

BEFORE THE
UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, DC 20268-0001

Rate and Service Changes To Implement
Functionally Equivalent Negotiated Service
Agreement With Bank One Corporation

Docket No. MC2004-3

INITIAL BRIEF OF AMERICAN BANKERS ASSOCIATION

(SEPTEMBER 20, 2004)

The American Bankers Association (ABA) is a nonprofit membership organization incorporated under the provisions of the District of Columbia Nonprofit Corporation Act, with principal offices in Washington, D.C. The membership of ABA is composed of banks located in each of the 50 states and the District of Columbia.

This is the second functionally equivalent Negotiated Service Agreement (NSA) to reach this stage. Like MC2004-4 before it, this proceeding has amply demonstrated that the concept of functionally equivalent NSAs and the Commission's procedures for handling functionally equivalent NSA requests are sound.

The record in this case has been well developed and amply supports approval of the requested functionally equivalent NSA. The requirements established by the Commission have been completely met and this request is an example of exactly what the Commission contemplated when it established procedures for functionally equivalent NSAs.

ABA, as the only representative of the banking industry to intervene in this case, urges the Commission to approve this request. Such an approval will, as envisioned by the Commission when establishing the functionally equivalent NSA, make the NSA process available to a wider variety of mailers, including banks, by reducing the time, money and other resources necessary to pursue an NSA. Availability of functionally equivalent NSAs will enhance competition in the banking industry and set a helpful precedent for similar NSAs in other industries that use the Postal Service.

Respectfully submitted,

Irving D. Warden
Associate General Counsel
American Bankers Association

CERTIFICATE OF SERVICE

I certify that I have this date served the foregoing document in accordance with the rules of practice.

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