

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

Annual Compliance Report, 2019

Docket No. ACR2019

ORDER GRANTING MOTION FOR INFORMATION REQUEST

(Issued September 3, 2020)

I. INTRODUCTION

This Order considers the Motion filed by Steve Hutkins seeking that the Commission issue an information request to the Postal Service regarding weekly service performance reports and the response filed by the Postal Service in opposition.<sup>1</sup> For the reasons discussed below, the Motion is granted and Commission Information Request No. 3 shall issue regarding the Postal Service's Market Dominant weekly service performance results for the period of June 1, 2020, through September 4, 2020, and the corresponding period of Fiscal Year (FY) 2019.

II. MOTION

Mr. Hutkins asks for the issuance of an information request to the Postal Service for weekly service performance reports since June 1, 2020. See Motion at 1. He

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<sup>1</sup> Motion for Issuance of Information Request No. 3 - Steve Hutkins, August 21, 2020 (Motion); Response of the United States Postal Service to Steve Hutkins' Motion for Issuance of Information Request No. 3, August 28, 2020 (Response).

observes that the Postal Service's usual filing of service performance data on a quarterly basis and in the annual compliance report is sufficient to satisfy legal requirements normally. See *id.* at 2. Acknowledging that service performance results generally did not change significantly from week-to-week in prior years, he asserts that recent service performance may be degrading rapidly and severely. See *id.* at 2-4. He references the Postmaster General's acknowledgement that "[u]nfortunately, this transformative initiative [increasing the number of on-time departures of trips to transport mail] has had unintended consequences that impacted our overall service levels."<sup>2</sup> Mr. Hutkins also contends that publicly available weekly service performance results from two Postal Service administrative Areas<sup>3</sup> illustrate that since July 2020, service performance results are below target and are lower than the corresponding results from the same period last year and from June 2020.<sup>4</sup> He asserts that the decline may reflect the impact of recent operational changes undertaken by the Postal Service. See Motion at 4. He contends that the severity of the decline and its potential nationwide extent raises concerns regarding a potential change in service standards, a potential decrease in the value of the mail, and the potential impact on election mail. See *id.*

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<sup>2</sup> Motion at 2 (quoting United States Postal Service, *Daily News: August 14, 2020, Path Forward – PMG Addresses Restructuring*, available at: <https://link.usps.com/2020/08/14/>).

<sup>3</sup> For traditional administration purposes, the Postal Service subdivides the nation into seven geographic areas and 67 districts. Docket No. ACR2019, Annual Compliance Determination, March 25, 2020, at 106 (FY 2019 ACD).

<sup>4</sup> See Motion at 2-4 (citing United States Postal Service, *Eastern Area AIM Meeting - Service Update*, August 4, 2020, at 2-7, available at: <https://postalpro.usps.com/node/8407>, posted August 5, 2020; United States Postal Service, *Pacific Area AIM Meeting Presentation*, August 13, 2020, at 26-29, available at: <https://postalpro.usps.com/node/8472>, posted August 17, 2020). Although the accompanying audio recording for both presentations is password-restricted, the Postal Service has posted the passwords publicly at: <https://postalpro.usps.com/industry-focus-groups>.

Noting that the next set of service performance results is scheduled to be filed in November 2020 and would display results on a quarterly basis,<sup>5</sup> he asserts that the filing of weekly results as soon as possible would benefit the Commission, mailers, and the public. *See id.* at 4-5. He observes that the Commission has requested information from the Postal Service outside the annual compliance review timeframe previously. *See id.* at 5. He also asserts that providing the information would not burden the Postal Service because it already has access to the underlying data and has generated similar reports. *See id.* He emphasizes that his request for weekly service performance results is on a one-time basis only. *See id.* Finally, he suggests that the information be formatted to correspond with prior Postal Service reports to enable comparisons.<sup>6</sup>

Jonathan Wallace filed to express his support for the Motion and its reasoning.<sup>7</sup>

### III. RESPONSE

The Postal Service raises three points in opposition to the Motion. First, observing that the Commission has already issued the FY 2019 Annual Compliance Determination (ACD), the Postal Service asserts that the Motion must be denied in order to avoid conflicting with the language of 39 C.F.R. § 3010.170(e). *See Response* at 1-2. Second, noting that Docket No. ACR2019 was initiated for review of activity during FY 2019, the Postal Service asserts that the Motion improperly seeks FY 2020 data. *See id.* at 2. Third, stating that the established rules governing the timeframe for quarterly periodic service reporting allow the Postal Service to ensure data accuracy,

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<sup>5</sup> The FY 2020 Quarter 4 report would display service performance results for the period of July 1, 2020, through September 30, 2020.

