

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

COMPETITIVE PRODUCT PRICES
FIRST-CLASS PACKAGE SERVICE CONTRACT 38
(MC2016-33)
NEGOTIATED SERVICE AGREEMENT

Docket No. CP2016-39

**USPS NOTICE OF AMENDMENT TO
FIRST-CLASS PACKAGE SERVICE CONTRACT 38,
FILED UNDER SEAL
(December 20, 2018)**

The Postal Service hereby provides notice that the terms of First-Class Package Service Contract 38, in the above-captioned proceeding, have changed as contemplated by the contract's terms. A redacted version of the amendment to First-Class Package Service Contract 38 is provided in Attachment A, and the unredacted amendment is being filed under seal. The amendment will become effective two business days following the day that the Commission completes its review of this filing.

This amendment will not materially affect the cost coverage of First-Class Package Service Contract 38. Therefore, the supporting financial documentation and financial certification initially provided in this docket remain applicable. The Postal Service hereby incorporates by reference the Application for Non-Public Treatment originally filed in this docket, for the protection of the information that has been filed under seal.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorney:

Elizabeth A. Reed

475 L'Enfant Plaza, SW
Washington, D.C. 20260-1137
(202) 268-3179
elizabeth.a.reed@usps.gov
December 20, 2018

ATTACHMENT A

REDACTED AMENDMENT TO FIRST-CLASS PACKAGE SERVICE CONTRACT 38

AMENDMENT #1
OF
SHIPPING SERVICES CONTRACT
BETWEEN
THE UNITED STATES POSTAL SERVICE
AND

REGARDING
FIRST-CLASS PACKAGE SERVICE

WHEREAS, the United States Postal Service (the "Postal Service") and [REDACTED] ("Customer") entered into a Shipping Services Contract, First-Class Package Service Contract 38/Docket No. CP2016-39 regarding First-Class Package Service on November 19, 2015.

WHEREAS, the Parties desire to amend the Contract to reflect the corporate name change of [REDACTED] to [REDACTED] and amending and restating the terms in Sections I.A and III of the Contract.

NOW, THEREFORE, the Parties agree that the contract is hereby amended as detailed below. The existing contract remains unchanged in all other respects. This amendment shall become effective two (2) business days following the day on which the Commission issues all necessary regulatory approval.

[Replace Sections I.A and III, as follows.]

I. Terms

- A. Except to the extent different terms or prices are specified in this Contract, applicable provisions of the Domestic Mail Manual (as may be regularly updated by the Postal Service and posted at http://pe.usps.com/text/dmm300/dmm300_landing.htm) and of other postal laws and standards, including USPS Publication 52 – *Hazardous, Restricted, and Perishable Mail*, apply to mail tendered under this Contract.

III. Expiration Date and Termination

This Contract shall expire on June 20, 2019, unless (1) terminated by either Party with thirty (30) calendar days' notice to the other Party in writing; (2) renewed by mutual agreement in writing; (3) superseded by a subsequent contract between the Parties; (4) ordered by the Commission or a court; or (5) required to comply with subsequently enacted legislation. The Postal Service may not terminate this Contract without cause with an effective date during the period October 1st through January 15th. Accordingly, in order for termination by the Postal Service to become effective before January 16th of any year, the Postal Service must exercise the termination right before September 1st of the preceding year.



If, at the conclusion of this Contract term, both Parties agree that preparation of a successor SSC is active, this SSC will be extended for up to two (2) ninety (90) calendar day periods with official notification to the Commission at least seven (7) calendar days prior to the Contract's expiration date. Upon both Parties agreement of the extension, the escalation clause will be implemented in Section I.G, throughout the extension period.

IN WITNESS WHEREOF, the Parties hereto have caused this amendment to be duly executed as of the later date below:

UNITED STATES POSTAL SERVICE

Signed by: DocuSigned by:
Dennis Nicoski _____
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Printed Name: Dennis Nicoski

Title: Senior Vice President, Sales and Customer Relations

Date: December 20, 2018

