

which have been assigned to Docket Nos. MC2008–6, CP2008–14 and CP2008–15, announcing prices and classification changes for competitive products not of general applicability.¹ The request in Docket No. MC2008–6 informs the Commission that “the Governors have established prices and classifications not of general applicability for Inbound Direct Entry Contracts with Foreign Postal Administrations,” and attaches a redacted copy of the Governors’ Decision.² See Request, Attachment 1. The Postal Service also attached a revision of the draft Mail Classification Schedule (MCS) (section 2612) concerning Inbound Direct Entry Contracts to the Notice.³ See Request, Attachment 1, Attachment A.

In support of these dockets, the Postal Service filed a Statement of Supporting Justification of Pranab Shah. See Request, Attachment 2. The Postal Service has also filed materials under seal, including the unredacted Governors’ Decision in Docket No. MC2008–6. The Postal Service claims that “[p]rices and other contract terms relating to the foreign posts’ processes and procedures are highly confidential in the business world * * * [and that its] ability * * * to negotiate individual contracts would be severely compromised if prices * * * [for] these types of agreements were publicly disclosed.” Request at 2–3.

Docket Nos. CP2008–14 and CP2008–15 announce specific Inbound Direct Entry Contracts that the Postal Service has entered into with the individual Foreign Postal Administrations, namely China Post Group and Hong Kong Post, respectively.⁴ *Id.* In support of these dockets, the Postal Service has also filed

materials, including the contracts and supporting certifications, under seal.⁵

The Postal Service’s filings in these dockets are related. Docket No. MC2008–6 establishes, in essence, a shell classification, while Docket Nos. CP2008–14 and CP2008–15 are specific agreements negotiated pursuant to the conditions of the shell classification. Given this interrelationship, the Commission reviews these proceedings together in this Order.⁶

In Order No. 43, the Commission issued regulations establishing a modern system of rate regulation, including a list of competitive products. Docket No. RM2007–1, Order Establishing Ratemaking Regulations for Market Dominant and Competitive Products, October 29, 2007, paras. 3061 and 4013. Among other things, the Commission determined that each negotiated service agreement would initially be classified as a separate product. The Commission also acknowledged, however, the possibility of grouping substantially equivalent agreements as a single product if they exhibit similar cost and market characteristics. *Id.*, paras. 2177 and 3001. In its filings, the Postal Service contends that these two agreements are premised on similar cost and market characteristics and provides arguments to support this claim. Request at 5–6. Thus, the Postal Service requests that the Commission classify the two agreements filed in Docket Nos. CP2008–14 and CP2008–15 as part of the same product.

Interested persons may express views and offer comments on whether the planned changes are consistent with the policies of 39 U.S.C. 3632, 3633, or 3642. Comments are due no later than August 26, 2008.

Pursuant to 39 U.S.C. 505, Paul L. Harrington is designated to serve as officer of the Commission (Public Representative) to represent the interests of the general public in the above-captioned dockets.

It is Ordered:

1. Docket Nos. MC2008–6, CP2008–14, and CP2008–15 are established to consider the Postal Service Request and related contracts referred to in the body of this Order.

2. Comments by interested persons on issues in these proceedings are due no later than August 26, 2008.

3. The Commission designates Paul L. Harrington as Public Representative to

represent the interests of the general public in these proceedings.

4. The Secretary shall arrange for publication of this Order in the **Federal Register**.

By the Commission.
Issued August 13, 2008.

Judith M. Grady,
Acting Secretary.

[FR Doc. E8–19446 Filed 8–21–08; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[File No. 500–1]

In the Matter of: Birman Managed Care, Inc. (n/k/a Alcar Chemical Group, Inc.), Cluster Technology Corp., Consolidated Growers and Processors, Inc., Global Network, Inc., Micro-Integration Corp., Monsoon International Manufacturing & Distribution, Inc., Montt International Corp., Pony Express U. S. A., Inc., SUMmedia.com, Inc., and Sunflower USA, Ltd.; Order of Suspension of Trading

August 20, 2008

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Birman Managed Care, Inc. (n/k/a Alcar Chemical Group, Inc.) because it has not filed any periodic reports since the period ended March 31, 2000.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Cluster Technology Corp. because it has not filed any periodic reports since March 8, 2000.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Consolidated Growers and Processors, Inc. because it has not filed any periodic reports since January 5, 2000.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Global Network, Inc. because it has not filed any periodic reports since the period ended September 30, 2003.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Micro-Integration Corp. because it has not filed any periodic reports since December 31, 1999.

¹ Case captions for cases such as those involving negotiated agreements for competitive products should be standardized. The first line in the caption should list “Competitive Product Prices”. The second line should list the product and the docket of the case that created that product. The third line should list the contracting party or “Negotiated Service Agreement” if the contracting party is confidential information.

