

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

COMPLAINT OF RANDALL EHRLICH

Docket No. C2019-1

**UNITED STATES POSTAL SERVICE REPORT**  
**CONCERNING RATE OR SERVICE INQUIRY RESOLUTION STATUS**

(January 28, 2019)

Respondent, the United States Postal Service (“Postal Service”), hereby submits this status report pursuant to 39 C.F.R. § 3031.11(a) and Postal Regulatory Commission (“Commission”) Order No. 4924, in which the Commission ordered the Postal Service to provide a report within 45 days of the order concerning resolution of the inquiry, or its inability or refusal to reach resolution.

**PROCEDURAL BACKGROUND**

On November 2, 2018, Randall Ehrlich (“Complainant”) filed a complaint with the Commission.<sup>1</sup> The Complainant sought restoration of mail service to Complainant’s front door mailbox, severe discipline of three Postal Service employees, and damages, fees, and costs. Complainant claimed the Commission had jurisdiction to hear these claims pursuant to 39 U.S.C. § 3662(a) and 39 U.S.C. § 403(c). On November 23, 2018, pursuant to 39 C.F.R. § 3030.12(b), the Postal Service submitted a Motion to Dismiss the Complaint with Prejudice (“Motion”) for failure to state a claim upon which

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<sup>1</sup> Complaint of Randall Ehrlich (“Complaint”), Docket No. C2019-1, (Nov. 2, 2018).

relief may be granted or, in the alternative, that the Commission refer the Complaint to the rate or service inquiry process as the Complaint failed to satisfy any of the criteria in 39 C.F.R. § 3030.13.

On Dec. 7, 2018, Complainant filed Complainant's Response to USPS's Motion to Dismiss. On December 12, 2018, the Commission issued Order No. 4924 granting the Postal Service's Motion to Dismiss. The Commission concluded the Complaint should be dismissed for lack of jurisdiction and failure to state a claim. The Commission granted the Motion in part and dismissed the Complaint without prejudice. It concluded that "a reasonable likelihood exists that rate or service inquiry procedures may result in a resolution of the Complaint" and referred the matter to the Postal Service as a rate or service inquiry pursuant to 39 C.F.R. § 3031.11.

#### **RESOLUTION STATUS**

As directed in Order No. 4924, wherein the PRC referred the complaint to the Postal Service for treatment as a rate or service inquiry in accordance with the procedures set forth in 39 C.F.R. § 3031.11, Postal Service counsel contacted Complainant's counsel, Mr. Adam Karp, Esq. on January 9, 2019 to schedule a teleconference to discuss the relief Mr. Ehrlich is seeking to resolve this matter. On January 10, 2019, the parties' respective counsel discussed potential options to resolve the matter, but no definitive resolution was achieved. Complainant's counsel has expressed interest in continuing settlement discussions. The Postal Service remains receptive to considering any counter-offer or additional discussions by Complainant to resolve this matter under the applicable rate or service inquiry procedures detailed in 39 C.F.R. § 3031.11 as directed in Order No. 4924.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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