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

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contracts
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contract 21

Docket No. MC2022-107

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contract 21 (MC2022-107)
Negotiated Service Agreements

Docket No. CP2022-111

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contracts
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contract 22

Docket No. MC2022-108

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contract 22 (MC2022-108)
Negotiated Service Agreements

Docket No. CP2022-112

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contracts
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contract 23

Docket No. MC2022-109
Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 23 (MC2022-109) Negotiated Service Agreements

Docket No. CP2022-113

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contracts
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 24

Docket No. MC2022-110

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 24 (MC2022-110) Negotiated Service Agreements

Docket No. CP2022-114

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contracts
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 25

Docket No. MC2022-111

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 25 (MC2022-111) Negotiated Service Agreements

Docket No. CP2022-115

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contracts
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 26

Docket No. MC2022-112

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 26 (MC2022-112) Negotiated Service Agreements

Docket No. CP2022-116
Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contracts
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contract 27

Docket No. MC2022-113

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contract 27 (MC2022-113)
Negotiated Service Agreements

Docket No. CP2022-117

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contracts
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contract 28

Docket No. MC2022-114

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contract 28 (MC2022-114)
Negotiated Service Agreements

Docket No. CP2022-118

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contracts
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contract 29

Docket No. MC2022-115

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contract 29 (MC2022-115)
Negotiated Service Agreements

Docket No. CP2022-119

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contracts
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contract 30

Docket No. MC2022-116
Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contract 30 (MC2022-116)
Negotiated Service Agreements

Docket No. CP2022-120

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contracts
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contract 31

Docket No. MC2022-117

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contract 31 (MC2022-117)
Negotiated Service Agreements

Docket No. CP2022-121

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contracts
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contract 32

Docket No. MC2022-118

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contract 32 (MC2022-118)
Negotiated Service Agreements

Docket No. CP2022-122

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contracts
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contract 33

Docket No. MC2022-120

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package
Service & Parcel Select Contract 33 (MC2022-120)
Negotiated Service Agreements

Docket No. CP2022-124
Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contracts
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 34

Docket No. MC2022-121

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 34 (MC2022-121)
Negotiated Service Agreements

Docket No. CP2022-125

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contracts
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 35

Docket No. MC2022-122

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 35 (MC2022-122)
Negotiated Service Agreements

Docket No. CP2022-126

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contracts
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 36

Docket No. MC2022-123

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 36 (MC2022-123)
Negotiated Service Agreements

Docket No. CP2022-127

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contracts
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 37

Docket No. MC2022-124
Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 37 (MC2022-124)
Negotiated Service Agreements

Docket No. CP2022-128

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contracts
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 38

Docket No. MC2022-125

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 38 (MC2022-125)
Negotiated Service Agreements

Docket No. CP2022-129

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contracts
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 39

Docket No. MC2022-126

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 39 (MC2022-126)
Negotiated Service Agreements

Docket No. CP2022-130

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contracts
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 40

Docket No. MC2022-127

Competitive Product Prices
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 40 (MC2022-127)
Negotiated Service Agreements

Docket No. CP2022-131
ORDER ADDING PRIORITY MAIL EXPRESS, PRIORITY MAIL, FIRST-CLASS PACKAGE SERVICE & PARCEL SELECT CONTRACTS TO THE COMPETITIVE PRODUCT LIST

(Issued September 29, 2022)

I. INTRODUCTION

In these dockets, the Postal Service seeks to add new products identified as Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contracts 21 through 41 (Agreements) to the competitive product list. For the reasons discussed below, the Commission approves the Postal Service’s requests.

II. BACKGROUND

On September 15, 2022, through September 21, 2022, in accordance with 39 U.S.C. § 3642 and 39 C.F.R. §§ 3020.30-.35, the Postal Service filed requests to add 21 Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select contracts to the competitive product list, along with supporting documents (Requests).