² Request of United States Postal Service to Add Inbound Direct Entry Contracts With Foreign Postal Administrations to the Competitive Product List, and Notice of Filing (Under Seal) The Enabling Governors’ Decision and Two Functionally Equivalent Contracts with Foreign Posts, August 5, 2008 (Request).

³ The draft MCS remains under review. The Commission anticipates providing interested persons an opportunity to comment on the draft MCS in the near future.

⁴ The Commission characterizes the Governors’ Decision and associated materials filed in Docket No. MC2008–6 as material that supports the specific negotiated service agreements filed in Docket Nos. CP2008–14 and CP2008–15.

⁵ See PRC Order No. 95, August 11, 2008, at 2 regarding the filing of certifications under seal.

⁶ While this Order treats these proceedings together due to their interrelated nature, future filings should be made in the docket related to the issues being addressed.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Monsoon International Manufacturing & Distribution, Inc. because it has not filed any periodic reports since the period ended January 21, 2000.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Montt International Corp. because it has not filed any periodic reports since February 14, 2000.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Pony Express U. S. A., Inc. because it has not filed any periodic reports since the period ended September 30, 2004.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of SUMmedia.com, Inc. because it has not filed any periodic reports since the period ended September 30, 2002.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Sunflower USA, Ltd. because it has not filed any periodic reports since the period ended February 29, 2000.

The Commission is of the opinion that the public interest and the protection of investors require a suspension of trading in the securities of the above-listed companies.

Therefore, it is ordered, pursuant to section 12(k) of the Securities Exchange Act of 1934, that trading in the securities of the above-listed companies is suspended for the period from 9:30 a.m. EDT on August 20, 2008, through 11:59 p.m. EDT on September 3, 2008.

By the Commission.

Jill M. Peterson,

Assistant Secretary.

[FR Doc. E8-19634 Filed 8-20-08; 4:15 pm]

BILLING CODE 8010-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-58378; File No. SR-Amex-2008-67]

Self-Regulatory Organizations; American Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Modifying the Definition of "Independent Director" in the Amex Company Guide

August 18, 2008.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, as amended ("Act")¹ and Rule 19b-4 thereunder,² notice is hereby given that on August 15, 2008, the American Stock Exchange LLC ("Amex" or "Exchange") 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 proposes to amend Section 803 of the Amex Company Guide (the "Company Guide") to modify the definition of "independent director." The text of the proposed rule change is available on the Amex's Web site at <http://www.amex.com>, the Office of the Secretary, the Amex 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 Amex 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 Amex has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

Section 803(A)(2)(b) of the Company Guide generally precludes a director of

a listed issuer from being considered "independent" if the director (or an immediate family member of a director) received more than \$100,000 in compensation from the issuer or any parent or subsidiary of the issuer within any twelve-month period in the three years preceding the determination of the director's independence status. The Exchange proposes to raise this amount to \$120,000 to conform its independence standard in this respect with a NASDAQ Stock Market LLC ("Nasdaq") rule change just approved by the Commission and a similar proposal submitted and pending before the Commission by the New York Stock Exchange LLC ("NYSE").³

In addition, the proposed change will harmonize the Exchange's independence standards with the existing \$120,000 disclosure threshold applicable to related party transactions set by the Commission in Regulation S-K, Item 404.⁴ Use of this consistent standard will enhance the Exchange's ability to assess compliance with the independent director requirements because listed issuers are uniformly required under Item 404 of Regulation S-K to disclose compensation to directors in excess of \$120,000, but are not necessarily required to disclose compensation between \$100,000 and \$120,000. Further, the Exchange believes that by making its "bright line" standard with respect to the maximum amount of compensation a director (or an immediate family member of a director) can receive from the issuer (or any parent or subsidiary) consistent with the equivalent standard of Nasdaq and proposed by NYSE, it will provide a uniform standard for issuers to understand and apply. However, the Exchange notes that even if a director passes the "bright line" standard as proposed to be amended, an issuer's board of directors must still make an affirmative determination that such director has no relationship with the issuer that would interfere with the director's exercise of independent judgment in carrying out the responsibilities of a director.⁵

³ See Securities Exchange Act Release Nos. 58335 (August 8, 2008) (SR-NASDAQ-2008-053) (approving similar modifications to NASDAQ Rule 4200(a)(15)(B) and IM-4200) (Release No. 34-58335); and 58367 (August 15, 2008) (proposing similar modifications to Section 303A.02 of the NYSE Listed Company Manual).

⁴ See 17 CFR 229.404 and 17 CFR 228.404; see also Securities Exchange Act Release No. 54302A (August 29, 2006), 71 FR 53158 (September 8, 2006).

⁵ See Section 803(A)(2) of the Company Guide.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.