

ORDER NO. 95

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

Before Commissioners:

Dan G. Blair, Chairman;  
Mark Acton, Vice Chairman;  
Ruth Y. Goldway;  
Tony L. Hammond; and  
Nanci E. Langley

Competitive Product Prices	Docket Nos. CP2008-11
Global Expedited Package Services 1 (CP2008-5)	CP2008-12
Negotiated Service Agreements	CP2008-13

NOTICE AND ORDER CONCERNING FILING OF ADDITIONAL  
GLOBAL EXPEDITED PACKAGE SERVICES 1  
NEGOTIATED SERVICE AGREEMENTS

(Issued August 11, 2008)

On August 5, 2008, the Postal Service filed three identical notices, which have been assigned to Docket Nos. CP2008-11, CP2008-12, and CP2008-13, announcing prices and classification changes for competitive products not of general applicability.<sup>1</sup> These notices announce individual negotiated service agreements, namely, specific Global Express Package Service (GEPS) contracts the Postal Service has entered into with individual mailers. The Postal Service believes each is functionally equivalent to

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<sup>1</sup> Notice of United States Postal Service of Filing of Functionally Equivalent Global Expedited Package Services 1 Negotiated Service Agreements, August 5, 2008, filed in Docket Nos. CP2008-11, CP2008-12, and CP2008-13 (Notices).

the Global Express Package Services 1 (GEPS 1) product established in Docket No. CP2008-5. These dockets have been filed pursuant to 39 U.S.C. 3633, 39 CFR 3015.5 and Order No. 86.<sup>2</sup> In Order No. 86, the Commission found that additional contracts may be included as part of the GEPS 1 product if they meet the requirements of 39 U.S.C. 3633 and if they are substantially equivalent to the initial GEPS 1 contract.<sup>3</sup>

In support of each of these dockets, the Postal Service also filed the contract and supporting materials under seal. The Governor's Decision supporting the GEPS 1 product was filed in consolidated Docket No. CP2008-5.<sup>4</sup> The Notices also contain the Postal Service's arguments that these agreements are substantially equivalent and that they exhibit similar cost and market characteristics. Notices at 3-5.

Interested persons may express views and offer comments on whether the planned changes are consistent with the policies of 39 U.S.C. 3632, 3633, or 3642. Comments are due no later than August 20, 2008.

In addition, the Commission directs the Postal Service to provide a detailed justification for why it believes that information other than the name of the contracting party and the percentages listed in the certification and explanation filed pursuant to 39 CFR 3015.5(c)(2) is considered highly confidential or otherwise entitled to be filed under seal. An answer is due no later than August 15, 2008. If the Postal Service determines that the filing of a redacted version of the certification is appropriate, it shall file such certification as soon as possible.

Pursuant to 39 U.S.C. 505, Michael Ravnitzky is appointed to serve as officer of the Commission (Public Representative) to represent the interests of the general public in the above-captioned dockets.

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<sup>2</sup> Docket No. CP2008-5, Order Concerning Global Expedited Package Services Contracts, July 23, 2008 (Order No. 86).

<sup>3</sup> Order No. 86 at 7 ("The Commission will verify whether or not any subsequent contract is in fact substantially equivalent. Contracts not having substantially the same terms and conditions as the GEPS 1 contract must be filed under 39 CFR part 3020, subpart B.").

<sup>4</sup> Docket No. CP2008-5, United States Postal Service Notice of Filing Redacted Copy of Governors' Decision No. 08-7, July 23, 2008.

*It is Ordered:*

1. Comments on issues in these proceedings are due no later than August 20, 2008.
2. The Postal Service is directed to provide a response to the Commission's inquiry as set forth in the body of this Order no later than August 15, 2008.
3. The Commission appoints Michael Ravnitzky as Public Representative to represent the interests of the general public in this proceeding.
4. The Secretary shall arrange for publication of this Order in the *Federal Register*.

By the Commission.

Steven W. Williams  
Secretary