

ORDER NO. 77

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Before Commissioners: Dan G. Blair, Chairman;
Mark Acton, Vice Chairman;
Ruth Y. Goldway; and
Tony L. Hammond

Review of Nonpostal Services

Docket No. MC2008-1

ORDER GRANTING MOTION FOR CLARIFICATION

(Issued May 28, 2008)

The Postal Service seeks clarification of the Commission's order directing it to provide "a complete listing and comprehensive description' of all 'revenue-generating' activities which do not fall within the statutory definition of 'postal services.'" ¹

The Postal Service requests clarification of two points: (1) whether the intended scope of the order was definitive or preliminary and interlocutory, and (2) whether the revenues generated from various sources constitute revenue-generating arrangements from services. *Id.* at 2-3.

Order No. 74 represents the Commission's preliminary views on the issues raised in this proceeding to fulfill its responsibilities under section 404(e). 39 U.S.C. § 404(e). By requesting a complete list and description of all existing agreements,² the Commission seeks to obtain the information needed to determine which activities of the

¹ Motion of the United States Postal Service for Clarification of Order No. 74, May 12, 2008, at 1.

² See PRC Order No. 74, April 29, 2008, at 14.

Postal Service are services that are subject to review under section 404(e). The Commission has not reached definitive conclusions regarding the jurisdictional nature of any of the activities undertaken by the Postal Service.

The second request for clarification raises questions about specific activities which, absent the information to be provided, are premature to address. After the full details of each revenue-generating arrangement are provided by the Postal Service, the Commission will evaluate the list to determine the proper categorization of these activities. The Commission will receive all of the relevant information from the Postal Service and other interested persons before reaching conclusions about specific services.³

It is ordered:

The Postal Service Motion for Clarification of Order No. 74, filed May 12, 2008, is granted as discussed in the body of this Order.

By the Commission.

Steven W. Williams
Secretary

³ To be clear, Order No. 74 requested a list and comprehensive description of each nonpostal service including all that are represented by existing agreements and that generate revenue. If adequately listed and described, copies of the actual agreements, contracts or arrangements are not required to be filed at this time.