1 The regulations cited by the Postal Service have been reorganized and are now found at 39 C.F.R. §§ 3040.130-.135. See Docket No. RM2019-13, Order Reorganizing Commission Regulations and Amending Rules of Practice, January 16, 2020 (Order No. 5407) (effective April 20, 2020). The Postal Service should cite to the reorganized regulations in future filings before the Commission.
In each of the Requests, the Postal Service asserts that the corresponding agreement is a competitive product that establishes rates “not of general applicability” within the meaning of 39 U.S.C. § 3632(b)(3). Requests at 1. Among the supporting documents in each filing, the Postal Service included a copy of the Governors’ Decision authorizing the product, a contract related to the proposed new product, requested changes to the competitive product list, a statement supporting the Request, a certification of compliance with 39 U.S.C. § 3633(a), and financial workpapers. In addition, with each Request, the Postal Service submitted an application for non-public treatment of materials requesting that unredacted portions of the Governors’ Decision and the contract, customer-identifying information, and related financial information remain under seal. Id. Attachment F.

The Commission issued notices establishing the dockets, appointing Public Representatives, and providing interested persons with an opportunity to comment on the Requests.²

III. COMMISSION ANALYSIS

The Commission has reviewed the Requests, the contracts, the supporting data filed under seal, and the Public Representatives’ comments.

Product list requirements. The Commission’s statutory responsibilities when evaluating the Requests include assigning each Agreement to either the market dominant or competitive product list. See 39 U.S.C. § 3642(b)(1); 39 C.F.R. § 3040.134. Before adding a product to the competitive product list, the Commission must determine that the Postal Service does not exercise sufficient market power that it

² See Docket No. MC2022-107, et al., Notice Initiating Docket(s) for Recent Postal Service Negotiated Service Agreement Filings, September 16, 2022; Docket No. MC2022-115, et al., Notice Initiating Docket(s) for Recent Postal Service Negotiated Service Agreement Filings, September 19, 2022; Docket No. MC2022-120, et al., Notice Initiating Docket(s) for Recent Postal Service Negotiated Service Agreement Filings, September 20, 2022; Docket No. MC2022-126, et al., Notice Initiating Docket(s) for Recent Postal Service Negotiated Service Agreement Filings, September 21, 2022.
can effectively set the price of the product substantially above costs, raise prices significantly, decrease quality, or decrease output, without the risk of losing a significant level of business to other firms offering similar products. See 39 U.S.C. § 3642(b)(1). In addition, the Commission must consider the availability and nature of private sector enterprises engaged in delivering the product, the views of those who use the product, and the likely impact on small business concerns. See 39 U.S.C. § 3642(b)(3); 39 C.F.R. §§ 3040.132(f), (g), and (h).

The Postal Service asserts that it provides postal services of the kind provided under the contracts in a highly competitive market, that other shippers who provide similar services constrain its bargaining position, and that it can therefore neither raise prices nor decrease service, quality, or output without risking the loss of business to competitors. Requests, Attachment D at 2. The Postal Service states that the contract partners support the Requests, that expedited shipping is widely available from private firms, and that the Postal Service is unaware of any small business concerns that could offer comparable services to the contract partners. Id. at 3.

The Commission finds that the Postal Service does not exercise sufficient market power that it can effectively set the prices of the proposed products substantially above costs, raise prices significantly, decrease quality, or decrease output, without the risk of losing a significant level of business to other firms offering similar products. The availability of other private sector providers supports this conclusion. The contract partners and the Public Representative support the addition of the Agreements to the competitive product list. Further, there is no evidence of an adverse impact on small businesses. For these reasons, having considered the relevant statutory and regulatory requirements, the comments filed, and the Postal Service’s supporting justification, the Commission finds that each of the Agreements is appropriately classified as competitive and is added to the competitive product list.

Cost considerations. Because the Commission finds the Agreements are competitive products, the Postal Service must also show that the contracts cover
attributable costs, do not cause market dominant products to subsidize competitive products as a whole, and contribute 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 each contract exceeds its attributable costs, that contract 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 contract covers its attributable costs, it is likely to comply with 39 U.S.C. § 3633(a).

Based on a review of the record, the Commission finds that the rates during the first year of the contracts should cover the contract’s attributable costs. 39 U.S.C. § 3633(a)(2). The contracts’ prices adjust with changes to generally applicable rates. Combined with sufficiently high first-year cost coverage, the contracts’ price adjustments will help ensure that the contracts will cover attributable costs in subsequent years. For these reasons, the Commission also finds that the contracts should not result in competitive products as a whole being subsidized by market dominant products, in accordance with 39 U.S.C. § 3633(a)(1). Similarly, the Commission finds the contracts are unlikely to prevent competitive products as a whole from contributing an appropriate share of institutional costs, consistent with 39 U.S.C. § 3633(a)(3). See also 39 C.F.R. § 3035.107(c). Accordingly, a preliminary review of the contracts indicates they are consistent with section 3633(a).

