

Interference with Constitutionally Protected Property Rights.

### Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

### Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

### Indian Tribal Governments

This final rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

### Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

### Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or

adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

### Environment

We have analyzed this final rule under Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2–1, paragraph (32)(e), of the Instruction, from further environmental documentation. It has been determined that this final rule does not significantly impact the environment.

### List of Subjects in 33 CFR Part 117

Bridges.

### Regulations

■ For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

#### PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

**Authority:** 33 U.S.C. 499; Department of Homeland Security Delegation No. 0170.1; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

2. From June 18, 2005 through December 30, 2005, paragraph (a) in § 117.207 is suspended and a new paragraph (c) is added to read as follows:

#### § 117.207 Housatonic River.

\* \* \* \* \*

(c) From June 18, 2005 through December 30, 2005, the U.S. 1 Bridge, mile 3.5, at Stratford, shall open on signal, except that, it may open only one of the two-bascule leaves for the passage of vessel traffic.

(1) From 7 a.m. to 9 a.m. and 4 p.m. to 5:45 p.m., Monday through Friday, the bridge may remain closed for the passage of vessel traffic.

(2) Two-leaf, full bridge openings, shall be provided on holidays as follows: the Fourth of July, Friday, July 1 through Monday, July 4; Labor Day, Friday, September 2 through Monday, September 5; Thanksgiving, Thursday, November 24 through Sunday, November 27; and Christmas, Saturday,

December 24 through Monday, December 26, 2005.

(3) Two-leaf, full bridge openings, shall be provided at any time, except as provided in (c)(1), after at least a three-day advance notice is given by calling the number posted at the bridge.

Dated: May 25, 2005.

**David P. Pekoske,**

*Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District.*

[FR Doc. 05–11487 Filed 6–9–05; 8:45 am]

**BILLING CODE 4910–15–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[CGD01–05–034]

RIN 1625–AA09

#### Drawbridge Operation Regulations: Kennebec River, ME

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard has temporarily changed the drawbridge operating regulations governing the operation of the Carlton Bridge, mile 14.0, across the Kennebec River between Bath and Woolwich, Maine. This temporary final rule allows the bridge to open on signal every three hours at 6 a.m., 9 a.m., 12 p.m., 3 p.m., and 6 p.m., Monday through Saturday, from July 5 through December 17, 2005, and again from April 1 through June 30, 2006, to facilitate rehabilitation construction at the bridge. This rule also allows five three-day bridge closures in September and October of 2005. Vessels that can pass under the bridge without a bridge opening may do so at all times.

**DATES:** This rule is effective on July 11, 2005 through June 30, 2006.

**ADDRESSES:** Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket (CGD01–05–034) and are available for inspection or copying at the First Coast Guard District, Bridge Branch Office, 408 Atlantic Avenue, Boston, Massachusetts, 02110, between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Ms. Judy Leung-Yee, Project Officer, First Coast Guard District, (212) 668–7165.

**SUPPLEMENTARY INFORMATION:**

## Regulatory Information

On April 20, 2005, we published a notice of proposed rulemaking (NPRM) entitled Drawbridge Operation Regulations, Kennebec River, Maine, in the **Federal Register** (70 FR 20490). We received no comments in response to the notice of proposed rulemaking. No public hearing was requested and none was held.

## Background and Purpose

The Carlton Bridge has a vertical clearance of 10 feet at mean high water and 16 feet at mean low water in the closed position. The existing drawbridge operation regulations are listed at 33 CFR 117.525.

The owner of the bridge, Maine Department of Transportation (MDOT), requested a temporary change to the drawbridge operation regulations to allow the bridge to open on signal every three hours at 6 a.m., 9 a.m., 12 p.m., 3 p.m., and 6 p.m., only, Monday through Saturday, from July 5 through December 17, 2005, and again from April 1 through June 30, 2006, to facilitate rehabilitation construction at the bridge.

From 6 p.m. through 6 a.m. the draw shall open on signal after at least a two-hour notice is given by calling the number posted at the bridge.

The bridge shall open on signal for Labor Day weekend, Friday, September 2, 2005 through Monday, September 5, 2005, from 8 a.m. to 5 p.m., and from 5 p.m. through 8 a.m., the draw shall open after a two-hour notice is given by calling the number posted at the bridge.

From December 18, 2005 through March 31, 2006, the bridge shall operate in accordance with its normal winter schedule.

In addition, this temporary final rule allows five three-day bridge closures as follows: September 7 through September 9; September 20 through September 22; October 4 through October 6; October 18 through October 20; and November 1 through November 3, 2005.

## Discussion of Comments and Changes

The Coast Guard received no comments in response to the notice of proposed rulemaking. We have changed the start date of the rule, from July 5, 2005, to July 11, 2005, to ensure that a full 30 days notice is provided to the public after publication of this rule.

## Regulatory Evaluation

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs

and benefits under section 6(a)(3), of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Homeland Security (DHS).

This conclusion is based on the fact that the bridge will continue to open on signal for all vessels at three-hour intervals from 6 a.m. to 6 p.m.

## Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we considered whether this rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b), that this rule will not have a significant economic impact on a substantial number of small entities.

This conclusion is based on the fact that the bridge will continue to open on signal for all vessel traffic at three-hour intervals from 6 a.m. to 6 p.m.

## Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we offered to assist small entities in understanding the rule so that they could better evaluate its effects on them and participate in the rulemaking process.

No small entities requested Coast Guard assistance and none was given.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247).

## Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

## Federalism

A rule has implications for federalism under Executive Order 13132,

if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

## Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

## Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

## Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

## Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

## Indian Tribal Governments

This final rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

## Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant

energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

### Technical Standards

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This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

### Environment

We have analyzed this final rule under Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2–1, paragraph (32)(e), of the Instruction, from further environmental documentation. It has been determined that this final rule does not significantly impact the environment.

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■ 1. The authority citation for part 117 continues to read as follows:

**Authority:** 33 U.S.C. 499; Department of Homeland Security Delegation No. 0170.1; 33

CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

■ 2. From July 5, 2005 through June 30, 2006, § 117.525(a) is suspended and a new paragraph (c) is added to read as follows:

#### § 117.525 Kennebec River.

\* \* \* \* \*

(c) (1) The Carlton Bridge, mile 14.0, shall open on signal at 6 a.m., 9 a.m., 12 p.m., 3 p.m., and 6 p.m., Monday through Saturday, from July 5, 2005 through December 17, 2005, and from April 1, 2006 through June 30, 2006. From 6 p.m. through 6 a.m. the draw shall open on signal after at least a two-hour notice is given by calling the number posted at the bridge.

(2) The draw shall open on signal on Labor Day weekend, Friday, September 2, 2005 through Monday, September 5, 2005, from 8 a.m. to 5 p.m., and from 5 p.m. through 8 a.m., the draw shall open after a two-hour notice is given by calling the number posted at the bridge.

(3) From December 18, 2005 through March 31, 2006, the bridge shall open on signal, except that, from 5 p.m. to 8 a.m., the draw would open on signal after a twenty-four hour notice is given and from 8 a.m. to 5 p.m., on Saturday and Sunday, after an eight-hour notice is given by calling the number posted at the bridge.

(4) The draw of the Carlton Bridge may remain in the closed position for five three-day closure periods as follows: September 7 through September 9; September 20 through September 22; October 4 through October 6; October 18 through October 20; and November 1 through November 3, 2005.

Dated: May 25, 2005.

**David P. Pekoske,**

*Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District.*

[FR Doc. 05–11486 Filed 6–9–05; 8:45 am]

**BILLING CODE 4910–15–P**

### POSTAL SERVICE

#### 39 CFR Part 111

#### Premium Forwarding Service

**AGENCY:** Postal Service.

**ACTION:** Final rule.

**SUMMARY:** This final rule sets forth the standards adopted by the Postal Service™ to implement the Premium Forwarding Service (PFS) experiment.

The Postal Service is conducting the PFS experiment to measure interest in a new service that forwards mail to

residential customers who are temporarily away from their primary address. With PFS, your local Post Office will ship mail to your temporary address once a week via Priority Mail®.

**DATES:** *Effective Date:* This final rule is effective at 12:01 a.m. on August 7, 2005.

**FOR FURTHER INFORMATION CONTACT:** Rick Klutts, 202–268–7268.

**SUPPLEMENTARY INFORMATION:** Today, customers can submit a temporary forwarding request for their First-Class Mail and Periodicals mail. Customers also can have their mail held at the Post Office for short periods of time. Premium Forwarding Service (PFS) is a two-year, nationwide experiment that reships all of a customer's mail on a weekly basis.

PFS is a personalized service designed for sending mail from a customer's primary residential address to a temporary address using Priority Mail. With PFS, the Postal Service boxes and ships mail to customers who are away for at least two weeks and up to one year.

Express Mail and Priority Mail packages that are too large to fit inside the weekly PFS package are immediately and separately rerouted at no additional charge. Package Services parcels that are too large to fit inside the PFS package are forwarded with postage due. All mail requiring a delivery scan or a signature also is separately rerouted. Examples include Certified Mail, Registered Mail, and mail with Delivery Confirmation.

PFS generally provides a shipment of a customer's mail every Wednesday from their primary address to their temporary address by Priority Mail. There is an initial enrollment fee of \$10, plus a weekly per-shipment charge of \$10.

Customers who wish to participate must submit an application to the Post Office responsible for delivery to their primary address and pay the enrollment fee and shipment charges for the full duration they will be away. The minimum enrollment is two weeks, and the maximum is one year.

Customers who wish to cancel PFS early may request a refund for any unused weekly shipment charges from the Post Office serving their primary address. Additionally, customers can contact that Post Office prior to the termination date to extend PFS service (up to one year total) as needed.

The Board of Governors of the United States Postal Service approved the PFS experiment on May 10, 2005. The standards, which will be incorporated into *Mailing Standards of the United*