

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

Competitive Product Prices
Priority Mail Contract 203 (MC2016-110)
Negotiated Service Agreements

Docket No. CP2016-138

ORDER APPROVING AMENDMENT SIX TO
PRIORITY MAIL NEGOTIATED SERVICE AGREEMENT

(Issued July 17, 2020)

I. INTRODUCTION

The Postal Service seeks to amend a Priority Mail negotiated service agreement.¹ For the reasons discussed below, the Commission approves the Amendment.

¹ USPS Notice of Amendment to Priority Mail Contract 203, Filed Under Seal, July 16, 2020 (Notice). The amendment is an attachment to the Notice (Amendment).

In Order No. 3221, the Commission approved the Priority Mail Contract 203 negotiated service agreement (Existing Agreement).² On July 16, 2020, the Postal Service filed notice that it has agreed to the Amendment to the Existing Agreement.

The Postal Service intends for the Amendment to become effective three business days after the date that the Commission completes its review of the Notice. Notice at 1.

II. COMMISSION ANALYSIS

The Commission has reviewed the Notice and the accompanying materials filed under seal.

Cost considerations. The Commission reviews competitive product prices to ensure that each product covers its attributable costs, does not cause market dominant products to subsidize competitive products, and contributes to the Postal Service's institutional costs. 39 U.S.C. § 3633(a); 39 C.F.R. §§ 3035.105 and 3035.107. As long as the revenue generated by the product exceeds its attributable costs, the product is unlikely to reduce the contribution of competitive products as a whole or to adversely affect the ability of competitive products as a whole to contribute an appropriate share of institutional costs. In other words, if a product covers its attributable costs, it is likely to comply with 39 U.S.C. § 3633(a).

The Existing Agreement is set to expire July 31, 2020. Order No. 5480 at 3. The Amendment revises the expiration date of the contract to October 31, 2020. Notice, Attachment A at 1.

The Amendment does not materially affect the underlying financial analysis of the Existing Agreement. Thus, the Commission finds that the Existing Agreement, as

² See Docket Nos. MC2016-110 and CP2016-138, Order Adding Priority Mail Contract 203 to the Competitive Product List, April 7, 2016 (Order No. 3221). The contract has been amended several times to extend the expiration date. The most recent amendment was approved on April 17, 2020. See Order Approving Amendment Five to Priority Mail Negotiated Service Agreement, April 17, 2020 (Order No. 5480).

amended, comports with the provisions applicable to rates for competitive products in 39 U.S.C. § 3633(a) and 39 C.F.R. § 3035.107.

Other considerations. The Postal Service states that the Amendment shall become effective three business days after the date that the Commission completes its review. Notice at 1. The Existing Agreement, as amended, is set to expire October 31, 2020. Notice, Attachment A at 1.

If the Existing Agreement, as amended, is terminated prior to the scheduled expiration date, the Postal Service shall promptly notify the Commission.

In conclusion, the Commission approves the Existing Agreement, as amended.

III. ORDERING PARAGRAPHS

It is ordered:

1. The Commission approves the Priority Mail Contract 203 negotiated service agreement, as amended.
2. The Postal Service shall notify the Commission if the Existing Agreement, as amended, terminates prior to the revised expiration date, October 31, 2020.

By the Commission.

Erica A. Barker
Secretary