

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

Modification of Mail Classification Schedule for
Country-Specific Restrictions for Global Express
Guaranteed and Dimensional Options for Priority
Mail Large Flat Rate Box and Outbound Priority Mail
International Large Parcel Flat Rate Box

Docket No. MC2011-24

COMMENTS OF THE PUBLIC REPRESENTATIVE

(April 22, 2011)

Introduction

On April 8, 2011, the Postal Service filed a notice of two classification changes concerning three competitive mail services.¹ The first change modifies the size and weight limitation table for Global Express Guaranteed (GXG) service by adding a note to reflect that country-specific restrictions may apply as specified in the International Mail Manual. Notice at 1. The Postal Service indicates that the note is already included in the Mail Classification Schedule (MCS) and currently applies to Express Mail International (EMI) service. *Id.* The Postal Service adds that the proposed change would parallel the treatment of country-specific restrictions as applied to EMI. *Id.*

The second change adds another dimensional option to the large Flat Rate Box for Priority Mail and Outbound Priority Mail International services. *Id.* The new option to be added to the MCS would be 11.875 x 3.125 x 24.0625 inches. *Id.* at 2. The Postal Service adds that the proposed option is ideally sized for board games. *Id.* The Postal Service adds that the proposed option is currently available on its website www.usps.com. *Id.* at 3.

¹ Notice of United States Postal Service of Classification Changes, April 8, 2011 (Notice).

In Order No. 714, the Commission established this docket seeking comments regarding the matter from interested parties including the Public Representative.² The Public Representative concludes that the Commission should accept the changes as they are consistent with 39 U.S.C. 3642 and other provisions of title 39.

Discussion

The Postal Service is required to ensure that product descriptions in the MCS accurately represent the current offerings of Postal Service products and services. See 39 CFR 3020.90. When necessary the Postal Service may change or correct product descriptions. Under Commission rule 39 CFR 3020.91: (1) notices filed pursuant to rule 3020.90 *et seq.* are limited to changes in the MCS that do not constitute a proposal to modify the market dominant or competitive product lists; and (2) any corrections to product descriptions in the MCS must be filed with the Commission no later than 15 days prior to the effective date of the proposed change.

The Postal Service's proposals do not seek to modify the product lists. Instead, both changes appear to be minor. The Postal Service's first proposed change seeks to modify an existing size and weight limitation table for GXG by adding a note which currently applies to EMI. The second change seeks to add another dimensional option to the large Flat Rate Box for Priority Mail and Outbound Priority Mail International services. After reviewing the changes they appear to be minor and do not constitute a modification of the competitive product list.

The Postal Service indicates that its first proposed change will become effective June 6, 2011. Therefore, the proposed change was filed more than 15 days prior to the effective date of the proposed change. The first proposed change does not modify the product lists and was timely filed and should be accepted.

The Postal Service indicates that the second change is intended to become effective immediately. Therefore, the proposed change was not filed more than 15 days prior to the effective date of the proposed change. The Public Representative concludes that the

² Notice of Classification Changes, April 11, 2011 (Order No, 714).

change should be accepted. The availability of the proposed option on the Postal Service's website does not appear to have jeopardized the Postal Service's financial position. Since the proposed change is minor and no apparent harm was caused by the untimely notice of the change it should be accepted by the Commission.

Conclusion

While the Postal Service has only satisfied the requirements of 3020.90 and 91 in part, due to the minor nature of the proposed changes and possible harm the proposal should be accepted by the Commission. Upon review of the proposal the proposed changes are consistent with 39 U.S.C. 3642 and other provisions of title 39. The Public Representative respectfully submits the preceding Comments for the Commission's consideration.

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