

the form of a subbasin plan for each subbasin or as possible elements for a subbasin plan.

On May 28, 2004, the Council received proposed subbasin plans for 59 subbasins of the Columbia River, formally recommended for amendment into the Council's Fish and Wildlife Program. The Council then engaged in the lengthy public review process required by the Power Act for recommended program amendments, including notice and public review and comment on the recommendations and notice, comment and public hearings in all four states of the Columbia basin on proposed draft amendments based on the recommendations.

Following the required public review, the Council formally adopted as amendments into the Fish and Wildlife Program subbasin plans for 57 Columbia basin subbasins, based on the recommendations submitted. The Council made its decisions to adopt the subbasin plan amendments at its public meetings in December 2004, February 2005, May 2005 and June 2005. At its September 2005 public meeting, the Council concluded its subbasin plan program amendment process by adopting, as part of its program, a document describing the subbasin plan amendment process, making written findings explaining the Council's disposition of the amendment recommendations, and explaining how the Council responded to the public comment on the recommendations and draft program amendments. This document also serves as a Statement of Basis and Purpose for the Council's decision.

The subbasin plans amended into the program and the program document with the findings on recommendations and responses to comments may be found on the Council's Web site, at <http://www.nwcouncil.org/fw/subbasinplanning/Default.htm>.

**FOR FURTHER INFORMATION CONTACT:** If you would like a copy of the subbasin plan program amendments, please go to the Council's Web site at the address above. The subbasin plan program will also soon be available on a compact disc or in printed form. For more information, please contact the Council's central office for assistance. The Council's address is 851 SW. Sixth Avenue, Suite 1100, Portland, Oregon 97204. The Council's telephone numbers are 503-222-5161 and 800-452-5161, and the FAX number is 503-

820-2370. The Council's Web site is <http://www.nwcouncil.org>.

**Stephen L. Crow,**  
*Executive Director.*

[FR Doc. 05-19760 Filed 9-30-05; 8:45 am]

**BILLING CODE 6450-AJ-M**

## PEACE CORPS

### Privacy Act of 1974; Systems of Records

**AGENCY:** Peace Corps

**ACTION:** Correction—Notice of Modification to Existing System of Records.

**SUMMARY:** Pursuant to the Privacy Act of 1974, the Peace Corps is issuing public notice that one of its systems of records is being re-numbered.

**FOR FURTHER INFORMATION CONTACT:** Marianne Manheim, (202) 692-1186.

**SUPPLEMENTARY INFORMATION:** The Peace Corps published a notice of its proposal to create a new system of records, PC-26 Antimalarial Tolerance Survey.

**Federal Register:** July 16, 2004 (Volume 69, Number 136, pages 42784-42785), as corrected at **Federal Register:** August 3, 2004 (Volume 69, Number 148, page 46629). This system is being renumbered as PC-27 Antimalarial Tolerance Survey. No other modifications to the system of records are being made.

This modification is effective on the date of publication.

Dated: September 23, 2005.

**Gilbert Smith,**

*Associate Director for Management.*

[FR Doc. 05-19772 Filed 9-30-05; 8:45 am]

**BILLING CODE 6015-01-M**

## POSTAL RATE COMMISSION

[Docket No. MC2004-3; Order No. 1444]

### Petition To Reopen Record

**AGENCY:** Postal Rate Commission.

**ACTION:** Notice and order.

**SUMMARY:** This document provides the public with notice that a petition seeking to reopen the record in the Commission's pending reconsideration of the Bank One negotiated service agreement has been filed. It notes that the petition, if granted, could expand the scope of reconsideration. It also notes that a companion notice of inquiry has been issued and identifies several new or revised comment deadlines.

**DATES:** 1. October 14, 2005: Deadline for filing comments to Notice of Inquiry No. 1.

2. October 24, 2005: Deadline for reply comments to Notice of Inquiry No. 1.

3. October 31, 2005: Revised deadline for participants to reply to Petition of J.P. Morgan Chase & Co. to Reopen Record (previously September 29, 2005).

**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, at 202-789-6818.

**SUPPLEMENTARY INFORMATION:**

### I. Procedural History

69 FR 39520 (June 30, 2004).  
69 FR 41311 (July 8, 2004).  
70 FR 13551 (March 21, 2005).

### II. Background

On September 14, 2005, J.P. Morgan Chase & Co. (Chase) filed a petition to reopen the record in this docket so that it can provide supplemental information for the Commission's reconsideration of the Bank One Opinion and Recommended Decision Approving Negotiated Service Agreement issued December 17, 2004.<sup>1</sup> Chase argues that it has been denied due process, and unless it has a timely opportunity to supplement the record, a profound injustice will result.

If the Commission grants the Chase Petition, issues potentially may be considered related to negotiated service agreements based solely on pure volume-based discounts. These novel issues may not have been fully considered or litigated under the original Bank One Request.<sup>2</sup> The Bank One Request was filed as a request to consider a negotiated service agreement functionally equivalent to the Capital One negotiated service agreement based on a declining block rate volume discount element and an address correction cost savings element.

On September 27, 2005, the Commission issued Notice of Inquiry No. 1 Regarding Status of Settlement Agreement (NOI) seeking comments as to the status of the settlement agreement signed by a majority of the participants in the Bank One case, and seeking further background information

<sup>1</sup> Petition of J.P. Morgan Chase & Co. to Reopen Record, September 14, 2005 (Chase Petition). Bank One Corporation, the original party in this case, merged with J.P. Morgan Chase & Co. on July 1, 2004. The merged entity now refers to itself as J.P. Morgan Chase & Co.

