

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

Before Commissioners:

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

Annual Compliance Report, 2009

Docket No. ACR2009

ORDER GRANTING RELIEF FROM RESPONDING  
IN ACCORDANCE WITH ORDER NO. 401

(Issued February 16, 2010)

On January 29, 2010, the Commission issued Order No. 401,<sup>1</sup> which required the Postal Service or other interested persons to respond to the Valpak Direct Marketing Systems, Inc. and Valpak Dealers' Association, Inc. (Valpak) opposition to the Postal Service's application for non-public treatment.<sup>2</sup>

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<sup>1</sup> Order Concerning Valpak Opposition to Postal Service Application for Nonpublic Treatment, January 29, 2010 (Order No. 401).

<sup>2</sup> Valpak Direct Marketing Systems, Inc. and Valpak Dealers' Association, Inc. Opposition to Postal Service Application for Nonpublic Treatment, January 26, 2010.

At the Postal Service's request, the Commission extended the deadline for interested persons to respond to the opposition through February 16, 2010.<sup>3</sup> In the motion, the Postal Service states that it made tentative arrangements with Valpak that may moot the need for any response. Postal Service Extension Motion at 1.

On February 11, 2010, Valpak withdrew its opposition to the Postal Service's application for non-public treatment, citing all of its concerns as moot.<sup>4</sup>

On February 12, 2010, the Postal Service filed a motion seeking relief from responding in accordance with Order No. 401.<sup>5</sup> The Postal Service cites Valpak's withdrawal and asks the Commission to obviate it, and any other interested person, from responding in accordance with Order No. 401. *Id.* at 2.

The Commission notes that the Postal Service has worked together with Valpak to avoid the need for a Commission determination of the non-public status of portions of certain documents. The Commission agrees that in this instance, relieving the Postal Service and any other interested person from responding in accordance with Order No. 401 is appropriate.

Accordingly, the Postal Service and all other interested persons are relieved from the obligation of responding in accordance with Order No. 401.

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<sup>3</sup> See United States Postal Service Motion Requesting Extension of Time to Respond in Accordance with Order No. 401, February 5, 2010 (Postal Service Extension Motion). See *also*, Order Granting Postal Service Additional Time to Respond to Valpak in Accordance With Order No. 401, February 10, 2010 (Order No. 404).

<sup>4</sup> Valpak Direct Marketing Systems, Inc. and Valpak Dealers' Association, Inc. Notice of Withdrawal of Motion for Issuance of Commission Information Request and Withdrawal of Opposition to Application for Nonpublic Treatment, February 11, 2010.

<sup>5</sup> United States Postal Service Motion Requesting Further Relief From Responding in Accordance With Order No. 401, February 12, 2010 (Postal Service Relief Motion).

*It is Ordered:*

The United States Postal Service Motion Requesting Further Relief From Responding in Accordance With Order No. 401, filed February 12, 2010, is granted as set forth in the body of this Order.

By the Commission.

Shoshana M. Grove  
Secretary