<sup>6</sup> *See id.* at 5. Prior quarterly service performance results are publicly available through the Commission's website at: <https://www.prc.gov/dockets/quarterly-performance>.

<sup>7</sup> Response to Motion by Steve Hutkins for Issuance of Information Request No. 3 - Jonathan Wallace, August 28, 2020.

the Postal Service asserts that reporting data measured on a weekly basis is unnecessary for the Commission to fulfill its statutory responsibilities. *See id.* at 3.

#### IV. COMMISSION ANALYSIS

In informal rulemaking (notice-and-comment) proceedings before the Commission such as Docket No. ACR2019, the practice for obtaining information is by means of an informal mechanism known as an information request rather than the more formal discovery mechanisms used in traditional litigation, such as depositions, requests for admissions, interrogatories, and requests for production. The Commission, the Chairman of the Commission, or a presiding officer has discretion to issue an information request “to obtain information that is likely to materially assist the Commission in the conduct of its proceedings, in the preparation of its reports, or in the performance of its functions under title 39 of the United States Code.” 39 C.F.R. § 3010.170(a). The Commission’s rules provide a process by which any person may request the issuance of an information request.<sup>8</sup> Section 3010.170(e) provides:

Any person may request the issuance of an information request by motion. The motion shall list the information, documents, or things sought; shall explain the reasons the information request should be issued; and shall demonstrate why the information sought is relevant and material to the Commission's duties under title 39 of the United States Code. Upon consideration of the motion and any responses, the Commission, the Chairman of the Commission, or presiding officer may issue an information request that includes some or all of the proposed questions or modified versions of some or all of the proposed questions. Motions that do not result in the issuance of an information request prior to the Commission's final decision in the docket shall be deemed denied.

39 C.F.R. § 3010.170(e).

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<sup>8</sup> Rather than allow a person to directly propound an information request on another person directly, the Commission, Chairman of the Commission, or a presiding officer acts as a gatekeeper to resolve concerns such as burden, duplication, relevance, and/or confidentiality. *See* Docket No. RM2008-1, Second Notice of Proposed Rulemaking to Establish a Procedure for According Appropriate Confidentiality, March 20, 2009, at 14 (Order No. 194). The Response raises none of these concerns. The Commission does not interpret the Motion to seek information that is related to Competitive products, and Commission Information Request No. 3 will not seek such information.

The Commission finds that the information sought by the Motion is relevant and likely to materially assist the Commission in the conduct of the Annual Compliance Review proceeding, in the preparation of its ACD, and in the performance of its functions under title 39 of the United States Code. See *id.* § 3010.170(a) and (e). The relevance and materiality of the information sought are particularly apparent in light of service performance issues, which are not isolated to a particular fiscal year and have prompted the Commission to obtain information from the Postal Service outside the usual 90-day annual compliance review timeframe in a number of past proceedings.<sup>9</sup> In FYs 2015-2019, all First-Class Mail and Periodicals products were below their applicable on-time percentage targets.<sup>10</sup> Moreover, in FYs 2015-2019, other Market Dominant products were also below their applicable on-time percentage targets.<sup>11</sup>

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<sup>9</sup> See, e.g., FY 2019 ACD at 119-121, (directing the Postal Service to provide information and data relating to FY 2020 Quarters 1 and 2 service performance within 90 days); Docket No. ACR2018, Annual Compliance Determination, April 12, 2019, at 174-176 (FY 2018 ACD) (directing the Postal Service to provide information and data relating to FY 2019 Quarters 1 and 2 service performance within 90 days); Docket No. ACR2017, Annual Compliance Determination, March 29, 2018, at 147-149 (FY 2017 ACD) (directing the Postal Service to provide information and data relating to FY 2018 Quarters 1 and 2 service performance within 90 days); Docket No. ACR2016, Annual Compliance Determination, March 28, 2017, at 133-135 (FY 2016 ACD) (directing the Postal Service to provide information and data relating to FY 2017 Quarters 1 and 2 service performance within 90 days); Docket No. ACR2015, Chairman's Information Request No. 22, November 1, 2016 (asking the Postal Service to identify its thresholds for determining that particular service performance failure(s) occurred and the corrective actions taken in response to falling below a performance threshold within 14 days); Docket No. ACR2015, Annual Compliance Determination, March 28, 2016, at 138 (FY 2015 ACD) (directing the Postal Service to "provide a detailed, comprehensive plan to improve service performance for First-Class Mail Single-Piece Letters/Postcards within 90 days").