The Commission will review the contracts’ cost coverage and the contribution of competitive products as a whole to the Postal Service’s institutional costs in the Commission’s Annual Compliance Determination to ensure that they continue to comply with 39 U.S.C. § 3633(a).

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Other considerations. The contracts contain provisions that would accommodate changes to classifications of general applicability for competitive products currently before the Commission in Docket No. MC2022-82.4 The Commission has reviewed the provisions in question and determined that, if implemented, the classification changes would not affect the ability of the contracts to comply with 39 U.S.C. § 3633(a).

The contracts also contain a provision that allows the parties to extend the contracts for two 90-day periods if a successor agreement is being prepared and the Commission is notified at least seven days prior to each contract’s expiration date. See, e.g., MC2022-107 and CP2022-11 Request, Attachment B at 11. During the extension periods, prices will be adjusted as described in the contracts. See, e.g., id. at 7. The Commission finds the two potential 90-day extension periods are reasonable because: (1) prices are automatically adjusted in the extension period; and (2) the extension(s) should assist the Postal Service’s contract negotiations by providing additional flexibility.

If any of the instant contracts are terminated prior to its scheduled expiration date, the Postal Service shall promptly file notice of such termination with the Commission in the appropriate docket.

Section IV contains a list of the docket numbers associated with each Postal Service request, the title and date of the Postal Service’s filing, the term of the agreement, and a brief summary of the comments received. The Agreements filed in the docket numbers listed in section IV are approved as new products, and the Commission approves the rates for those products.

Revisions to the competitive product list and the Mail Classification Schedule appear below the signature of this Order and are effective immediately.

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IV. PRIORITY MAIL EXPRESS, PRIORITY MAIL, FIRST-CLASS PACKAGE SERVICE & PARCEL SELECT CONTRACTS APPROVED

1. **Docket Nos.:** MC2022-107 and CP2022-111; **Filing:** USPS Request to Add Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 21 to Competitive Product List and Notice of Filing Materials Under Seal, September 15, 2022 (MC2022-107 and CP2022-111 Request). **Term:** The intended effective date of the Agreement in the above-referenced docket is October 4, 2022. See MC2022-107 and CP2022-111 Request, Attachment B at 10. The Agreement is set to expire October 3, 2025. **See id. Public Comments:** The Public Representative filed comments on September 23, 2022. No other comments were received. The Public Representative concludes that the contract meets the requirements to be classified as a new competitive product and that the contract should generate sufficient revenues to cover costs during its first year. MC2022-107 and CP2022-111 PR Comments at 3.


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Public Representative concludes that the contract meets the requirements to be classified as a new competitive product and that the contract should generate sufficient revenues to cover costs during its first year. MC2022-108 and CP2022-112 PR Comments at 3.

3. **Docket Nos.:** MC2022-109 and CP2022-113; **Filing:** USPS Request to Add Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 23 to Competitive Product List and Notice of Filing Materials Under Seal, September 15, 2022 (MC2022-109 and CP2022-113 Request). **Term:** The intended effective date of the Agreement in the above-referenced docket is October 4, 2022. See MC2022-109 and CP2022-113 Request, Attachment B at 9. The Agreement is set to expire October 3, 2025. See id. at 10. **Public Comments:** The Public Representative filed comments on September 23, 2022. No other comments were received. The Public Representative concludes that the contract meets the requirements to be classified as a new competitive product and that the contract should generate sufficient revenues to cover costs during its first year. MC2022-109 and CP2022-113 PR Comments at 3-4.


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filed comments on September 22, 2022. No other comments were received. The Public Representative concludes that the contract meets the requirements to be classified as a new competitive product and that the contract should generate sufficient revenues to cover costs during its first year. MC2022-110 and CP2022-114 PR Comments at 3. He describes two sections of the contract as “novel and intriguing” but does not raise compliance concerns related to these sections. Id.

