

ORIGINAL

ORDER NO. 1255

UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

Before Commissioners:

Edward J. Gleiman, Chairman;
W.H. "Trey" LeBlanc III, Vice Chairman;
Dana B. Covington, Sr.; Ruth Y. Goldway;
and George A. Omas

Mission Statement of the
Office of the Consumer Advocate

Docket No. RM99-3

**NOTICE AND ORDER ADOPTING
OFFICE OF THE CONSUMER ADVOCATE MISSION STATEMENT**

(June 22, 1999)

Introduction. Before recommending decisions on rate and classification matters, the Postal Rate Commission is required by the Postal Reorganization Act to provide an opportunity for a hearing on the record to "the Postal Service, users of the mails, and an officer of the Commission who shall be required to represent the interests of the general public." 39 U.S.C. § 3624(a). In Order No. 433, issued June 1, 1982, the Commission issued policy guidelines for the officer of the Commission (OOC) (and the permanent staff assigned to the OOC) with respect to representing the interests of the general public. Subsequently, the Commission designated a staff unit as the Office of the Consumer Advocate (OCA). The Director of the OCA is generally appointed as the officer of the Commission responsible for representing the interests of the general public. See 39 CFR 3002.7 (describing the OCA) and Appendix A to Part 3002 (the policy statement).



Development of superseding mission statement. The Commission has developed a Mission Statement of the OCA (presented as Appendix A to this order) to update and reemphasize the importance of the role of OCA in proceedings before the Commission. The Mission Statement encompasses the duties outlined in the 1982 guidelines, but broadens the scope of the activities the OCA is expected to undertake in representing the general public interest. The purpose of the Mission Statement also is to apprise the general public and participants in proceedings before the Commission of the current role of the OCA in the work of the agency and the opportunities available for public input in Commission proceedings.

The Mission Statement is not intended to limit the means by which the OCA represents the interests of the general public. The Commission will not consider either the scope of the activities of the OCA or whether positions taken by OCA adhere to the Mission Statement as an issue in any proceeding.

The OCA will participate in formal dockets before the Commission, including rulemaking dockets initiated by the Commission, and make evidentiary and legal presentations to the Commission on issues arising in such dockets. OCA shall participate in informal and formal discovery to obtain information needed to support its presentations or otherwise to inform the Commission on pending issues. For its presentations, OCA may utilize its staff resources and, where appropriate, retain expert witnesses, consultants, or counsel to assist it in preparing and presenting material to the Commission. OCA will present views to the Commission on behalf of members of the general public, including individuals and small businesses as both senders and recipients of mail, who are not otherwise adequately represented by private parties in proceedings before the Commission. The OCA shall also participate in dockets to assure that a full record is developed for Commission consideration.

In the event the Commission indicates through a notice of inquiry or other suitable procedure that it wishes to explore certain issues, including the reconsideration of previous decisions to evaluate their continued viability, the OCA shall contribute to

this process on the same basis as all other parties. The OCA shall also carry out such other functions as may be assigned to it by the Commission.

The Commission values appropriate contact between the OCA and members of the general public and organizations representing consumers or advocating on behalf of consumers. Such contacts can provide useful information as to general public postal needs and preferences; widely held concerns about postal rates and services; and complaints about, or perceptions of, deficiencies in the Postal Service. Such contacts also can be the source of specific suggestions for changes in the Domestic Mail Classification Schedule (DMCS) and the DMCS Fee Schedule, and for other public suggestions for changes in which the Commission may be interested. Such suggestions may include matters that are not the subject of specific Commission proceedings.

The OCA is expected to maintain regular contact with consumer advocacy or public interest groups that may wish to participate, either on a full or limited basis, in proceedings before the Commission. The OCA may consult with such groups and shall facilitate, through informational or logistical means, the ability of such groups to present their positions to the Commission. The OCA also shall serve as a resource to assist individuals and otherwise unrepresented entities to understand how they may best present their views to the Commission.

Other responsibilities. In addition to the duty to participate in Commission proceedings, the OCA staff is expected to stay abreast of the body of published information germane to postal rate and classification matters, as well as regulatory and non-regulatory developments in related fields such public utilities, telecommunications, and transportation. The OCA staff is expected to increase its understanding of mailer needs and postal operations by appropriate field study, including the use of surveys where appropriate. Public contacts and informational undertakings of this nature are appropriately related to the OCA's function.

Impact on existing policy statement. The Mission Statement that has been developed supersedes the "Policy Guidelines for Representation of the Interests of the General Public in Commission Proceedings," which currently appears as Appendix A to 39 CFR Part 3002. Adoption of the Mission Statement also requires a minor conforming editorial change in 39 CFR 3002.7(c).

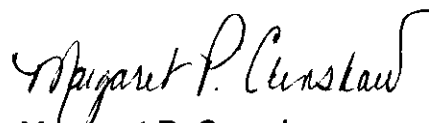
Effective date. The Commission has determined that the referenced Mission Statement shall take effect upon publication of this notice and order.

It is ordered:

1. The Commission hereby adopts the "Mission Statement of the Office of the Consumer Advocate."
2. The referenced Mission Statement shall take effect upon publication of this notice and order.
3. The Secretary of the Commission shall arrange for publication of this notice and order in the *Federal Register* in a manner consistent with applicable requirements.

By the Commission.

(S E A L)


Margaret P. Crenshaw
Secretary

POSTAL RATE COMMISSION

MISSION STATEMENT
OF THE OFFICE OF THE CONSUMER ADVOCATE

The mission of the Office of the Consumer Advocate is to be a vigorous, responsive, and effective advocate for reasonable and equitable treatment of the general public in proceedings before the Postal Rate Commission.

In furtherance of this mission, the Office of the Consumer Advocate will:

- Give a strong and consistent voice to the views of consumers, especially those that are not otherwise represented in Commission proceedings;
- Argue for equity on behalf of individuals and small businesses, both as senders and as recipients of mail and mail services;
- Utilize all means and procedures available under the Commission's rules and applicable law to present evidence and arguments on behalf of consumers in Commission proceedings;
- Assist in the development of a complete record on issues pending before the Commission;
- Engage in dialogue with parties or participants in proceedings before the Commission to advance the interests of consumers;
- Encourage the equitable settlement of issues among the parties and participants in proceedings whenever possible;
- Promote fair competition between the United States Postal Service and its competitors for the ultimate benefit of consumers;

- Seek out responsible advocates of consumer interests and encourage their participation in Commission cases;
- Maintain the highest standards of competence and quality in all evidence and pleadings submitted to the Commission; and
- Maintain separation and independence from the Commission and its advisory staff in the course of proceedings before the Commission.