

Before the  
Postal Regulatory Commission  
Washington, D.C. 20268-0001

Public Inquiry on Regulations  
Pertaining to 39 U.S.C. § 601

Docket No. PI2021-2

Comments of the Lexington Institute  
(August 26, 2021)

The Lexington Institute appreciates the opportunity to comment about regulations being considered for Section 601, which describes instances when letters may be carried out of the mail, or when the letter monopoly does not apply to a mailpiece.

It is important to view this discussion in the broader context of recent trends in mail delivery, i.e., slowing service, and the U.S. Postal Service's (USPS's) increased emphasis on package delivery as discussed in its 10-year strategic plan and elsewhere.

It is distressing that USPS is placing so little emphasis on assessing and evaluating ways to slow the decline in mail volumes, particularly as first-class mail remains its most profitable product. Hopefully that will change soon, and USPS will aggressively search for, and announce, ways to speed mail delivery.

As such, it is especially important that any new regulations pertaining to Section 601 not impede ways in which mail can be delivered quicker, and through alternate means.

The statute language in Section 601 is straight-forward. Unlike many USPS postal regulations and other correspondence, Section 601 is written in plain English and its provisions are clear and understandable.

As such, the USPS regulations administering current Sections 601(a), 601(b)(1), and 601(b)(2) should not be adopted by Postal Regulatory Commission.

USPS should have maximum flexibility for delivering the mail, that is letters. This is its unique, public service mission. Under the broader criteria of Title 39, it can find ways to work with private parties to improve mail delivery and should be able to do so.

Furthermore, new regulations always run the risk of imposing unintended consequences, no matter how thoroughly researched and well written. With USPS already facing service challenges and slower delivery standards set to take effect on October 1, adding further change and complexity could further slow deliveries.

In addition, it is not necessary for the Postal Regulatory Commission to clarify the statutory exemptions regarding the letter monopoly. Rather, the Commission should continue to emphasize the need for USPS's Universal Service Obligation to be defined, and the annual costs determined.

In sum, there is no clear and compelling need, for either USPS or its customers, for additional regulations pertaining to this docket.

Thank you for your consideration.

Respectfully,

*/s/ Paul F. Steidler*

Paul F. Steidler

Senior Fellow -- Lexington Institute

[steidler@lexingtoninstitute.org](mailto:steidler@lexingtoninstitute.org)

703-522-5828 (office)

703-217-9452 (mobile)