

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

Rate Adjustment Due to Extraordinary
Or Exceptional Circumstances

Docket No. R2010-4(R)

**OPPOSITION OF AMERICAN POSTAL WORKERS UNION, AFL-CIO
TO PUBLIC REPRESENTATIVE'S MOTION TO STRIKE OR
FOR ALTERNATIVE RELIEF
(July 27, 2011)**

On July 26, 2011, the Public Representative in this Docket filed a Motion to Strike Portions of the Postal Service's Initial Comments or for Alternative Relief. The Postal Service immediately filed its Opposition to the Public Representative's Motion. The American Postal Workers Union, AFL-CIO, (APWU) hereby opposes the Public Representative's Motion to Strike. In APWU's Initial Comments in this case, we urged the Commission to narrow its focus to the question how the "due to" standard applies to the pending request for an exigent rate increase. That approach to this case is important, both as a matter of sound administration of the law and because it is important for the Commission to move quickly to provide the Postal Service a much-needed increase.

For those reasons, and largely for the reasons expressed in the Postal Service's Opposition to the Public Representative's Motion, APWU opposes the Public Representative's Motion seeking to strike portions of the Postal Service's initial comments. However, we support a modest revision to the procedural schedule to allow more time to review the material submitted prior to filing Reply Comments. We agree with the Postal Service that a period significantly less than the requested 45 days would be reasonable and submit that a 7-day extension would be sufficient.

Accordingly, APWU respectfully opposes the Public Representative's Motion to strike certain material filed as part of the Postal Service's initial comments in this case.

Respectfully submitted,

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