system used for measuring single-piece First-Class Mail service performance would be replaced by a measurement system internal to the Postal Service. Second, the external reporters that are used to develop the last mile factors for all hybrid measurement systems for developing reports within First-Class Mail, Periodicals, Standard Mail and Package Services would be replaced by mail carrier scans at delivery. If the proposals are approved by the Commission, the Postal Service intends to report service performance using the new measurement systems beginning FY 2016.³

The Commission's role under section 3691 of title 39 is to consult with the Postal Service concerning the establishment of service standards for market dominant products. Given its obligations under the Postal Accountability Enhancement Act (PAEA) and the Postal Service's proposals, the Commission is initiating this docket to solicit public comment on the Postal Service's proposed service performance measurement systems.

The Commission will host an off-the-record technical conference on March 5, 2015, which is open to all persons interested in the Postal Service's service performance measurement systems proposals. The Postal Service shall briefly outline the proposals contained within its plan, and be available to answer questions.

Interested persons are invited to comment on any or all aspects of the Postal Service's new proposals for service performance measurement and reporting systems. Comments are due March 26, 2015. Reply comments may be filed no later than April 8, 2015. The Commission intends to evaluate the

comments received and use those suggestions to help carry out its service performance measurement responsibilities under the PAEA. Material filed in this docket will be available for review on the Commission's Web site, <http://www.prc.gov>.

It is ordered:

1. Docket No. PI2015–1 is established for the purpose of receiving comments regarding the Postal Service's proposed service performance measurement systems.

2. A technical conference will be held in the Commission's hearing room at 10 a.m. on March 5, 2015, where the Postal Service will briefly outline its proposals, and be available to answer questions.

3. Interested persons may submit written comments on any or all aspects of the Postal Service's proposed service performance measurement and reporting systems no later than March 26, 2015.

4. Reply comments may be filed by no later than April 8, 2015.

5. Lyudmila Y. Bzhilyanskaya is designated to represent the interests of the general public in this docket.

6. The Secretary shall arrange for publication of this notice in the **Federal Register**.

By the Commission.

Ruth Ann Abrams,
Acting Secretary.

[FR Doc. 2015–02131 Filed 2–3–15; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–74174; File No. SR–NYSE–2015–04]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change With the Proposed Amendment of the Restated Certificate of Incorporation of Exchange Subsidiary NYSE Regulation, Inc.

January 29, 2015.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act")¹ and Rule 19b–4 thereunder,² notice is hereby given that, on January 21, 2015, New York Stock Exchange LLC ("NYSE" or the "Exchange") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in

¹ Internal service performance measurement systems are under the direct control of the Postal Service. External service performance measurement systems are under the direct control of an independent third party.

² See Docket No. PI2008–1, Order No. 140, Order Concerning Proposals for Internal Service Standards Measurement Systems, November 25, 2008, 73 FR 73664 (2008).

³ For compliance purposes, the Postal Service reports service performance for most market dominant products on an annual basis. See 39 CFR part 3055 subpart A; 39 U.S.C. 3652(a)(2)(i). For informational purposes, the Postal Service reports service performance for most market dominant products on a quarterly basis. See 39 CFR part 3055 subpart B.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

Items I and II below, which Items have been prepared by the self-regulatory organization. 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

The Exchange proposes amendment of the Restated Certificate of Incorporation (the "Current Restated Certificate") of the Exchange's subsidiary, NYSE Regulation, Inc., a New York not-for-profit corporation ("NYSE Regulation"), to make corrections as requested by the Department of State of the State of New York (the "Department"). The text of the proposed rule change is available on the Exchange's Web site at www.nyse.com, at the principal office of the Exchange, 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 IV 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 seeks approval for its subsidiary NYSE Regulation to modify the form of Restated Certificate of Incorporation that it proposes to file with the Department. In December 2014, the Commission approved an amendment and restatement of the Current Restated Certificate (the "Amended and Restated Certificate") relating to the termination of NYSE Group Trust I, a Delaware trust (the "Trust").³ However, in reviewing the Amended and Restated Certificate, the Department requested further revisions prior to accepting the document for filing. Specifically, under Section 805(b)(4) of the New York Not-For-Profit

Corporation Law, the Department requested that the recitals to the Amended and Restated Certificate specify the amendment being made in the body of the document. The Department also requested a correction in a reference to the date of a filing made with it in 2007.

Under the proposed amendment, the Amended and Restated Certificate would be further revised to correct the date in the fourth recital and to add a reference to the termination the [sic] Trust in the sixth recital. The proposed amendment would not affect the substance of the Amended and Restated Certificate.

