

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

REQUEST TO ADD
PRIVATE ADDRESS FORWARDING
TO THE MARKET DOMINANT PRODUCT LIST

Docket No. MC2013-60

**REPLY OF THE UNITED STATES POSTAL SERVICE
TO MOTIONS SEEKING RECONSIDERATION OF THE PROCEDURAL SCHEDULE**
(October 16, 2013)

The United States Postal Service hereby submits its reply to the motions filed by the Public Representative (September 24, 2013) and the Petitioner (September 25, 2013) seeking reconsideration of the procedural schedule for this docket published in PRC Order No. 1838 (September 23, 2013).

The Order states that persons interested in commenting on Petitioner's *Private Address Forwarding* (PAF) Request must do so no later than October 16, 2013, which also is the due date for the Postal Service to file its preliminary views in response to the Request.¹ The Order No. 1838 gives parties until November 13, 2013 to submit their reply comments.

For various reasons stated in its motion, the Public Representative suggests that parties interested in filing initial comments regarding the PAF Request might benefit from first knowing the views expressed by the Postal Service and, thus, should be given until (November 15, 2013) 30 days after the filing of the Postal Service's views to file their initial comments.² In the spirit of the Public Representative's motion, the Petitioner

¹ Accordingly, the Postal Service filed its views today.

² Docket No. MC2013-60, Public Representative Motion for Reconsideration and Clarification of Order No. 1838 (September 24, 2013).

seeks even further delay by proposing an amended schedule of four rounds of comments extending into mid-January, which would accommodate his desire to schedule and mount a publicity campaign intended to generate interest in and support for his Private Address Forwarding product concept, which he believes to be novel and unfamiliar to the Postal Service.³ In the absence of a ruling by the Commission to-date, it seems that the parties are presently expected to address the merits of the PAF Request today, and then will be given an opportunity on November 13, 2013, to reply to all pleadings filed by today's deadline, including the Postal Service's October 16, 2013 Response to Order No 1838.

The Public Representative's proposal is to have all non-postal commenters weigh in on the PAF Request for the first time by November 15, 2013 -- 30 days after hearing from the Postal Service. The Postal Service finds this alternative schedule to be flawed by the absence of any opportunity for it to reply to initial comments that would be filed by November 15, 2013. As the "first among equals" before the Commission, the Postal Service should be permitted to the opportunity to reply to initial comments advocating that the Commission order a commitment of postal resources to the development of a new product.

The schedule established by the Commission provides four weeks for initially commenting on the merits of the Petitioner's PAF Request and four more weeks for

³ Docket No. MC2013-60, Petitioner's Support of and Expansion to Public Representative's Motion for Reconsideration of Order No. 1838 (September 25, 2013).

commenting on the October 16th views of the Postal Service⁴ and initial comments of other parties. The Commission's schedule accommodates the Postal Service's aforementioned concern, because it allows the Postal Service to respond on November 13th to all initial comments filed on October 16th.

It is true that the Public Representative's suggested schedule change would allow parties to economically combine their comments on the PAF Request and the Postal Service's October 16th views into one document later in the process. However, that schedule also would delay the Commission's ability to even begin the process of sorting through the merits of the PAF proposal, since virtually all public comments would not be presented until mid-November. The Public Representative's approach might strain the Commission's resources in a way that the current schedule seeks to avoid. It also could delay the resolution of this docket well beyond the length of time applicable to concurrent proceedings of greater significance and complexity.

Petitioner's motion for even more extended delay has even less merit. As is clear from the Postal Service's Comments filed today in response to Order No. 1838, the PAF product concept is not new or novel to the Postal Service. The exercise of the Commission's authority under section 3642⁵ regarding mail user new product proposals, even though limited by section 403(a), is not swayed by whether a proposal was submitted by an individual postal customer acting alone or with the support of others. Commission proceedings should not be delayed solely for the purpose permitting the Postal Service or any party to mount a publicity campaign or to recruit allies in support

⁴ Docket No. MC2013-60, Comments of the United States Postal Service in Response to Notice and Order Concerning Request To Add Private Address Forwarding To The Market Dominant Product List (October 16, 2013).

⁵ As implemented by 39 C.F.R. § 3020, Subpart C.

of its position. Exercise of the Commission's section 3642 authority is governed by its consideration of the various relevant policies of title 39, not by the numbers of parties who subscribe to various views regarding the merits of a particular product proposal.

Neither the Public Representative nor the Petitioner has advocated a compelling basis for changing the schedule initially set forth by the Commission in this docket. Accordingly, both motions should be denied.

On the other hand, the Postal Service understands that the Commission may need to adjust the scheduled November 13th date for the filing of reply comments based on when it is able to resume full operations and declare that parties are on notice of pleadings filed today.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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October 16, 2013