

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

Before Commissioners:

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

Notice of Price Adjustment
Standard Mail Incentive Pricing Program

Docket No. R2010-3

ORDER GRANTING POSTAL SERVICE
MOTIONS FOR WAIVER

(Issued January 11, 2011)

On November 2 and December 29, 2010, the Postal Service filed motions seeking waivers of certain notice requirements in the Commission's rules governing non-public materials.¹ Those rules (39 CFR 3007.20(b) and 3007.21(c)(2)) require notification of third parties whose confidential information is filed with the Commission.

¹ Motion of United States Postal Service for Waiver of Compliance With Requirements of 39 [CFR] § 3007.20(b) and 39 [CFR] § 3007.21(b)(2) in Order to File USPS-R2010-3/NP1, November 2, 2010, at 1 (November Motion); Motion of United States Postal Service for Waiver of Compliance with Requirements of 39 [CFR] § 3007.20(b) and 39 [CFR] § 3007.21(b)(2) in Order to File USPS-R2010-3NP/2, December 29, 2010, at 1 (December Motion) (collectively, Motions). The Motions reference section 3007.21(b)(2). That reference presumably should be to section 3007.21(c)(2). This Order construes the Motions accordingly.

The Postal Service requests the waiver in connection with the filing of two data collection reports.²

The Postal Service states that compliance with the requirements would require it to “make contact with all 1,119 parties.” November Motion at 1. In support of its Motions, the Postal Service asserts that notifying so many third parties “would burden the Postal Service greatly and cause it to expend resources it does not have....” *Id.*; see *also* December Motion at 1.

The Motions are granted, subject to the following conditions: (1) if any person requests access to the information under seal pursuant to section 3007.40 or section 3007.50, or (2) if any person requests early termination of the non-public status of the information under seal pursuant to section 3007.31, the Postal Service must notify affected third parties whose information is under seal.

It is ordered:

1. The November Motion of the Postal Service for waiver of sections 3007.20(b) and 3007.21(c)(2) of the Commission’s rules for purposes of filing USPS-R2010-3/NP1 is granted, subject to conditions set forth in this Order.
2. The December Motion of the Postal Service for waiver of sections 3007.20(b) and 3007.21(c)(2) of the Commission’s rules for purposes of filing USPS-R2010-3/NP2 is granted, subject to conditions set forth in this Order.

By the Commission.

Shoshana M. Grove
Secretary

² The Postal Service also moves for late acceptance of the November report. Motion of the United States Postal Service for Acceptance of Data Collection Report, November 2, 2010. That motion is granted.