2. Statutory Basis

The Exchange believes that this filing is consistent with Section 6(b) of the Exchange Act,⁴ in general, and Section 6(b)(5) of the Exchange Act,⁵ in particular, because the proposed rule change summarized herein would be consistent with and facilitate a governance and regulatory structure that is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to, and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest. The enhanced recital and the correction of the date reference will provide additional clarity to readers of the Amended and Restated Certificate.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Exchange Act. The proposed rule change is not designed to address any competitive issue in the U.S. securities markets or have any impact on competition in those markets.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act⁶ and Rule 19b-4(f)(6) thereunder.⁷ Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b-4(f)(6) thereunder.⁸

A proposed rule change filed pursuant to Rule 19b-4(f)(6) under the Act⁹ normally does not become operative for 30 days after the date of its filing. However, Rule 19b-4(f)(6)(iii)¹⁰ permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest because the enhanced recital and the correction of a date would provide greater clarity to readers, and immediate operability would allow the Exchange to file the Amended and Restated Certificate, as revised pursuant to this proposed rule change, with the Department as soon as possible. Therefore, the Commission hereby waives the operative delay and designates the proposed rule change operative upon filing.¹¹

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of

⁶ 15 U.S.C. 78s(b)(3)(A).

⁷ 17 CFR 240.19b-4(f)(6).

⁸ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and the text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

⁹ 17 CFR 240.19b-4(f)(6).

¹⁰ 17 CFR 240.19b-4(f)(6)(iii).

¹¹ For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

³ See Exchange Act Release No. 34-73740 (Dec. 4, 2014) (SR-NYSE-2014-53), 79 FR 73362 (December 10, 2014).

⁴ 15 U.S.C. 78f(b).

⁵ 15 U.S.C. 78f(b)(5).

investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number SR-NYSE-2015-04 on the subject line.

Paper Comments

- Send paper comments in triplicate to Brent J. Fields, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549-1090. All submissions should refer to File Number SR-NYSE-2015-04. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NYSE-2015-04, and should be submitted on or before February 25, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹²

Bill M. Peterson,

Assistant Secretary.

[FR Doc. 2015-02108 Filed 2-3-15; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-74173; File No. SR-BATS-2015-06]

Self-Regulatory Organizations; BATS Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to Amend the Fees Applicable to Securities Listed on BATS Exchange, Inc. pursuant to Rule 14.13

January 29, 2015.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ and Rule 19b-4 thereunder,² notice is hereby given that on January 22, 2015, BATS Exchange, Inc. (the "Exchange" or "BATS") filed with the Securities and Exchange Commission ("Commission") the 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 Substance of the Proposed Rule Change

The Exchange filed a proposal to amend the fees applicable to securities listed on the Exchange pursuant to BATS Rule 14.13. Changes to the Exchange's fees pursuant to this proposal are effective upon filing. Changes to the fee schedule pursuant to this proposal are effective upon filing.

The text of the proposed rule change is available at the Exchange's Web site at <http://www.batstrading.com/>, at the principal office of the Exchange, 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 Exchange 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 these statements may be examined at the places specified in Item IV 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

On August 30, 2011, the Exchange received approval of rules applicable to the qualification, listing, and delisting of companies on the Exchange,³ which it modified on February 8, 2012 in order to adopt pricing for the listing of exchange traded products ("ETPs")⁴ on the Exchange,⁵ which it subsequently modified again on June 4, 2014,⁶ and October 16, 2014.⁷ The Exchange proposes to modify Rule 14.13, entitled "Company Listing Fees," to modify how the Exchange administers the billing of the application fee applicable to the listing of ETPs to more closely align with the Exchange's typical billing cycle, which is administered on a monthly basis. Currently, the issuer of an ETP is required to pay the \$5,000 application fee to the Exchange with the application to list the ETP on the Exchange. The Exchange is proposing to amend the language in Rule 14.13(b)(1)(C) such that the application fee for ETPs becomes billable to the issuer for the month during which the ETP is first listed on the Exchange. As proposed, instead of requiring the Exchange to take payment without issuing any bill, the Exchange would bill application fees to issuers on a monthly basis, which is in line with how the Exchange applies most other aspects of its billing. The Exchange notes that it is not proposing to amend the \$5,000 application fee for ETPs.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder that

³ See Securities Exchange Act Release No. 65225 (August 30, 2011) 76 FR 55148 (September 6, 2011) (SR-BATS-2011-018).

⁴ As defined in BATS Rule 11.8(e)(1)(A), the term "ETP" means any security listed pursuant to Exchange Rule 14.11.

⁵ See Securities Exchange Act Release No. 66422 (February 17, 2012) 77 FR 11179 (February 24, 2012) (SR-BATS-2012-010).

⁶ See Securities Exchange Act Release No. 72377 (June 12, 2014) 79 FR 34822 (June 18, 2014) (SR-BATS-2014-024).

⁷ See Securities Exchange Act Release No. 73414 (October 23, 2014) 79 FR 64434 (October 29, 2014) (SR-BATS-2014-050).

¹² 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.