<sup>2</sup> Request of the United States Postal Service for a Recommended Decision on Classifications, Rates and Fees to Implement Functionally Equivalent Negotiated Service Agreement with Bank One Corporation, June 21, 2004 (Bank One Request).

necessary to evaluate the Chase Petition. Two of the questions posed in the NOI, pertaining to adequacy of notice, and to the use of the Bank One record for setting standards for negotiated service agreements predicated on pure volume-based discounts, may be of interest to interested persons who have not intervened in the Bank One case. The Commission invites both participants and interested persons who have not intervened in the Bank One case to comment on these or any other questions posed in the NOI. Comments may be submitted on or before October 14, 2005. Reply comments may be submitted on or before October 24, 2005.

NOI questions 6 and 7 may be of interest to interested persons who have not intervened in the Bank One case, and are repeated below.

*NOI question 6:* The Commission has noted, in PRC Order No. 1443, that adequacy of notice is an extremely important issue especially where a request has been filed under expedited rules for functionally equivalent agreements. The functionally equivalent rules are meant to send a clear signal that no new major issues are present in the request. Reopening the record opens the possibility for consideration of novel issues related to pure volume-based discount negotiated service agreements. Interested persons who have not intervened in this docket potentially may allege that inadequate notice has been provided to alert them to the existence of novel and precedent setting issues. How should the Commission view this potential problem, and what possible steps can the Commission take to alleviate this situation?

*NOI question 7:* The Bank One negotiated service agreement is based on a declining block rate volume discount element and an address correction cost savings element. The Bank One negotiated service agreement request was filed as an agreement functionally equivalent to the Capital One negotiated service agreement, which also included volume discount and cost savings elements. The Bank One record was developed considering both elements. Reopening the Bank One record potentially will lead to the consideration of issues directly related to negotiated service agreements based solely on pure volume-based discounts. Given this potential, both participants and interested persons who have not intervened in this docket are invited to comment on the use of the Bank One docket to potentially decide issues related to negotiated service agreements based solely on pure volume-based discounts.

#### IV. Revised Deadline for Comments on Chase Petition

Presiding Officer's Ruling Granting the Postal Service Motion for a Stay and Establishing a Date for Replies to the J.P. Morgan Chase Petition was issued on September 15, 2005 (P.O. Ruling No. MC2004-3/9). This ruling established a September 29, 2005 date for participants to provide responses to the Chase Petition. It also stayed previously scheduled dates for comments and reply comments in regard to the Commission's reconsideration of the Bank One decision. In light of the Commission's need to obtain more information before issuing a ruling on the Chase Petition, the date for responses to the Chase Petition shall be extended until October 31, 2005.

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

#### III. Ordering Paragraphs

*It is ordered:*

1. Comments in response to Notice of Inquiry No. 1 Regarding Status of Settlement Agreement, issued September 27, 2005, may be submitted on or before October 14, 2005. Reply comments may be submitted on or before October 24, 2005. Interested persons who have chosen not to intervene in the Bank One case also are invited to provide comments.

2. The date for participants to reply to the Petition of J.P. Morgan Chase & Co. to Reopen Record previously established by P.O. Ruling No. MC2004-3/9 shall be extended until October 31, 2005.

3. The Secretary shall arrange for publication of this notice and order in the **Federal Register**.

By the Commission.

**Steven W. Williams,**

*Secretary.*

[FR Doc. 05-19707 Filed 9-30-05; 8:45 am]

**BILLING CODE 7710-FW-P**

#### SECURITIES AND EXCHANGE COMMISSION

**[Release Nos. 33-8619; 34-52522, File No. 265-23]**

#### Advisory Committee on Smaller Public Companies; Meeting

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Notice of Meeting of SEC Advisory Committee on Smaller Public Companies.

The Securities and Exchange Commission Advisory Committee on

Smaller Public Companies is providing notice that it will hold a public meeting on Friday, October 14, 2005, at Columbia Law School, Jerome Green Hall, Room 103, 435 West 116th Street, New York, New York, at 1 p.m. The meeting will be audio webcast on the Commission's Web site at <http://www.sec.gov>.

The agenda for the meeting includes hearing oral testimony, primarily from investors in small cap companies, and considering written statements that have been filed with the Advisory Committee in connection with the meeting.

*Due Date:* Written statements should be received on or before October 7, 2005.

**ADDRESSES:** Written statements may be submitted by any of the following methods:

#### *Electronic Statements*

- Use the Commission's Internet submission form (<http://www.sec.gov/info/smallbus/acspc.shtml>); or
- Send an e-mail message to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number 265-23 on the subject line; or

#### *Paper Statements*

- Send paper statements in triplicate to Jonathan G. Katz, Committee Management Officer, Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549-9303.

All submissions should refer to File No. 265-23. This file number should be included on the subject line if e-mail is used. To help us process and review your statement more efficiently, please use only one method. The Commission staff will post all statements on the Advisory Committee's Web site (<http://www.sec.gov/info/smallbus/acspc.shtml>).

Statements also will be available for public inspection and copying in the Commission's Public Reference Room, 100 F Street, NE., Washington, DC 20549. All statements received will be posted without change; we do not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

Persons wishing to provide oral testimony at the meeting should contact the SEC staff person listed below by October 7, 2005 and submit a written statement by the deadline for written statements. Sufficient time may not be available to accommodate all those wishing to provide oral testimony. The Co-Chairs of the Advisory Committee have reserved the right to select and limit the time of witnesses permitted to testify at the Advisory Committee meeting.