

Before the
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Modification of Mail Classification Schedule
for Requirements for Global Express
Guaranteed Service

Docket No. MC2009-39

PUBLIC REPRESENTATIVE COMMENTS
ON PROPOSED CHANGE OF MAIL CLASSIFICATION SCHEDULE
FOR GLOBAL EXPRESS GUARANTEED SERVICE
(August 28, 2009)

The Public Representative hereby comments on the Commission's Notice and Order¹ concerning a classification change for Global Express Guaranteed (GXG) service filed pursuant to sections 3020.90 and 3020.91 of the Commission's rules. 39 CFR 3020.90 and 3020.91.

The Postal Service's notice in this docket of a classification change in the Mail Classification Schedule² is filed properly pursuant to section 3020.91 of the Commission's rules. Section 3020.91 applies to corrections of the MCS not constituting a modification of a product list. A modification in the product list is defined as adding a product to a list, removing a product from a list, or moving a product from one list to the other list. 39 CFR 3020.30. The proposed change in the requirements for eligibility for the competitive product GXG service is reflected in the product's description and does not propose to modify the competitive product list.

The proposed change "is designed to reflect current practice." The change merely eliminates the current MCS provision which provides that registration with the GXG Web site at usps.com is required to be eligible for discounts to purchase GXG service online. Customers now purchase GXG service (and other international

¹ Notice and Order Concerning Classification Change for Global Express Guaranteed Service, Order No. 282, August 19, 2009.

² Notice of United States Postal Service of Classification Change (Notice), August 18, 2009.

expedited and parcel services that are not addressed in this filing) through Click-N-Ship at usps.com or from other commercial online postage providers.

I. Will necessary tracking of usage and volume, and verification and protection of revenue, continue?

A provision for registration in the Postal Service's current International Mail Manual (IMM) for GXG service is similar to the language being removed from the MCS. The IMM states that formal registration prior to purchasing GXG service "provides the necessary systems for tracking usage and volume, as well as verifying and protecting revenue." See IMM Section 212.21 General. Presumably, the Click-N-Ship option and other commercial online postage providers offer the necessary tracking of usage and volume, and verification and protection of revenue, offered by online registration which justified online registration in the first place. Possible data deficiencies that may result from the proposed change are subject to future Commission review. See 39 CFR 3020.93(b).

II. Will the International Mail Manual (IMM) be corrected?

As noted, the IMM contains language similar to the registration requirement being deleted from the MCS. The Postal Service must also update the IMM to be consistent with its expressed practice and the MCS. The Postal Service's Notice does not explain if and when the IMM will be conformed to the changes noticed in this docket. From the perspective of simplifying the public's usage of Postal Service products and to avoid confusion among mailers and Postal Service employees, as a policy matter, the effective dates of corrections and, more importantly, modifications to the MCS should be permitted by the Commission, except in unusual circumstances, only when similar updates or modifications to the IMM are effective contemporaneously.

The Commission can recommend modification to Postal Service manuals to insure clarity for the public. The Commission has even made substantive recommendations that are more sweeping than recommending removal of an

inconsistency, as here, between the MCS and the Postal Service's IMM manual. For instance, in the recent Evolutionary Network Development (END) case opinion,³ the Commission offered two recommendations directed to modifying and updating the Postal Service's manual, AMP Handbook PO-408, to improve that manual's internal directives to management for communicating with the public.⁴

At the very least, the Postal Service should assure the Commission that alterations to the IMM, similar to those Noticed here, are being made contemporaneously.

III. The proposal is not inconsistent with section 3642 of the PAEA.

Upon review, the Public Representative finds that the change in the internet site that is required to register for GXG service is in the nature of an administrative change in the product description that reduces the administrative burden of registration on mailers. The proposed MCS change does not add, remove, or transfer any product from, or between, either the market dominant product list or the competitive product list, nor does the proposed change have the effect of any such modification. Pursuant to section 3020.92 of the Commission's rules, the proposal is not inconsistent with section 3642 of the Postal Accountability and Enhancement Act. 39 U.S.C. 3642.

³ *Evolutionary Network Development Service Changes*, Docket No. N2006-1, "Advisory Opinion Concerning a Proposed Change in the Nature of Postal Service," December 19, 2006.

⁴ The advisory opinion concluded with two recommendations:

First, management should be advised to promptly reconsider its reliance on AMP Handbook PO-408 as the main tool for meshing AMP feasibility studies with its END initiative. Specific areas that warrant attention are:

- the need to involve the public at an earlier stage;
- the need to provide the public with more information about the type of concerns raised in the town meetings that have been held;
- the need to extend public involvement through the implementation of individual AMPs; and
- the need to provide a more interactive process.

Second, pending consideration of the items listed above, management should be advised to update AMP Handbook PO-408 as soon as feasible. *Id.* at 93-94.

IV. Conclusion.

The Public Representative respectfully submits the foregoing Comments in support of the change for the Commission's consideration.

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