

ORDER NO. 2008

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

Before Commissioners:

Ruth Y. Goldway, Chairman;
Mark Acton, Vice Chairman; and
Robert G. Taub

Competitive Product Prices
Global Expedited Package Services 3 (MC2010-28)
Negotiated Service Agreement

Docket No. CP2014-19

ORDER APPROVING MODIFICATION TO
GLOBAL EXPEDITED PACKAGE SERVICES 3
NEGOTIATED SERVICE AGREEMENT

(Issued March 5, 2014)

On February 28, 2014, the Postal Service filed a notice concerning a modification to the Global Expedited Package Services (GEPS) 3 agreement (Agreement) that is the subject of this proceeding, along with redacted and unredacted versions of the Modification.¹ The Modification changes the Postal Service-approved PC Postage Provider in Article 2. *Id.* Attachment 1.

¹ Notice of the United States Postal Service of Filing Modification to Global Expedited Package Services 3 Negotiated Service Agreement, February 28, 2014 (Notice), at Attachment 1 (Modification). See *also* 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, December 20, 2013 (Initial Notice). The Postal Service incorporates by reference the Application for Non-Public Treatment filed as Attachment 4 to the Initial Notice in support of filing a sealed version of the modification with the Commission. Notice at 1.

The Postal Service states that the Modification went into effect on January 21, 2014. Notice at 1. However, notice of the Modification was not filed with the Commission until 37 days later. The Commission reviews GEPS 3 agreements and any subsequent modification(s) for functional equivalence to the baseline agreement and compliance with the requirements of 39 U.S.C. § 3633 and applicable Commission rules. Therefore, it is imperative that the Postal Service file any modification to an existing agreement with Commission sufficiently in advance of its effective date to allow the Commission to review the modification for compliance with applicable statutory and regulatory requirements.

The Commission approved the inclusion of the instant Agreement within the GEPS 3 product in Order No. 1945.² Changing the PC Postage Provider does not alter the Commission's finding in Order No. 1945 that the Agreement is functionally equivalent to the baseline GEPS 3 agreement and satisfies the requirements of 39 U.S.C. § 3633 and applicable Commission rules. Given this conclusion, the Modification is approved and will be included as part of the record of this proceeding. In the future, absent extraordinary circumstances, the Postal Service shall file any modification to an existing agreement sufficiently in advance of its effective date to allow the Commission to review the modification for compliance with applicable statutory and regulatory requirements.

It is ordered:

1. The Modification filed in Docket No. CP2014-19 on February 28, 2014 is approved.

² Order Approving a Global Expedited Package Services 3 Negotiated Service Agreement, January 3, 2014 (Order No. 1945).

2. Absent extraordinary circumstances, the Postal Service shall file any modification to an existing agreement sufficiently in advance of its effective date to allow the Commission to review the modification for compliance with applicable statutory and regulatory requirements.

By the Commission.

Shoshana M. Grove
Secretary