5. **Docket Nos.:** MC2022-111 and CP2022-115; **Filing:** USPS Request to Add Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 25 to Competitive Product List and Notice of Filing Materials Under Seal, September 15, 2022 (MC2022-111 and CP2022-115 Request). **Term:** The intended effective date of the Agreement in the above-referenced docket is October 4, 2022. See MC2022-111 and CP2022-115 Request, Attachment B at 9. The Agreement is set to expire October 3, 2025. See id. at 10. **Public Comments:** The Public Representative filed comments on September 23, 2022. No other comments were received. The Public Representative concludes that the contract meets the requirements to be classified as a new competitive product and that the contract should generate sufficient revenues to cover costs during its first year. MC2022-111 and CP2022-115 PR Comments at 3. He describes two sections of the contract as “novel and intriguing” but does not raise compliance concerns related to these sections. Id.

6. **Docket Nos.:** MC2022-112 and CP2022-116; **Filing:** USPS Request to Add Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 26 to Competitive Product List and Notice of Filing Materials Under Seal,
September 15, 2022 (MC2022-112 and CP2022-116 Request). Term: The intended effective date of the Agreement in the above-referenced docket is October 4, 2022. See MC2022-112 and CP2022-116 Request, Attachment B at 9. The Agreement is set to expire October 3, 2025. See id. at 10. Public Comments: The Public Representative filed comments on September 23, 2022.¹⁰ No other comments were received. The Public Representative concludes that the contract meets the requirements to be classified as a new competitive product and that the contract should generate sufficient revenues to cover costs during its first year. MC2022-112 and CP2022-116 PR Comments at 3. He describes two sections of the contract as “novel and intriguing” but concludes that they are reasonable. Id.


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Comments at 3. He describes two sections of the contract as “novel and intriguing” but concludes that they are reasonable. Id.

8. **Docket Nos.**: MC2022-114 and CP2022-118; **Filing**: USPS Request to Add Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 28 to Competitive Product List and Notice of Filing Materials Under Seal, September 15, 2022 (MC2022-114 and CP2022-118 Request). **Term**: The intended effective date of the Agreement in the above-referenced docket is October 4, 2022. See MC2022-114 and CP2022-118 Request, Attachment B at 10. The Agreement is set to expire October 3, 2025. See id. **Public Comments**: The Public Representative filed comments on September 23, 2022. No other comments were received. The Public Representative concludes that the contract meets the requirements to be classified as a new competitive product and that the contract should generate sufficient revenues to cover costs during its first year. MC2022-114 and CP2022-118 PR Comments at 3.


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Public Representative concludes that the contract meets the requirements to be classified as a new competitive product and that the contract should generate sufficient revenues to cover costs during its first year. MC2022-115 and CP2022-119 PR Comments at 2-3.

10. **Docket Nos.:** MC2022-116 and CP2022-120; **Filing:** USPS Request to Add Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 30 to Competitive Product List and Notice of Filing Materials Under Seal, September 16, 2022 (MC2022-116 and CP2022-120 Request). **Term:** The intended effective date of the Agreement in the above-referenced docket is October 4, 2022. See MC2022-116 and CP2022-120 Request, Attachment B at 9. The Agreement is set to expire October 3, 2025. See *id.* at 10. **Public Comments:** The Public Representative filed comments on September 22, 2022.14 No other comments were received. The Public Representative concludes that the contract meets the requirements to be classified as a new competitive product and that the contract should generate sufficient revenues to cover costs during its first year. MC2022-116 and CP2022-120 PR Comments at 2-3.

11. **Docket Nos.:** MC2022-117 and CP2022-121; **Filing:** USPS Request to Add Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 31 to Competitive Product List and Notice of Filing Materials Under Seal, September 16, 2022 (MC2022-117 and CP2022-121 Request). **Term:** The intended effective date of the Agreement in the above-referenced docket is October 4, 2022. See MC2022-117 and CP2022-121 Request, Attachment B at 10. The Agreement is set to expire October 3, 2025. See *id.* **Public Comments:** The Public Representative

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filed comments on September 22, 2022.\textsuperscript{15} No other comments were received. The Public Representative concludes that the contract meets the requirements to be classified as a new competitive product and that the contract should generate sufficient revenues to cover costs during its first year. MC2022-117 and CP2022-121 PR Comments at 2-3.