<sup>10</sup> See, e.g., FY 2019 ACD at 92; FY 2018 ACD at 128; FY 2017 ACD at 97; FY 2016 ACD at 91; FY 2015 ACD at 95.

<sup>11</sup> See, e.g., FY 2019 ACD at 92 (determining that five USPS Marketing Mail products, two Package Services products, and one Special Services product did not meet their applicable service performance targets); FY 2018 ACD at 128 (determining that five USPS Marketing Mail products, two Package Services products, and one Special Services product did not meet their applicable service performance targets); FY 2017 ACD at 97 (determining that three USPS Marketing Mail products, one Package Services product, and one Special Services product did not meet their applicable service performance targets); FY 2016 ACD at 91 (determining that five Standard Mail products, one Package Services product, and one Special Services product did not meet their applicable service performance targets); FY 2015 ACD at 95 (determining that five Standard Mail products, one Package Services product, and one Special Services product did not meet their applicable service performance targets).

Given this history, the Commission has monitored service performance results and focused on encouraging the Postal Service to collect data in a consistent manner that would help to ascertain which Postal Service actions contribute to improving service performance results and the relative significance of those actions. See FY 2019 ACD at 101. In prior years, the Postal Service has filed supplemental service performance data and information prior to the filing of the applicable annual compliance report, which facilitates the conduct of the Annual Compliance Review proceeding.<sup>12</sup> This practice has continued in Docket No. ACR2019; in June 2020, the Postal Service filed supplemental information and data relating to FY 2020 Quarters 1 and 2 service performance at the direction of the Commission.<sup>13</sup>

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<sup>12</sup> See, e.g., Docket No. ACR2018, First Response of the United States Postal Service to Commission Requests for Additional Information in the FY 2018 Annual Compliance Determination, July 11, 2019 (providing information and data relating to FY 2019 Quarters 1 and 2 service performance); Docket No. ACR2017, Second Response of the United States Postal Service to Commission Requests for Additional Information in the FY 2017 Annual Compliance Determination, June 27, 2018 (providing information and data relating to FY 2018 Quarters 1 and 2 service performance); Docket No. ACR2016, Second Response of the United States Postal Service to Commission Requests for Additional Information in the FY 2016 Annual Compliance Determination, June 26, 2017 (Docket No. ACR2016, Second Response) (providing information and data relating to FY 2017 Quarters 1 and 2 service performance); Docket No. ACR2015, Responses of the United States Postal Service to Questions 1-20 of Chairman's Information Request No. 22, November 15, 2016 (identifying FY 2016 Postal Service thresholds for determining that particular service performance failure(s) occurred and the corrective actions taken in response to falling below a performance threshold); Docket No. ACR2015, Second Response of the United States Postal Service to Commission Requests for Additional Information in the FY 2015 Annual Compliance Determination, June 27, 2016, Service Improvement Plan (Docket No. ACR2015, Service Improvement Plan) (describing the Postal Service's FY 2016 service performance efforts).

Data have also been obtained outside the usual 90-day timeframe relating to other issues that are not isolated to a particular fiscal year, such as cost and service issues related to flat-shaped mailpieces. See, e.g., Docket No. ACR2015, Response of the United States Postal Service to Commission Information Request No. 1, November 28, 2016 (providing data and information related to six operational pinch points).

<sup>13</sup> See Second Response of the United States Postal Service to Commission Requests for Additional Information in the FY 2019 Annual Compliance Determination, June 23, 2020 (providing information and data relating to FY 2020 Quarters 1 and 2 service performance); Supplement to Second Response of the United States Postal Service to Commission Requests for Additional Information in the FY 2019 Annual Compliance Determination, June 26, 2020 (providing supplemental information and data relating to FY 2020 Quarters 1 and 2 service performance).

