

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

COMPETITIVE PRODUCT PRICES
GLOBAL EXPEDITED PACKAGE SERVICES 3 (MC2010-28)
NEGOTIATED SERVICE AGREEMENTS

Docket No.
CP2013-26

**MOTION OF THE UNITED STATES POSTAL SERVICE FOR TEMPORARY RELIEF
AND NOTICE OF THE UNITED STATES POSTAL SERVICE OF FILING
MODIFICATION TWO TO A GLOBAL EXPEDITED PACKAGE SERVICES 3
NEGOTIATED SERVICE AGREEMENT**
(December 20, 2013)

The agreement that is the subject of this docket was originally scheduled to expire on January 6, 2014.¹ Attached to this notice is a Modification Two,² which the customer and the Postal Service have executed. The modification states that the agreement that is the subject of this docket will expire on February 28, 2014, thereby eliminating the earlier potential termination date that the Postal Service filed in this docket.

The modification also amends Article 15. In Order No. 1835, the Commission requested, with respect to GEPS 3 agreements, that the Postal Service offer Article 15

¹ United States Postal Service Response to Order No. 1596 concerning Effective Dates of a Global Expedited Package Services 3 Negotiated Service Agreement, Docket No. CP2013-26, January 7, 2013.

² A redacted version of the modification is filed publicly as Attachment 1, while the unredacted version of the modification is filed under seal. With respect to the nonpublic version of the modification that is filed under seal, the Postal Service hereby incorporates its Application for Non-Public Treatment filed in conjunction with its December 13, 2012 notice in this docket. Notice of United States Postal Service of Filing a Functionally Equivalent Global Expedited Package Services 3 Negotiated Service Agreement and Application for Non-Public Treatment of Materials Filed Under Seal, Docket Nos. CP2013-26, December 13, 2012, Attachment 4.

related modifications and file them in the docket corresponding to each customer's agreement.³

The Postal Service intends to initiate a new rate docket, in which the Postal Service would file the successor to the agreement that is the subject of this docket. In the meantime, however, the Postal Service requests that the Commission continue to list the agreement that is the subject of this docket on the Mail Classification Schedule, according to the terms set forth in the modification filed today.

Therefore, the Postal Service respectfully requests that the Commission approve a brief extension of the agreement that is the subject of this docket to maintain continuity of pricing and other terms and conditions of the agreement. The Postal Service requests that the existing terms and conditions under the agreement that is the subject of this docket be extended to February 28, 2014.

Respectfully submitted,

UNITED STATES POSTAL SERVICE
By its attorneys:

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December 20, 2013

³ Order No. 1835, Order Approving Revisions to Model Contract, Docket Nos. MC2013-27 and CP2013-35, September 16, 2013, at 6.

**MODIFICATION TWO TO THE
GLOBAL CUSTOMIZED MAIL AGREEMENT BETWEEN
THE UNITED STATES POSTAL SERVICE AND**

[REDACTED]

This Modification amends the Global Customized Mail Agreement ("Agreement") between [REDACTED] ("Mailer") with offices at [REDACTED] and the United States Postal Service ("USPS"), an independent establishment of the Executive Branch of the United States Government, with offices at 475 L'Enfant Plaza SW, Washington, DC 20260-9998, signed by the Mailer on December 6, 2012, and signed by the USPS on December 7, 2012, and modified by Modification One signed by the Mailer on January 15, 2013, and signed by the USPS on January 17, 2013. The Mailer and the USPS may be referred to individually as a "Party" and together as the "Parties."

The purposes of this Modification are to change the wording of Article 12. Term Of The Agreement and Article 15. Postage Updates.

Article 12. Term Of The Agreement shall now read as follows:

ARTICLE 12. TERM OF THE AGREEMENT

The USPS will notify the Mailer of the Effective Date of the Agreement as soon as possible, but no later than thirty (30) days, after receiving the approval of the entities that have oversight responsibilities for the USPS. The Agreement shall remain in effect until 11:59 p.m. on February 28, 2014, unless terminated sooner pursuant to Article 13 or Article 14.

Article 15. Postage Updates shall now read as follows:

ARTICLE 15. POSTAGE UPDATES

1. In the event that the USPS incurs an increase in costs [REDACTED] [REDACTED] associated with providing this service, the USPS shall notify the Mailer and modify the prices established under this Agreement. [REDACTED]
2. The USPS will give the Mailer thirty (30) days' notice of changes to the prices in Annex 1.
3. Any revision of prices in Annex 1 shall not be retroactive.
4. No price shall increase beyond the non-discounted published price for the affected service.

All other terms and conditions of the Agreement shall remain in force.

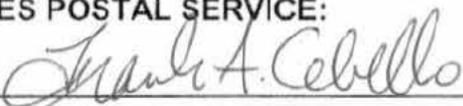
The Mailer acknowledges that the Modification and supporting documentation will be filed with the Postal Regulatory Commission ("Commission") in a docketed proceeding (CP2013-26). The Mailer authorizes the USPS to determine the scope of information that must be made publicly available in any Commission docketed proceeding in which information related to this Modification must be filed. The Mailer further understands that any unredacted portion of the Modification or supporting information will be available on the Commission's public website, <http://www.prc.gov>. In addition, the USPS may be required to file information in connection with this instrument (including

revenue, cost or volume data) in other Commission dockets, including Commission docket numbers ACR2013, ACR2014, and/or ACR2015. The Mailer has the right, in accordance with the Commission's rules, to address its confidentiality concerns directly with the Commission. The procedure for making an application to the Commission for non-public treatment of materials believed to be protected from disclosure is found at Title 39, Code of Federal Regulations, Section 3007.22 found on the Commission's website, <http://www.prc.gov/Docs/63/63467/Order225.pdf>.

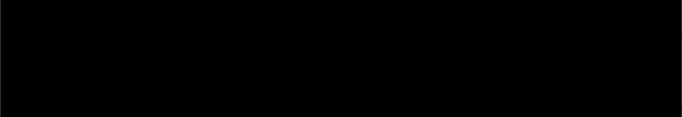
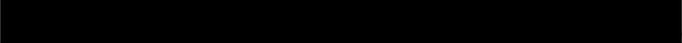
The Parties may execute this Modification in one or more counterparts (including by facsimile or by electronic means such as .pdf format). Not all Parties need be signatories to the same document. All counterpart signed documents shall be deemed an original and one instrument.

In witness whereof, this Modification is deemed executed on the latter of the two dates accompanying the Parties' signatures.

ON BEHALF OF THE UNITED STATES POSTAL SERVICE:

Signature: 
Name: Frank A. Cebello
Title: Executive Director, Global Business Management
Date: 12/9/13

ON BEHALF OF 

Signature: 
Name: 
Title: 
Date: Dec. 7, 2013