

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

Rate Adjustment due to Extraordinary or
Exceptional Circumstances

Docket No. R2010-4

ORDER TAKING MOTION TO DISMISS
UNDER ADVISEMENT

(Issued August 4, 2010)

On July 26, 2010, the Affordable Mail Alliance filed a motion to dismiss the Postal Service's proposed rate adjustment.¹ Answers to the Motion were filed on August 2, 2010, by the Postal Service and several other companies and organizations.² These filings make a number of factual allegations that require further exploration during the

¹ Motion of the Affordable Mail Alliance to Dismiss Request, July 26, 2010 (Motion). The Affordable Mail Alliance describes itself as "a coalition of large and small businesses, nonprofit organizations and associations of mailers that together account for a majority of the mail sent in the United States." *Id.* at 1.

² Response of the United States Postal Service to Motion of the Affordable Mail Alliance to Dismiss Request (Postal Service Response); Response of the National Rural Letter Carriers' Association to Affordable Mail Alliance's Motion to Dismiss; Answer of the Saturation Mailers Coalition, Valassis Direct Mail, Inc., Valpak Direct Marketing Systems, Inc. and Valpak Dealers' Association to Motion of the Affordable Mail Alliance to Dismiss Request; Public Representative Answer to Motion of the Affordable Mail Alliance to Dismiss Request; Response of Intervenor National Association of Letter Carriers, AFL-CIO to Motion to Dismiss of Affordable Mail Alliance, all filed August 2, 2010 ("Responses").

upcoming proceedings established by Order No. 485.³ Given the need for further investigation of these factual allegations and the absence of a deadline for action on the Motion, the Commission is taking the Motion under advisement and will rule on the Motion at an appropriate time.⁴

It is Ordered:

The Motion of the Affordable Mail Alliance to Dismiss Request and the responses thereto are hereby taken under advisement.

By the Commission.

Ruth Ann Abrams
Acting Secretary

³ Notice and Order Concerning Rate Adjustment for Extraordinary or Exceptional Circumstances, July 8, 2010, at 6.

⁴ Neither the Postal Accountability and Enhancement Act, Pub..L. No. 109-435 (2006) nor the Commission's rules of practice impose a deadline for action on the Motion.