

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

Before Commissioners:

Robert G. Taub, Chairman;
Michael Kubayanda, Vice Chairman;
Mark Acton;
Ann C. Fisher; and
Ashley E. Poling

Regulations Pertaining to 39 U.S.C. § 601

Docket No. RM2020-4

ORDER DENYING MOTION TO EXTEND COMMENT DEADLINE

(Issued April 2, 2020)

On March 23, 2020, the Association for Postal Commerce (PostCom) filed a motion to extend the comment deadline and to hold this docket in abeyance indefinitely due to the national public health emergency.¹ PostCom states that industry resources are fully occupied addressing concerns arising from the pandemic and cannot be diverted to develop meaningful comments in this docket. Motion at 1. Noting that preliminary indications show the lack of Commission rules implementing Section 601 has not caused significant confusion in the marketplace, PostCom asserts that there is no immediate need for the Commission to issue rules to clarify the requirements of Section 601. *Id.* at 2. In addition, PostCom states that the pandemic is radically

¹ Motion of the Association for Postal Commerce to Extend Comment Deadline, March 23, 2020 (Motion).

impacting social, economic, technological, and other trends and any input the Commission receives will be outdated. *Id.* at 3. Thus, PostCom requests that the Commission place this docket in abeyance until the impact of the pandemic can be assessed. *Id.*

The Postal Service filed a response in support of the Motion on March 30, 2020.² In particular, the Postal Service agrees with PostCom's characterization that this proceeding is a non-essential matter. Response at 1. The Postal Service states that there is nothing suggesting that any regulations are necessary to carry out Section 601 at this time. *Id.* at 2. The Postal Service also states that the advance notice proposes inquiry on potential areas for statutory revision, and suggests these subjects could be explored in a public inquiry instead. *Id.*

The Commission finds it unnecessary to extend the comment deadline or to hold this docket in abeyance indefinitely. This proceeding is in its early stages. Currently, the Commission is seeking input as it considers developing rules to implement Section 601.³ The Commission has not proposed any rules, and interested persons will have the opportunity to submit comments again during the proposed rulemaking phase, if the Commission proposes rules necessary to carry out the requirements of Section 601. Therefore, the Motion is denied.⁴

² Response of the United States Postal Service to Motion of the Association for Postal Commerce, March 30, 2020 (Response).

³ See Advance Notice of Proposed Rulemaking to Consider Regulations to Carry Out the Statutory Requirements of 39 U.S.C. 601, February 7, 2020, at 7 (Order No. 5422).

⁴ The Commission will consider the substantive issues raised by both PostCom and the Postal Service in their motion papers as it reviews comments regarding Order No. 5422.

It is ordered:

The Motion of the Association for Postal Commerce to Extend Comment
Deadline, filed March 23, 2020, is denied.

By the Commission.

Erica A. Barker
Secretary