

**OFFICE OF THE UNITED STATES
TRADE REPRESENTATIVE**

[Docket No. WTO/DS335]

**WTO Dispute Settlement Proceeding
Regarding United States—
Antidumping Measure on Shrimp From
Ecuador**

AGENCY: Office of the United States
Trade Representative.

ACTION: Notice; request for comments.

SUMMARY: The Office of the United States Trade Representative (“USTR”) is providing notice that Ecuador has requested the establishment of a dispute settlement panel under the Marrakesh Agreement Establishing the World Trade Organization (“WTO Agreement”). That request may be found at <http://www.wto.org> contained in a document designated as WT/DS335/6. USTR invites written comments from the public concerning the issues raised in this dispute.

DATES: Although USTR will accept any comments received during the course of the dispute settlement proceedings, comments should be submitted on or before September 22, 2006, to be assured of timely consideration by USTR.

ADDRESSES: Comments should be submitted (i) Electronically, to FR0603@ustr.eop.gov, Attn: “Ecuador Shrimp AD Dispute (DS335)” in the subject line, or (ii) by fax, to Sandy McKinzy at (202) 395–3640. For documents sent by fax, USTR requests that the submitter provide a confirmation copy to the electronic mail address listed above.

FOR FURTHER INFORMATION CONTACT: Bruce Hirsh, Deputy Assistant United States Trade Representative for Monitoring and Enforcement, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC 20508, (202) 395–3582.

SUPPLEMENTARY INFORMATION: Section 127(b) of the Uruguay Round Agreements Act (“URAA”) (19 U.S.C. 3537(b)(1)) requires that notice and opportunity for comment be provided after the United States submits or receives a request for the establishment of a WTO dispute settlement panel. Consistent with this obligation, USTR is providing notice that a dispute settlement panel has been established pursuant to the WTO Dispute Settlement Understanding (“DSU”). The panel will hold its meetings in Geneva, Switzerland.

Major Issues Raised by Ecuador

On December 23, 2004, the U.S. Department of Commerce published in the **Federal Register** notice of its affirmative final less-than-fair-value (“LTFV”) determination in the antidumping investigation concerning certain frozen and canned warmwater shrimp from Ecuador (69 FR 76913). On February 1, 2005, the Department of Commerce published notice of an amended final LTFV determination, along with an antidumping duty order (70 FR 5156). The latter notice contains the final margins of LTFV sales.

In its request for the establishment of a panel, Ecuador alleges that the Department of Commerce improperly calculated margins of dumping by “zeroing” so-called “negative anti-dumping margins.” Based on the use of zeroing, Ecuador alleges that the final LTFV determination and the antidumping duty order are inconsistent with the first sentence of Article 2.4.2 of the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994. In this regard, on March 6, 2006, the Department of Commerce announced that it will no longer use “zeroing” when making average-to-average comparisons in an antidumping investigation. *See* 71 FR 11189.

**Public Comment: Requirements for
Submissions**

Interested persons are invited to submit written comments concerning the issues raised in this dispute. Persons may submit their comments either (i) Electronically, to FR0603@ustr.eop.gov, Attn: “Ecuador Shrimp AD Dispute (DS335)” in the subject line, or (ii) by fax to Sandy McKinzy at (202) 395–3640. For documents sent by fax, USTR requests that the submitter provide a confirmation copy to the electronic mail address listed above.

USTR encourages the submission of documents in Adobe PDF format, as attachments to an electronic mail. Interested persons who make submissions by electronic mail should not provide separate cover letters; information that might appear in a cover letter should be included in the submission itself. Similarly, to the extent possible, any attachments to the submission should be included in the same file as the submission itself, and not as separate files.

A person requesting that information contained in a comment submitted by that person be treated as confidential business information must certify that such information is business confidential and would not customarily

be released to the public by the submitter. Confidential business information must be clearly designated as such and the submission must be marked “BUSINESS CONFIDENTIAL” at the top and bottom of the cover page and each succeeding page.

Information or advice contained in a comment submitted, other than business confidential information, may be determined by USTR to be confidential in accordance with section 135(g)(2) of the Trade Act of 1974 (19 U.S.C. 2155(g)(2)). If the submitter believes that information or advice may qualify as such, the submitter—

(1) Must clearly so designate the information or advice;

(2) Must clearly mark the material as “SUBMITTED IN CONFIDENCE” at the top and bottom of the cover page and each succeeding page; and

(3) Is encouraged to provide a non-confidential summary of the information or advice.

Pursuant to section 127(e) of the URAA (19 U.S.C. 3537(e)), USTR will maintain a file on this dispute settlement proceeding, accessible to the public, in the USTR Reading Room, which is located at 1724 F Street, NW., Washington, DC 20508. The public file will include non-confidential comments received by USTR from the public with respect to the dispute; if a dispute settlement panel is convened, the U.S. submissions to that panel, the submissions, or non-confidential summaries of submissions, to the panel received from other participants in the dispute, as well as the report of the panel; and, if applicable, the report of the Appellate Body. An appointment to review the public file (Docket No. WT/DS–335, Ecuador Shrimp AD Dispute) may be made by calling the USTR Reading Room at (202) 395–6186. The USTR Reading Room is open to the public from 9:30 a.m. to noon and 1 p.m. to 4 p.m., Monday through Friday.