Additionally, on August 25, 2020, the Postal Service filed its response to Commission Information Request No. 2, which provided the supplemental information requested by the Commission regarding the

The Commission acknowledges that the reporting requirements do not seek service performance results on a weekly basis normally. See 39 C.F.R. part 3055. While failing to meet the applicable service performance target on a particular week is not solely determinative of whether the Postal Service met any service standard in effect during an applicable fiscal year,<sup>14</sup> the information sought is relevant to the nature and scope of the potential remedial action ordered by the Commission. See 39 U.S.C. §§ 3653(c), 3662(c)-(d). In some instances, supplemental data measured on a weekly basis has been provided by the Postal Service without objection.<sup>15</sup> The Commission evaluates the Postal Service's continuing efforts to remediate service performance issues and the Postal Service's compliance with filing supplemental information requested by the Commission that promotes transparency and accountability for the Postal Service's service performance and its improvement initiatives. See FY 2019 ACD at 118. The transit initiative described in the Motion is particularly relevant to the nature and scope of the appropriate remedy for service performance noncompliance observed in FY 2019 because the Commission examined the Postal Service's past

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Postal Service's FY 2020 actions to resolve post office suspensions (another issue spanning multiple fiscal years). See Response of the United States Postal Service to Question 1 of Commission Information Request No. 2, August 25, 2020.

<sup>14</sup> Compliance is measured at the product level on a nationwide basis for the applicable fiscal year under review. See *Am. Postal Workers Union, AFL-CIO v. Postal Reg. Comm'n*, 842 F.3d 711, 718 (D.C. Cir. 2016) (upholding Commission's measure of compliance for each fiscal year on an aggregate basis rather than envelope-by-envelope basis).

<sup>15</sup> See, e.g., Docket No. ACR2015, Service Improvement Plan at 15 (comparing the volume of First-Class Mail delayed weekly from October 1, 2015, through May 12, 2016, to the volume of First-Class Mail delayed at the same time during the previous fiscal year); Docket No. ACR2016, Responses of the United States Postal Service to Questions 1-5 and 7-21 of Chairman's Information Request No. 1, January 10, 2017, questions 10.a and 10.b (comparing the national and Area-level volumes of First-Class Mail delayed weekly from October 1, 2014, through September 30, 2016, to the volume of First-Class Mail delayed at the same time during the previous fiscal year); Docket No. ACR2016, Responses of the United States Postal Service to Questions 1-15 of Chairman's Information Request No. 13, February 10, 2017, question 3, Excel file "ChIR.13.Q3.FCM Delays FY15-FY16.xlsx" (providing the same data in Excel format); Docket No. ACR2016, Second Response, Excel file "ACD.FCM.FY17Q1Q2.pub.xlsx," tab "Q4d" (comparing the national- and Area-level volumes of First-Class Mail delayed weekly from October 1, 2016, through September 30, 2017, to the volume of First-Class Mail delayed at the same time during the previous fiscal year).

initiatives to identify and abate transit failures and directed the Postal Service to provide supplemental information regarding the efficacy of its FY 2020 transit improvement efforts and operational initiatives. See *id.* at 109-112, 119-121.

Moreover, the Postal Service's voluntary and timely production of service performance data and information is illustrative of its good faith in remediating issues related to service performance and efforts to comply with the Commission's remedial directives.<sup>16</sup> Because the Motion seeks information that would enable trend analysis (see Motion at 5), the Commission finds that weekly results for the corresponding period of FY 2019 would also be both relevant and likely to materially assist the Commission in fulfilling its duties under title 39 of the United States Code.<sup>17</sup> Accordingly, the Motion is granted because it satisfies the standard governing issuance of an information request.

Below, the Commission addresses the three arguments raised by the Postal Service opposing the Motion.

First, the Postal Service argues that any motion for information requests filed in Docket No. ACR2019 after the issuance of the FY 2019 ACD must be summarily denied. See Response at 1-2. In making this argument, the Postal Service relies on the excerpt that "motions for information requests that do not result in the issuance of an information request prior to the Commission's final decision in the docket shall be deemed denied." *Id.* at 1 (quoting 39 C.F.R. § 3010.170(e)) (internal marks omitted).

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<sup>16</sup> See, e.g., FY 2019 ACD at 118; FY 2018 ACD at 173. Furthermore, the information sought is likely to materially assist the Commission in evaluating the Postal Service's compliance with statutory and regulatory requirements. See, e.g., 39 U.S.C. § 3661(b) (requiring the Postal Service to "submit a proposal [to change the nature of postal services that will generally affect service on a nationwide or substantially nationwide basis], within a reasonable time prior to the effective date of such proposal, to the Postal Regulatory Commission requesting an advisory opinion on the change."); 39 C.F.R. § 3020.112 (requiring the Postal Service to file notice of any changes to the nature of postal services that will generally affect service on a nationwide or substantially nationwide basis at least 90 days in advance); 39 C.F.R. § 3055.5 (requiring the Postal Service to file notice of any changes to service standards at least 30 days in advance).

