

BEFORE THE
POSTAL REGULATORY COMMISSION

Periodic Reporting (Proposal Four)

:
:
:

Docket No. RM2017-8

**MOTION OF UNITED PARCEL SERVICE FOR LEAVE TO FILE A
RESPONSE TO REPLY COMMENTS SUBMITTED BY UNITED
STATES POSTAL SERVICE
(September 25, 2017)**

United Parcel Service (“UPS”) respectfully submits this motion for leave to file a response to reply comments filed by the United States Postal Service (“Postal Service”) on August 16, 2017. Although the Commission’s rules do not permit a response as a matter of right, the Commission has the discretion to accept such a filing. See 39 C.F.R. § 3001.21(b).

This docket relates to Proposal Four and the procedure by which Form 3999 data would be used annually to update the estimated proportion of time on regular city carrier routes spent delivering parcels. UPS submitted its initial comments on August 9, 2017, which, among other things, argued that although Proposal Four was useful, it could be strengthened if it accounted for seasonal bias in Form 3999 route evaluations. These evaluations are rare in December and more common in the spring, leading to a bias because parcel time proportions tend to be higher in December due to the holiday gift-giving season.

In its reply comments, the Postal Service makes two arguments regarding the seasonality correction that UPS proposed in its initial comments. First, the Postal

Service argues that due to variation between the FY14 values and the FY16 values of the monthly weights derived from the in-office cost system (“IOCS”), such weights are inappropriate for correcting the potential for seasonal bias in Proposal Four. Second, the Postal Service argues that the method UPS used in calculating the overall deviation parcels and accountables (“DPA”) delivery ratio contains an error. It also comments on UPS’s proposal for increased transparency, arguing that the increased transparency would unduly burden the Postal Service.

UPS has evaluated these criticisms and concluded that they are unpersuasive. UPS respectfully requests leave to file these comments to explain the basis for this conclusion. The contemplated response, which has been filed along with this motion for leave as a separate docket entry, responds to arguments raised in this docket to which UPS has not yet had any opportunity to respond.

Respectfully submitted,

UNITED PARCEL SERVICE, INC.,

By /s/ Steig D. Olson
Steig D. Olson
Quinn Emanuel Urquhart &
Sullivan, LLP
51 Madison Ave., 22nd Floor
New York, NY 10010
(212) 849-7152
steigolson@quinnemanuel.com

Attorney for UPS