

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Request to Add Private Address Forwarding
To the Market Dominant Product List

Docket No. MC2013-60

PUBLIC REPRESENTATIVE MOTION FOR RECONSIDERATION
AND CLARIFICATION OF ORDER NO. 1838

September 24, 2013

On September 18, 2013, Petitioner Sai filed a request with the Commission to add a new product to the Mail Classification Schedule.¹ This is the first petition to add a new product the Commission has received from a user of the mail pursuant to 39 CFR § 3020.50 *et seq.* As such, the Public Representative believes the review process established by the Commission may be precedent setting for all future proposals.

Petitioner Sai, along with others that may wish to propose a new product, may not be experienced with Commission procedures, or navigating the Postal Service. The Public Representative has been informed that many of those considering comments also are not experienced in these matters. They need clear direction on what procedures are to be followed.

Order No. 1838 states that “[t]his is the first Request made by a user of the mails pursuant to section 3642 and the Commission’s rules, 39 CFR 3020 subpart B.”² The rules in 39 CFR 3020 subpart B apply to requests initiated by the Postal Service. So as not to confuse anyone wishing to participate in this docket, please clarify that the rules

¹ Request to the Postal Regulatory Commission to Add Private Address Forwarding to the Mail Classification Schedule, September 18, 2013 (Request).

² Notice and Order Concerning Request to Add Private Address Forwarding to the Market Dominant Product List, September 23, 2013 (Order No. 1838) at 3.

in 39 CFR 3020 subpart C, concerning requests initiated by users of the mail, are actually applicable in this docket.

Rule 39 CFR § 3020.54 gives the Postal Service 28 days to respond to the proposal and suggest appropriate Commission action. The Public Representative suggests the purpose of this rule is to provide the Postal Service with an opportunity to consider the proposal, and potentially contact and negotiate with the person or organization making the proposal. It would be difficult for the Commission to meaningfully add a new product to the product list without the Commission first hearing from the Postal Service, and without the cooperation of the Postal Service. The Postal Service's input is critical to the process.

As of today, interested persons in this docket have no understanding of the Postal Service's position on the proposal, whether the proposal was the subject of prior negotiations with the Postal Service, or whether this is the Postal Service's first exposure to the proposal. If this proposal has a possibility of going forward, the Public Representative would expect a counterproposal from the Postal Service. Consideration of this discussion is necessary to formulate thoughtful and informed comments. The Public Representative suggests this information be made available prior to soliciting comments from interested persons.

Petitioner Sai recognized that interested person should be allowed to simultaneously comment on his proposal and the Postal Service's initial views. He appropriately suggested allowing 30 days after receipt of the Postal Service's initial views for filing comments. Request at 5. Order No. 1838 notes his request, then denies the request without explanation by setting due dates for both the Postal Service's initial views and comments for October 16, 2013.

The Public Representative respectfully requests reconsideration of the deadline for interested persons to file comments. The Public Representative suggests a filing deadline of 30 days after receipt of the Postal Service's initial views.

Respectfully submitted,

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