<sup>17</sup> As the Commission has previously observed, "[t]he best indicator of improvement (or decline) in service performance is to compare service performance results from one period to the same period in the prior fiscal year." FY 2019 ACD at 117.

However, this interpretation misconstrues the operation of the excerpt in context and as applied to the circumstances underlying this Motion.

It is important to acknowledge that information requests are an informal mechanism to obtain information and are issued at the discretion of the Commission, the Chairman of the Commission, or a presiding officer. 39 C.F.R. § 3010.170(a), (e). This gatekeeping role often involves the exercise of discretion regarding whether and when to ask a proposed question and how to phrase that question in a manner that is proportional and appropriate to the proceeding. This discretion is exercised for a number of reasons, including to prevent irrelevant questions, reduce duplication, minimize the administrative burden imposed on the respondent, enhance consistency or clarity, mitigate against the need to issue an information request under seal, and avoid the appearance of an assumption being drawn from facts not already established. This informal practice has not always resulted in the issuance of a formal order or ruling granting or denying a motion.<sup>18</sup> Therefore, in context, the excerpt serves to amplify the information provided in the preceding sentence concerning the status of a proposed question(s) that has not been issued as phrased and for which no formal order or ruling states the precise reason for exercising discretion not to ask a proposed question(s).

The excerpted text also presumes to apply to a motion for information request filed before the issuance of the final decision (rather than the instant Motion, which was filed after the issuance of the FY 2019 ACD). The text of 39 C.F.R. § 3010.170 does

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<sup>18</sup> For instance, in Docket No. RM2020-7, the Public Representative filed three unopposed motions proposing multiple questions, some of which were incorporated into information requests with modifications to the phrasing whereas other proposed questions were not issued and thereby effectively denied on July 9, 2020, in accordance with the operation of 39 C.F.R. § 3010.170(e). See Docket No. RM2020-7, Order on Analytical Principles Used in Periodic Reporting (Proposal Two), July 9, 2020 (Order No. 5583); Docket No. RM2020-7, Public Representative Motion for Issuance of Information Request, April 16, 2020; Docket No. RM2020-7, Public Representative Second Motion for Issuance of Information Request, April 24, 2020; Docket No. RM2020-7, Public Representative Third Motion for Issuance of Information Request, May 4, 2020; Docket No. RM2020-7, Chairman's Information Request No. 2, April 21, 2020; Docket No. RM2020-7, Chairman's Information Request No. 3, April 28, 2020; Docket No. RM2020-7, Chairman's Information Request No. 4, May 12, 2020.

not prohibit the issuance of an information request or the filing of a motion for an information request during any particular time period. Had the Commission intended to impose such a procedural bar to filing a motion to seek informal discovery, it would have done so explicitly. Instead, the standard for issuance of an information request is substantive in nature: whether the information sought “is likely to materially assist the Commission in the conduct of its proceedings, in the preparation of its reports, or in the performance of its functions under title 39 of the United States Code.” 39 C.F.R. § 3010.170(a). Similarly, the movant’s burden is to “demonstrate why the information sought is relevant and material to the Commission’s duties under title 39 of the United States Code.” *Id.* § 3010.170(e). Therefore, issuance of a final decision is pertinent to the considerations for resolving a motion for an information request insofar as it would affect the relevance and materiality of the information sought. *See id.* § 3010.170(a), (e). As a matter of process, the gatekeeping role of the Commission, the Chairman of the Commission, or the presiding officer ensures that such considerations are appropriately weighed on a case-by-case basis. Application of this standard to the circumstances does not require the denial of the Motion. After the issuance of the final decision or report in a particular docket, the Commission may continue to monitor the underlying circumstances, as appropriate. This is particularly applicable to the Commission’s finding of noncompliance related to service performance issues in the FY 2019 ACD and the corresponding monitoring of the efficacy of the Postal Service’s remedial efforts in FY 2020. *See* FY 2019 ACD at 119.

