

Before the
POSTAL RATE COMMISSION
WASHINGTON, DC 20268-0001

Review of Sunset Rules)

Docket No. RM2006-1

OFFICE OF THE CONSUMER ADVOCATE COMMENTS
IN RESPONSE TO ORDER NO. 1479
(October 13, 2006)

Pursuant to Order No. 1479, "Notice and Order Concerning Sunset Rules," the Office of the Consumer Advocate (OCA) hereby files its comments. In Order No. 1479, the Commission describes actions it wishes to take with respect to 5 sets of procedural rules: 1) Market Response Express Mail Rate Requests (Rules 57-60); 2) Minor Classification Changes (Rules 69-69c); 3) Market Tests of Proposed Classification Changes (Rules 161-166); 4) Provisional Service Changes (Rules 171-176); and 5) Multi-year Test Periods for Proposed New Services (Rules 181-182).

The most important changes being contemplated by the Commission in Order No. 1479 are allowing the Express Mail rate request rules to lapse; making the other rules permanent; and shortening the intervention period in the retained rules.

Although the Express Mail Rate Request rules have been available to the Postal Service for the past 17 years, they have never been invoked. The Commission takes this as a sign that the rules no longer serve a useful purpose. The Commission's reasoning is sound. Unless the Postal Service explicitly justifies retention of these rules and reports a concrete intention to use them in the future, allowing them to lapse

appears to serve administrative efficiency; and the rules should be “taken off the books.”

The remaining four sets of rules, especially those that are used regularly, should be retained as options for the Postal Service. OCA has participated in all of the proceedings administered under these rules and has not encountered any obstacles presented by the procedures established by the subject rules. Changing their status to “permanent” also serves administrative efficiency – it spares the Commission and participants the obligation of weighing the efficacy of the rules and arguing for their retention on a periodic basis.

OCA does not take a position on the shortened intervention period because OCA is not subject to the requirement to intervene; rather, OCA is drawn into a case by means of an appointment.

Wherefore, OCA supports the Commission’s efforts to adopt the proposed changes in the procedural rules as set forth in Order No. 1479.

Respectfully submitted,

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