

Before THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

STAMPED STATIONERY CLASSIFICATION

Docket No. MC2006-7

STATEMENT OF THE UNITED STATES POSTAL SERVICE
CONCERNING COMPLIANCE WITH FILING REQUIREMENTS
AND CONDITIONAL MOTION FOR WAIVER
(February 22, 2007)

In the Compliance Statement (Attachment E) to the Request, the Postal Service has identified information contained in its testimony and supporting documentation intended to satisfy the filing requirements in pertinent provisions of the Commission's Rules of Practice and Procedure (Rules 54, 64 and 162). The Postal Service has supplemented materials developed specifically for this filing by incorporating documentation that was submitted by the Postal Service in the most recently concluded omnibus rate proceeding, Docket No. R2006-1, as well as material filed periodically with the Commission. In light of several considerations, the Postal Service believes that most of the specific requirements pertaining to classes of mail and special services are met by incorporating these materials.

The proposed establishment of classifications and fees for Premium Stamped Stationery (PSS) and Premium Stamped Cards (PSC) would not materially alter the rates, fees, and classifications established by that docket. Rather, the proposal would create new DMCS subsections and fees that establish an option for customers, with very limited impact on postal costs, volumes, and revenues.

As outlined in the testimony filed with the Request, the establishment of PSS and PSC would constitute a relatively minor addition to the array of mail classes and special services comprehensively considered in Docket No. R2006-1. As a consequence, there is substantial overlap between the information necessitated by the general filing requirements and the materials provided in Docket No. R2006-1. For example, certain filing requirements call for information pertaining to the full spectrum of postal products: e.g., Rule 54(b)(3) (economic substitutability between classes and subclasses); Rule 54(d) (physical attributes of mail by class and subclass); Rules 54(f)-(h) (total historical and projected costs separated by postal and nonpostal services and distributed to classes, subclasses, and special services); Rule 54(j) (revenues and volumes projected for classes, subclasses, and special services); and Rule 54(l) (billing determinants for classes, subclasses, and special services). These requirements are adequately addressed through reference to information provided in the most recent omnibus rate proceeding.

In assessing compliance in this regard, substantial weight should be given to the nature of the proposal, and the expectation of only minimal impact on costs, volumes, and revenues, in total and for particular mail categories and services. No existing rate or fee will be altered, and no migration of mail from one subclass to another will occur as a result of the proposal. The concept of economic substitutability among classes and subclasses therefore does not pertain to this proposal, and is adequately addressed in the previously received rate case testimony that was developed before the establishment of PSS and PSC was proposed.

In the Compliance Statement, we address each filing requirement and indicate which parts of the Postal Service's filing satisfy each rule. Docket No. R2006-1 materials are also incorporated by reference. Specific direction to that docket's testimony can be found in the Compliance Statement filed with the Postal Service's Request in Docket No. R2006-1.¹ The Compliance Statement filed in this docket provides additional elaboration with respect to Rules 54, 64, and 162. The Commission has approved this approach to compliance with the filing requirements in several recent cases, including a case for the permanent establishment of a new service and fees.²

If the Commission concludes that the materials referenced from Docket No. R2006-1 to satisfy general filing requirements are not sufficient, and that strict construction of the rules regarding information pertaining to other mail and special services would require testimony that was developed specifically with reference to the proposed PSS and PSC classifications and fees, the Postal Service respectfully moves that those requirements be waived, pursuant to 39 C.F.R. §§ 3001.22, 3001.54(r), 3001.64(h)(3), and 3001.67a.

For the reasons stated above, the nature of the proposal, combined with the expectation that it will have only minimal impact on total costs, volumes, and

¹ Request of the United States Postal Service for a Recommended Decision on Changes in Rates of Postage and Fees for Postal Services, Docket No. R2006-1, Attachment G (May 3, 2006).

² See, e.g., Presiding Officer's Ruling No. MC2002-1/3.

revenues means that strict compliance with the filing requirements is not warranted, and they should be waived.³

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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³ As reflected in the Compliance Statement, Attachment E to the Request, full or partial waivers may be appropriate for the following rules: 54(b)(3), 54(c), 54(e), 54(f)(2)-(3), 54(h)(1)-(12), 54(i), 54(j)(1)-(7), 64(b)(1)-(4), 64(c)(1)-(3), 64(d), and 64(h).