Daniel E. Brinza,

*Assistant United States Trade Representative,
for Monitoring and Enforcement.*

[FR Doc. E6–14346 Filed 8–29–06; 8:45 am]

BILLING CODE 3190–W6–P

**PENSION BENEFIT GUARANTY
CORPORATION**
**Proposed Submission of Information
Collection for OMB Review; Comment
Request; Administrative Appeals**

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of intention to request OMB approval.

SUMMARY: The Pension Benefit Guaranty Corporation ("PBGC") intends to request that the Office of Management and Budget ("OMB") approve, under the Paperwork Reduction Act, of a collection of information under its regulation on Administrative Appeals. This notice informs the public of the PBGC's intent and solicits public comment on the collection of information.

DATES: Comments should be submitted by October 30, 2006.

ADDRESSES: Comments may be mailed to the Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026, or delivered to that address during normal business hours. Comments also may be submitted by e-mail to paperwork.comments@pbgc.gov, or by fax to 202-326-4224. The PBGC will make all comments available on its Web site at <http://www.pbgc.gov>.

Copies of the collection of information may also be obtained without charge by writing to the Disclosure Division of the Office of the General Counsel of PBGC at the above address or by visiting the Disclosure Division or calling 202-326-4040 during normal business hours. (TTY and TDD users may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4040.) The PBGC's regulation on Administrative Appeals may be accessed on the PBGC's Web site at <http://www.pbgc.gov>.

FOR FURTHER INFORMATION CONTACT: Catherine B. Klion, Manager, or Donald McCabe, Attorney, Regulatory and Policy Division, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026, 202-326-4024. (For TTY and TDD, call 800-877-8339 and request connection to 202-326-4024).

SUPPLEMENTARY INFORMATION: The PBGC's regulation on Rules for Administrative Review of Agency Decisions (29 CFR part 4003) prescribes rules governing the issuance of initial determinations by the PBGC and the procedures for requesting and obtaining administrative review of initial determinations. Certain types of initial determinations are subject to administrative appeals, which are covered in subpart D of the regulation. Subpart D prescribes rules on who may file appeals, when and where to file appeals, contents of appeals, and other matters relating to appeals.

Most appeals filed with the PBGC are filed by individuals (participants,

beneficiaries, and alternate payees) in connection with benefit entitlement or amounts. A small number of appeals are filed by employers in connection with other matters, such as plan coverage under ERISA section 4021 or employer liability under ERISA sections 4062(b)(1), 4063, or 4064. Appeals may be filed by hand, mail, commercial delivery service, fax or e-mail. For appeals of benefit determinations, the PBGC has developed new optional forms for filing appeals and requests for extensions of time to appeal.

The PBGC intends to request that OMB approve this collection of information for three years. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The PBGC estimates that an average of 850 appellants per year will respond to this collection of information. The PBGC further estimates that the average annual burden of this collection of information is 0.75 hours and \$55 per appellant, with an average total annual burden of 640 hours and \$46,750.

The PBGC is soliciting public comments to—

- Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- evaluate the accuracy of the agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
- enhance the quality, utility, and clarity of the information to be collected; and
- minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Issued in Washington, DC, this 24th day of August 2006.

Cris Birch,

Acting Chief Technology Officer, Pension Benefit Guaranty Corporation.

[FR Doc. E6-14477 Filed 8-29-06; 8:45 am]

BILLING CODE 7709-01-P

POSTAL RATE COMMISSION

[Docket No. MC2006-7; Order No. 1476]

Stamped Stationery

AGENCY: Postal Rate Commission.

ACTION: Notice of new docket.

SUMMARY: The Commission has determined that Stamped Stationery the Postal Service offers to the general public meets the definition of a "postal service." This order institutes a mail classification docket for the purpose of developing classification language and a fee schedule for Stamped Stationery. Conducting this docket will allow interested persons to participate in developing appropriate classification provisions and fees.

DATES: Deadline for the Postal Service to file a request to establish the stamped stationery classification or, in the absence of a request, date for termination of docket: February 26, 2007; deadline for notices of intervention: March 26, 2007 (28 days after filing of Request).

ADDRESSES: File all documents referred to in this order electronically via the Commission's Filing Online system at <http://www.prc.gov>.

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, 202-789-6820.

SUPPLEMENTARY INFORMATION: Notice is hereby given that pursuant to 39 U.S.C. 3623(b), the Commission is instituting a mail classification case for the purpose of receiving a Request from the Postal Service for a recommended decision establishing a classification and fee schedule for Stamped Stationery.

In Order No. 1475, issued contemporaneously herewith, the Commission held Stamped Stationery to be a postal service.¹ As explained in that order, the Commission found maintaining the status quo for a brief interim period to be in the public interest. *Id.* at 12, *et seq.* This approach provides the Postal Service a reasonable interval to prepare its Request without disrupting the Stamped Stationery market or causing the Postal Service to incur any costs that might be occasioned by withdrawal of the product.

Although its qualities, including design and purpose, make it a postal service, Stamped Stationery is, nonetheless, a specialty item, which, among other things, no mailer is required to purchase. Under the circumstances, a novel pricing approach may be warranted for Stamped Stationery.

By signaling a willingness to consider a novel pricing approach, the Commission hopes to encourage the Postal Service and interested persons to consider innovative rate designs suitable for this specialty product. *See*

¹ PRC Order No. 1475, Docket No. C2004-3, August 24, 2006.