
Notice of Market Dominant Price
Adjustment for First-Class Mail
and Standard Mail

Docket No. R2011-5

**MOTION OF THE SATURATION MAILERS COALITION AND VALASSIS DIRECT
MAIL, INC. TO SUBMIT A REPLY TO COMMENTS OF THE PUBLIC
REPRESENTATIVE**

(May 11, 2011)

The Saturation Mailers Coalition (SMC) and Valassis Direct Mail, Inc. (Valassis) hereby request leave to file reply comments to the comments of the Public Representative filed on May 2, 2011, concerning the Postal Service's proposal in this docket to offer a temporary two-month price incentive for commercial First-Class and Standard Mail mailers that include a two-dimensional QR barcode on their mailpieces.

In its comments, the Public Representative has taken the position that the Postal Service's proposal must be treated not as a price adjustment but as a "special classification" under section 3266(c)(10) of the Postal Accountability and Enhancement Act (PAEA). It then concludes that the Postal Service has not demonstrated that its proposal meets the requirements of that section, citing subparagraphs (A) and (B) of that section.

As explained in our accompanying reply comments, the Public Representative is wrong on both counts. In particular, the Public Representative has misread and misapplied the law as set forth in the PAEA. Because its arguments could not have been anticipated and addressed in the round of comments due on May 2nd, and

because these erroneous interpretations of the law appear to have been adopted in the most recent Chairman's Information Request No. 2 (issued May 6), we submit that leave to file reply comments is not only appropriate but necessary to ensure that the Commission apply the proper legal and regulatory standards in evaluating the Postal Service's proposal.

Respectfully submitted,

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