See MC2022-120 and CP2022-124 Request, Attachment B at 9. The Agreement is set to expire October 3, 2025. See id. at 10. Public Comments: The Public Representative filed comments on September 23, 2022.¹⁷ No other comments were received. The Public Representative concludes that the contract meets the requirements to be classified as a new competitive product and that the contract should generate sufficient revenues to cover costs during its first year. MC2022-120 and CP2022-124 PR Comments at 2-3.

14. **Docket Nos.:** MC2022-121 and CP2022-125; **Filing:** USPS Request to Add Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 34 to Competitive Product List and Notice of Filing Materials Under Seal, September 19, 2022 (MC2022-121 and CP2022-125 Request). **Term:** The intended effective date of the Agreement in the above-referenced docket is October 4, 2022. See MC2022-121 and CP2022-125 Request, Attachment B at 9. The Agreement is set to expire October 3, 2025. See id. at 10. Public Comments: The Public Representative filed comments on September 23, 2022.¹⁸ No other comments were received. The Public Representative concludes that the contract meets the requirements to be classified as a new competitive product and that the contract should generate sufficient revenues to cover costs during its first year. MC2022-121 and CP2022-125 PR Comments at 2-3.

15. **Docket Nos.:** MC2022-122 and CP2022-126; **Filing:** USPS Request to Add Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 35 to Competitive Product List and Notice of Filing Materials Under Seal,
September 19, 2022 (MC2022-122 and CP2022-126 Request). **Term:** The intended effective date of the Agreement in the above-referenced docket is October 4, 2022. *See* MC2022-122 and CP2022-126 Request, Attachment B at 10. The Agreement is set to expire October 3, 2025. *See id.* **Public Comments:** The Public Representative filed comments on September 23, 2022.¹⁹ No other comments were received. The Public Representative concludes that the contract meets the requirements to be classified as a new competitive product and that the contract should generate sufficient revenues to cover costs during its first year. MC2022-122 and CP2022-126 PR Comments at 2-3.

16. **Docket Nos.:** MC2022-123 and CP2022-127; **Filing:** USPS Request to Add Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 36 to Competitive Product List and Notice of Filing Materials Under Seal, September 19, 2022 (MC2022-123 and CP2022-127 Request). **Term:** The intended effective date of the Agreement in the above-referenced docket is October 4, 2022. *See* MC2022-123 and CP2022-127 Request, Attachment B at 9. The Agreement is set to expire October 3, 2025. *See id.* at 10. **Public Comments:** The Public Representative filed comments on September 27, 2022.²⁰ No other comments were received. The Public Representative concludes that the contract meets the requirements to be classified as a new competitive product and that the contract should generate sufficient

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revenues to cover costs during its first year. MC2022-123 and CP2022-127 PR Comments at 3.


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Public Representative concludes that the contract meets the requirements to be classified as a new competitive product and that the contract should generate sufficient revenues to cover costs during its first year. MC2022-125 and CP2022-129 PR Comments at 3. He describes two sections of the contract as “novel and intriguing” but concludes that they are reasonable. *Id.*

19. **Docket Nos.:** MC2022-126 and CP2022-130; **Filing:** USPS Request to Add Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 39 to Competitive Product List and Notice of Filing Materials Under Seal, September 20, 2022 (MC2022-126 and CP2022-130 Request). **Term:** The intended effective date of the Agreement in the above-referenced docket is October 4, 2022. See MC2022-126 and CP2022-130 Request, Attachment B at 10. The Agreement is set to expire October 3, 2025. **See id.** **Public Comments:** The Public Representative filed comments on September 28, 2022. No other comments were received. The Public Representative concludes that the contract meets the requirements to be classified as a new competitive product and that the contract should generate sufficient revenues to cover costs during its first year. MC2022-126 and CP2022-130 PR Comments at 3.

filed comments on September 27, 2022. No other comments were received. The Public Representative concludes that the contract meets the requirements to be classified as a new competitive product and that the contract should generate sufficient revenues to cover costs during its first year. MC2022-127 and CP2022-131 PR Comments at 2-3.

