

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

DOCKET No. MC2009-10

COMMENTS OF WILLIAM GENSBURG OF INTERNATIONAL TRANSPORT
SOLUTIONS, INC.
PURSUANT TO THE PRC ORDER 141

December 9, 2008

My company is one of roughly 30 companies in the international mail consolidation industry. Our market represents the import and export of bulk international mail generated from organizations. Publishers, direct marketers, mail order goods merchants and many other industries depend on the competitive prices and services our industry offers.

The United States Post Office is both a partner and competitor of all companies in the American international mail consolidation marketplace. It is in the interest of all entrants, including the USPS, to see the size of the market grow by allowing for a competitive and evenly regulated marketplace.

Section 405 of the Postal Accountability and Enhancement Act (PAEA) states:

“(a) It is the policy of the United States....(2) to promote and encourage unrestricted and undistorted competition in the provision of international postal and other international delivery services, except where provision of such services by private companies may be prohibited by law of the United States;”

“(e)(2) with respect to shipments of international mail that are competitive products within the meaning of section 3631 that are exported or imported by the Postal Service, the Customs Service and other appropriate Federal agencies shall apply the customs laws of the United States and all other laws relating to the importation or exportation of such shipments in the same manner to both shipments by the Postal Service and similar shipments by private companies.”

In MC2009-10, the USPS has requested PRC approval of its request to offer competitive products that enjoy regulatory advantages available only to the USPS; a direct contradiction to the requirements of the PAEA. MC2009-10 specifically asks Inbound Express Mail International to the Competitive Product List yet the Postal Service enjoys singular customs advantages for all international mail, including EMS, that enters the United States as commercial customs entries do not have to be filed in the same manner as they do for private competitors in the exact same market, resulting in higher costs for all international delivery companies except the USPS, as well as other advantages.

Accepting USPS's request to move Inbound Express Mail International to the Competitive Product List cannot comport with the PAEA's mandate until the customs laws of the United States change to the effect that shipments for both the USPS and for competing international delivery companies are treated equally.

This is different in detail but equal in broad concept to the comments raised by the Public Representative to Order 137 last week.

I will only add that the Federal Register Notice of Order 141 was published on December 5 and that public comments were due same day, resulting in my having to file a Motion for Late Acceptance. It would be helpful if there were a reasonable review period before comment deadlines.

I respectfully submit my comments above and I thank you for your consideration.

Yours sincerely,
WILLIAM GENSBURG
JOINT MANAGING DIRECTOR
INTERNATIONAL TRANSPORT SOLUTIONS, INC.