

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

TEMPORARY WAIVERS FROM PERIODIC REPORTING OF SERVICE PERFORMANCE MEASUREMENT	Docket No. RM2011-1
SEMI-PERMANENT EXCEPTIONS FROM PERIODIC REPORTING OF SERVICE PERFORMANCE MEASUREMENT	Docket No. RM2011-4
TEMPORARY WAIVERS FROM PERIODIC REPORTING OF SERVICE PERFORMANCE MEASUREMENT	Docket No. RM2011-7

UNITED STATES POSTAL SERVICE MOTION FOR CLARIFICATION OF ORDER CONCERNING TEMPORARY WAIVERS AND SEMI-PERMANENT EXCEPTIONS FROM PERIODIC REPORTING OF SERVICE PERFORMANCE MEASUREMENT
(July 12, 2011)

The United States Postal Service submits its motion requesting clarification of Postal Regulatory Commission (“Commission”) Order No. 745 concerning temporary waivers and semi-permanent exceptions from periodic reporting of service performance measurement.

Background

On June 16, 2011, the Commission issued Order No. 745, addressing three separately docketed Postal Service requests for temporary waivers, semi-permanent exceptions, and/or alternative forms of relief from the periodic reporting of service performance measurements.¹ In Docket No. RM2011-1, the Postal Service sought temporary waivers for First-Class Mail Flats at the District level; non-retail First-Class Mail Parcels; all categories of Standard Mail; Outside

¹ Docket No. RM2011-1, RM2011-4, and RM2011-7, Order No. 745, Order Concerning Temporary Waivers and Semi-Permanent Exceptions from Periodic Reporting of Service Performance Measurement, June 16, 2011.

County Periodicals; non-retail Media Mail, Library Mail, and Bound Printed Matter Parcels; and Stamp Fulfillment Services.² Docket No. RM2011-4 entailed a request by the Postal Service for a semi-permanent exception for, or alternative relief from, quarterly reporting of First-Class Mail Flats at the District level.³ Subsequently, the Postal Service filed a conditional notice of withdrawal concerning the temporary waiver request for District level reporting of First-Class Mail Flats previously filed in Docket No. RM2011-1.⁴ In Docket No. RM2011-7, the Postal Service requested temporary waivers for Standard Mail, Bound Printed Matter Flats, and certain Area and District level data for presort First-Class Mail and End-to-End Periodicals.⁵

The Commission denied the Postal Service's requests in each of the three dockets above with the exception of the temporary waiver requests for presort First-Class Mail letters, cards, and flats and for Stamp Fulfillment Services. The Commission set deadlines for the Postal Service to begin reporting all available data (along with statistical validity calculations) and/or to file implementation plans with timelines for the product and product components for which it both granted and denied Postal Service requests. The instant Motion seeks

² Docket No. RM2011-1, United States Postal Service Request for Temporary Waivers from Periodic Reporting of Service Performance Measurement, October 1, 2010.

³ Docket No. RM2011-4, United States Postal Service Request for Semi-Permanent Exception from Periodic Reporting of Service Performance Measurement or, in the Alternative, Petition for Rulemaking Concerning 39 C.F.R. § 3055.45(a), November 23, 2010

⁴ Docket No. RM2011-1, United States Postal Service Notice of Provisional Partial Withdrawal of Request for Temporary Waiver, November 24, 2010.

⁵ Docket No. RM2011-7, United States Postal Service Request for Temporary Waivers from Periodic Reporting of Service Performance Measurement, February 3, 2011.

clarification on the Commission's instructions related to presort First-Class Mail letters, cards, and flats, Standard Mail Parcels, and non-retail Package Services.

Presort First-Class Mail Letters, Cards, and Flats

The Postal Service requested a temporary waiver from reporting service performance data to the extent data are unavailable for presort First-Class Mail as a result of insufficient mailer compliance with Full-Service Intelligent Mail requirements.⁶ Specifically, the Postal Service found that documentation errors were affecting start-the-clock events and distorting scores negatively. The Commission granted the request for a temporary waiver subject to the Postal Service providing status reports, as indicated in its waiver requests, and reporting all data along with statistical calculations, such as confidence intervals and levels, beginning with the Quarter 4 report.

The Postal Service's temporary waiver requests and offer of status reports preceded the Commission's issuance of the FY2010 Annual Compliance Determination (ACD). In the ACD, the Commission directed the Postal Service to file monthly progress reports on Presort First-Class Mail and Standard Mail users' adoption of the Full-Service Intelligent Mail Barcode (IMb).

The Postal Service is not clear on whether the requirement in Order No. 754, which postdates the ACD, should be understood as identical to the monthly IMb progress report mandated in the ACD. Moreover, in light of the Commission's order that all available data be reported beginning with the Quarter 4 FY2011 report, it is unclear whether the progress report requirement (or, if

⁶ See Docket No. RM2011-7 United States Postal Service Request for Temporary Waivers from Periodic Reporting of Service Performance Measurement, February 3, 2011, at 1-4.

somehow distinct, the status report requirement) is intended to persist beyond the Quarter 4 FY2011 report, at which time such information could be incorporated into the narrative portion of the periodic reports. The Postal Service accordingly seeks clarification of this matter through the instant motion.

Non-Retail Package Services & Standard Mail Parcels

The Postal Service sought a temporary waiver from service performance reporting for non-retail Package Services and Standard Mail Parcels based on the current unavailability of a reliable start-the-clock method.⁷ Accordingly, the Postal Service proposed using the first en-route scan on mail processing equipment as the start-the-clock event and continuing the delivery or attempted delivery scan as the stop-the-clock event.

Based on comments from commercial First-Class Mail, Standard Mail, and Package Services users, the Commission opined that such a system would fail to account for a significant period of time that mail is within the Postal Service's possession and would not lead to representative service performance measurements. The Commission advised that, if the Postal Service chose to proceed with its proposal, it could continue to report data as they become available using a first en-route scan through the FY 2011 Quarter 4 report, but it must present a plan to the Commission detailing how it intends to account for the period prior to the first en-route scan, including an implementation schedule with a specified end date, by August 1, 2011. The Commission also ordered the

⁷ See Docket No. RM2011-1, United States Postal Service Request for Temporary Waivers from Periodic Reporting of Service Performance Measurement, October 1, 2010, at 4-6, 7-10, and 12-13.

Postal Service to begin reporting all available data with statistical calculations beginning with the FY 2011 Quarter 4 report.

Thus, there appear to be two overlapping instructions: reporting based on the first en route scan *through* (i.e., up to and including) the Quarter 4 report and reporting of all available data *beginning with* the Quarter 4 report. While these two instructions are not mutually exclusive, the Postal Service wishes to confirm that the Quarter 4 report will include all available data *and* be based on the first en-route scan (without, necessarily, use of an adjustment factor).

Conclusion

The Postal Service respectfully requests that the Commission clarify these matters so that the Postal Service can report data per Commission Order No. 745.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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