21. **Docket Nos.:** MC2022-128 and CP2022-132; **Filing:** USPS Request to Add Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 41 to Competitive Product List and Notice of Filing Materials Under Seal, September 20, 2022 (MC2022-128 and CP2022-132 Request). **Term:** The intended effective date of the Agreement in the above-referenced docket is October 4, 2022. See MC2022-128 and CP2022-132 Request, Attachment B at 10. The Agreement is set to expire October 3, 2025. **See id. Public Comments:** The Public Representative filed comments on September 28, 2022. No other comments were received. The Public Representative concludes that the contract meets the requirements to be classified as a new competitive product and that the contract should generate sufficient revenues to cover costs during its first year. MC2022-128 and CP2022-132 PR Comments at 3.

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V. ORDERING PARAGRAPHS

*It is ordered:*

1. The Agreements filed in the dockets listed in Section IV are added to the competitive product list as new products under Negotiated Service Agreements, Domestic. Revisions to the competitive product list and the Mail Classification Schedule appear below the signature of this Order and are effective immediately.

2. The Postal Service shall promptly file notice of an Agreement’s termination with the Commission in the appropriate dockets if that Agreement is terminated prior to the scheduled expiration date.

3. The Secretary shall arrange for publication in the *Federal Register* of an updated product list reflecting the change made in this Order.

By the Commission.

Erica A. Barker
Secretary
CHANGE IN PRODUCT LIST

The following material represents changes to the product list codified in Appendix B to 39 C.F.R. part 3040, subpart A—Competitive Product List. These changes reflect the Commission’s order in Docket Nos. MC2022-106 and CP2022-110. The Commission uses two main conventions when making changes to the product list. New text is underlined. Deleted text is struck through.

Appendix B to Subpart A of Part 3040—Competitive Product List

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Negotiated Service Agreements*

Domestic*

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Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract

21
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract

22
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract

23
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract

24
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract

25
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract

26
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract

27
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract

28
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract

29
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract

30
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract

31
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract

32
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract

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Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract

34
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
35
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
36
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
37
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
38
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
39
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
40
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
41
*****
CHANGES TO THE MAIL CLASSIFICATION SCHEDULE

The following material represents a change to the Mail Classification Schedule. The Commission uses two main conventions when making changes to the Mail Classification Schedule. New text is underlined. Deleted text is struck through.

Part B—Competitive Products
2000 Competitive Product List
*****

Negotiated Service Agreements*
Domestic*
*****

Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
21 Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
22 Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
23 Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
24 Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
25 Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
26 Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
27 Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
28 Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
29 Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
30 Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
31 Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
32 Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
33 Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
34 Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
35
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract
Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract

*****

2500  Negotiated Service Agreements
2505  Domestic
2505.15  Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contracts

*****

• Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 21

Baseline Reference
Docket Nos. MC2022-107 and CP2022-111
PRC Order No. 6289, September 29, 2022
Included Agreements
CP2022-111, expires October 3, 2025

• Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 22

Baseline Reference
Docket Nos. MC2022-108 and CP2022-112
PRC Order No. 6289, September 29, 2022
Included Agreements
CP2022-112, expires October 3, 2025

• Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 23

Baseline Reference
Docket Nos. MC2022-109 and CP2022-113
PRC Order No. 6289, September 29, 2022
Included Agreements
CP2022-113, expires October 3, 2025

- Priority Mail Express, Priority Mail, First-Class Package Service & Parcel
  Select Contract 24

Baseline Reference
  Docket Nos. MC2022-110 and CP2022-114
  PRC Order No. 6289, September 29, 2022
  Included Agreements
    CP2022-114, expires October 3, 2025

- Priority Mail Express, Priority Mail, First-Class Package Service & Parcel
  Select Contract 25

Baseline Reference
  Docket Nos. MC2022-111 and CP2022-115
  PRC Order No. 6289, September 29, 2022
  Included Agreements
    CP2022-115, expires October 3, 2025

- Priority Mail Express, Priority Mail, First-Class Package Service & Parcel
  Select Contract 26

Baseline Reference
  Docket Nos. MC2022-112 and CP2022-116
  PRC Order No. 6289, September 29, 2022
  Included Agreements
    CP2022-116, expires October 3, 2025