Second, the Postal Service asserts that FY 2020 service performance data go beyond the scope of Docket No. ACR2019. Response at 2. The Postal Service adds that “allow[ing] the ACR docket to become some sort of standing docket for consideration of new matters would be contrary to statutory intent, which was to provide the public with the opportunity to participate in a fixed, time-limited period of review of the prior fiscal year’s performance data.” *Id.* at 2 (citing 39 U.S.C. § 3652). However, this argument misconstrues the scope of the request and fails to acknowledge the relevance and materiality of the information sought to the annual compliance review process. The Motion does not make a continuing request for weekly service performance results; rather, the request for results disaggregated more finely than the regular quarterly reporting is limited to the specific time period and circumstances giving rise to the underlying concern. See Motion at 2-5. As detailed above, the information sought is relevant and likely to materially assist the Commission in evaluating the Postal Service’s efforts to remediate the Commission’s past findings of noncompliance related to service performance. Consistent with granting this Motion and past practice, the Commission, the Chairman of the Commission, or the presiding officer will continue to act as a gatekeeper to safeguard against motions that seek irrelevant information. Granting this Motion does not open the floodgates to irrelevant information requests.

Moreover, the Postal Service does not raise any concern that providing the information would unduly burden the Postal Service. See *id.* at 5. The scope of the information sought by the Motion is appropriately limited to information that is in the Postal Service’s possession or control, or can be obtained by the Postal Service through reasonable effort and expense. See 39 C.F.R. § 3010.170(b)(1). Further, the provision of data measured on a weekly basis is not duplicative of data measured on a quarterly basis because the Motion alleges that the unique circumstances at issue warrant examination of whether results have declined rapidly and severely over a relatively short period of time that may be masked by the established quarterly reporting timeframes. See Motion at 2-4. Additionally, it is worth noting that in response to recent

Congressional hearings, the Postal Service has already made publicly available weekly service performance data that include the timeframe sought in the Motion.<sup>19</sup>

Third, the Postal Service argues that the established quarterly reporting is sufficient for the Commission to fulfill its statutory responsibilities and that the information sought is unnecessary. See Response at 2-3. Additionally, the Postal Service describes how the quarterly reporting timeframe facilitates the provision of accurate data. See *id.* at 3. However, the Postal Service does not dispute that the information sought is relevant and likely to materially assist the Commission in the performance of its statutory responsibilities. See 39 C.F.R. § 3010.170(a), (e). Additionally, as described above, the Postal Service routinely provides supplemental information to the Commission outside the usual 90-day annual compliance review timeframe, notwithstanding established service performance reporting timeframes. Moreover, while describing the benefits of the established quarterly reporting timeframe to promoting data accuracy, the Postal Service does not assert that it would be unable to provide the information with a reasonable degree of accuracy. The Commission understands that data accuracy issues can occur notwithstanding best efforts and reminds the Postal Service that it can continue to employ the usual method of filing an errata to correct filings, if necessary.

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<sup>19</sup> United States Postal Service, *National News: Service Performance Rebounds at Postal Service*, posted August 31, 2020, available at: <https://about.usps.com/newsroom/national-releases/2020/0831-service-performance-rebounds-at-postal-service.htm> (“The Postal Service has also committed to providing weekly service performance updates throughout the election season and the remainder of 2020.”). By way of explanation, these data are not the product-level results used to measure compliance in the ACD. While the Response does not address the Motion’s allegations regarding a decline, the Postal Service has stated that its weekly service performance reports illustrate that after experiencing service performance declines in late July and early August 2020, a rebound to prior levels of service was observed throughout the remaining weeks of August 2020. See *id.*

Accordingly, none of the arguments raised by the Postal Service are sufficient to justify denial of the Motion. Therefore, the Motion is granted and Commission Information Request No. 3 shall issue.<sup>20</sup>

#### V. ORDERING PARAGRAPHS

*It is ordered:*

1. Steve Hutkins Motion for Information Request No. 3 is granted.
2. Commission Information Request No. 3 shall issue.
3. The Request for the Initiation of a Public Inquiry Proceeding into USPS Service Performance Since June 2020 is denied.

By the Commission.

Erica A. Barker  
Secretary

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<sup>20</sup> Accordingly, Mr. Hutkins' subsequent request to initiate a separate public inquiry into service performance as an alternative form of relief is unnecessary and therefore denied. See Request for the Initiation of a Public Inquiry Proceeding into USPS Service Performance Since June 2020, September 1, 2020 (Request).