

ORDER NO. 1715

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

Before Commissioners:

Ruth Y. Goldway, Chairman;  
Robert G. Taub, Vice Chairman;  
Mark Acton;  
Tony Hammond; and  
Nanci E. Langley

Modification of Mail Classification Schedule  
Regarding Philatelic Sales and  
Officially Licensed Retail Products

Docket No. MC2013-49

NOTICE AND ORDER CONCERNING MINOR CLASSIFICATION CHANGES  
REGARDING PHILATELIC SALES AND  
OFFICIALLY LICENSED RETAIL PRODUCTS

(Issued May 15, 2013)

*Introduction.* The Commission hereby provides notice, pursuant to 39 C.F.R. § 3020.92, that the Postal Service has filed notice of a minor classification change regarding Philatelic Sales and Officially Licensed Retail Products.<sup>1</sup> The Notice was filed May 13, 2013 under Commission rules 39 C.F.R. §§ 3020.90 and 3020.91. It also presents, as an Attachment, proposed revisions to the Mail Classification Schedule (MCS) descriptions for the nonpostal services Philatelic Sales and Officially Licensed Retail Products (OLRP). *Id.* Attachment.

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<sup>1</sup> Notice of the United States Postal Service of Classification Change Related to Philatelic Sales and Officially Licensed Retail Products, May 13, 2013 (Notice).

*MCS changes.* The Postal Service proposes to exempt prices established by auctions from the maximum price limits that otherwise would apply for Philatelic Sales and OLRP. Notice at 1. It states that the auction process is a fair mechanism for determining a price, and auction results would be beyond the control of the Postal Service. *Id.* It further states that it would be impractical to use auctions if they should include a maximum price limit. *Id.* The Postal Service believes the changes are not subject to 39 U.S.C. § 3642 because no product is added or removed from a product list or transferred between the market dominant and competitive product lists. *Id.* The Postal Service does not indicate a proposed effective date for the changes, but 39 C.F.R. § 3020.91 provides that a notice must be filed no later than 15 days prior to the effective date of the proposed change. The Postal Service requests approval of the proposed changes to be incorporated into the MCS. *Id.* at 2.

*Related procedural matters.* The Commission has posted the Notice on its website at <http://www.prc.gov>. Interested persons are encouraged to review the Notice and the Attachment. The Commission invites comments on matters raised by the Notice, including the consistency of the change with 39 U.S.C. § 3642. The due date for comments is May 22, 2013.

The Commission appoints Tracy N. Ferguson to serve as Public Representative in this proceeding.

*Supplemental information.* To clarify the record, the Postal Service is requested to explain its intentions, plans and timing regarding the use of auctions for the sale of Philatelic Sales and Officially Licensed Retail Products (OLRP) nonpostal products.

*It is ordered:*

1. The Commission establishes Docket No. MC2013-49 to consider the matters raised by the Notice.

2. Pursuant to 39 U.S.C. § 505, Tracy N. Ferguson is appointed to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.
3. Comments by interested persons are due by May 22, 2013.
4. A Postal Service response to the supplemental information requested is due no later than May 20, 2013.

By the Commission.

Shoshana M. Grove  
Secretary