

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

Six-Day to Five-Day Street Delivery
and Related Service Changes

Docket No. N2010-1

PRESIDING OFFICER'S RULING
ON PROCEDURAL MATTERS

(Issued July 19, 2010)

Access to non-public materials. On July 13, 2010, the American Postal Workers Union AFL-CIO (APWU), filed three motions for access to non-public materials filed by the Postal Service.¹ The motions, filed pursuant to rule 3007.40, include attached executed protective conditions (certifications) for each person to be granted access. The motions also indicate that they were served on Postal Service counsel by email on July 13, 2010.

Rule 3007.40 provides that because APWU served the motions on the Postal Service on July 13, 2010, three days are allowed for an answer. No answer was filed.

Therefore, identified persons from APWU are granted access to the materials identified in the captions of the motions, subject to the terms of the executed protective conditions (certifications).

¹ American Postal Workers Union, AFL-CIO, Motion for Access to Non-Public Information Identified as USPS-LR-N2010-1/NP2, USPS-LR-N2010-1/NP4, and USPS-LR-N2010-1/NP8; American Postal Workers Union, AFL-CIO, Motion for Access to Non-Public Information Identified as USPS-LR-N2010-1/NP3; and American Postal Workers Union, AFL-CIO, Motion for Access to Non-Public Information Identified as USPS-LR-N2010-1/NP6, all filed on July 13, 2010.

Motion for late acceptance. A Postal Service motion for late acceptance of responses to a Chairman's Information Request is currently pending in this case. Acceptance of this motion will not prejudice any party and will facilitate development of a full evidentiary record. For these reasons, the motion will be granted.

RULING

1. American Postal Workers Union, AFL-CIO, Motion for Access to Non-Public Information Identified as USPS-LR-N2010-1/NP2, USPS-LR-N2010-1/NP4, and USPS-LR-N2010-1/NP8; American Postal Workers Union, AFL-CIO, Motion for Access to Non-Public Information Identified as USPS-LR-N2010-1/NP3; and American Postal Workers Union, AFL-CIO, Motion for Access to Non-Public Information Identified as USPS-LR-N2010-1/NP6, all filed on July 13, 2010, are granted.
2. Phillip A. Tabbita, Kathryn Kobe, and Darryl J. Anderson of APWU are granted access, subject to their executed agreements regarding protective conditions, to the non-public materials filed by the Postal Service identified as: USPS-LR-N2010-1/NP2, USPS-LR-N2010-1/NP4, USPS-LR-N2010-1/NP8, USPS-LR-N2010-1/NP3, and USPS-LR-N2010-1/NP6.
3. Motion of the United States Postal Service for Late Acceptance of Filing of its Responses to questions 2.d and 4 of Chairman's Information Request No. 8, filed July 16, 2010, is granted.

Ruth Y. Goldway
Presiding Officer