- Priority Mail Express, Priority Mail, First-Class Package Service & Parcel
  Select Contract 27

Baseline Reference
  Docket Nos. MC2022-113 and CP2022-117
  PRC Order No. 6289, September 29, 2022
  Included Agreements
    CP2022-117, expires October 3, 2025

- Priority Mail Express, Priority Mail, First-Class Package Service & Parcel
  Select Contract 28

Baseline Reference
  Docket Nos. MC2022-114 and CP2022-118
  PRC Order No. 6289, September 29, 2022
  Included Agreements
    CP2022-118, expires October 3, 2025
• Priority Mail Express, Priority Mail, First-Class Package Service & Parcel
  Select Contract 29

  Baseline Reference
  Docket Nos. MC2022-115 and CP2022-119
  PRC Order No. 6289, September 29, 2022

  Included Agreements
  CP2022-119, expires October 3, 2025

• Priority Mail Express, Priority Mail, First-Class Package Service & Parcel
  Select Contract 30

  Baseline Reference
  Docket Nos. MC2022-116 and CP2022-120
  PRC Order No. 6289, September 29, 2022

  Included Agreements
  CP2022-120, expires October 3, 2025

• Priority Mail Express, Priority Mail, First-Class Package Service & Parcel
  Select Contract 31

  Baseline Reference
  Docket Nos. MC2022-117 and CP2022-121
  PRC Order No. 6289, September 29, 2022

  Included Agreements
  CP2022-121, expires October 3, 2025

• Priority Mail Express, Priority Mail, First-Class Package Service & Parcel
  Select Contract 32

  Baseline Reference
  Docket Nos. MC2022-118 and CP2022-122
  PRC Order No. 6289, September 29, 2022

  Included Agreements
  CP2022-122, expires October 3, 2025

• Priority Mail Express, Priority Mail, First-Class Package Service & Parcel
  Select Contract 33

  Baseline Reference
  Docket Nos. MC2022-120 and CP2022-124
  PRC Order No. 6289, September 29, 2022

  Included Agreements
  CP2022-124, expires October 3, 2025
• **Priority Mail Express, Priority Mail, First-Class Package Service & Parcel**
  Select Contract 34

**Baseline Reference**
Docket Nos. MC2022-121 and CP2022-125
PRC Order No. 6289 September 29, 2022

**Included Agreements**
CP2022-125, expires October 3, 2025

• **Priority Mail Express, Priority Mail, First-Class Package Service & Parcel**
  Select Contract 35

**Baseline Reference**
Docket Nos. MC2022-122 and CP2022-126
PRC Order No. 6289, September 29, 2022

**Included Agreements**
CP2022-126, expires October 3, 2025

• **Priority Mail Express, Priority Mail, First-Class Package Service & Parcel**
  Select Contract 36

**Baseline Reference**
Docket Nos. MC2022-123 and CP2022-127
PRC Order No. 6289, September 29, 2022

**Included Agreements**
CP2022-127, expires October 3, 2025

• **Priority Mail Express, Priority Mail, First-Class Package Service & Parcel**
  Select Contract 37

**Baseline Reference**
Docket Nos. MC2022-124 and CP2022-128
PRC Order No. 6289, September 29, 2022

**Included Agreements**
CP2022-128, expires October 3, 2025

• **Priority Mail Express, Priority Mail, First-Class Package Service & Parcel**
  Select Contract 38

**Baseline Reference**
Docket Nos. MC2022-125 and CP2022-129
PRC Order No. 6289, September 29, 2022

**Included Agreements**
CP2022-129, expires October 3, 2025
• **Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 39**

  **Baseline Reference**
  Docket Nos. MC2022-126 and CP2022-130
  PRC Order No. 6289, September 29, 2022

  **Included Agreements**
  CP2022-130, expires October 3, 2025

• **Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 40**

  **Baseline Reference**
  Docket Nos. MC2022-127 and CP2022-131
  PRC Order No. 6289, September 29, 2022

  **Included Agreements**
  CP2022-131, expires October 3, 2025

• **Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 41**

  **Baseline Reference**
  Docket Nos. MC2022-128 and CP2022-132
  PRC Order No. 6289, September 29, 2022

  **Included Agreements**
  CP2022-132, expires October 3, 2025

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