

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

Before Commissioners:

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

Competitive Product Prices  
Priority Mail Contract 48 (MC2013-16)  
Negotiated Service Agreement

Docket No. CP2013-15

ORDER GRANTING MOTION FOR TEMPORARY RELIEF

(Issued November 13, 2015)

The negotiated service agreement approved in this proceeding (Existing Agreement) is set to expire November 19, 2015.<sup>1</sup> On November 12, 2015, the Postal Service filed a motion for temporary relief seeking to extend the expiration date of the Existing Agreement by 60 additional days.<sup>2</sup>

The Postal Service states that it has been working with the customer to reach a new agreement which would have avoided any interruption in the customer's access to negotiated rates. Motion at 1. However, parties have concurrently been engaged in

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<sup>1</sup> See Docket Nos. MC2013-16 and CP2013-15, Order No. 1548, Order Adding Priority Mail Contract 48 to the Competitive Product List, November 19, 2012, at 5 (noting that the Existing Agreement was to expire 3 years after the date the Commission issued all necessary approvals).

<sup>2</sup> Motion of the United States Postal Service for Temporary Relief, November 12, 2015 (Motion).

negotiations on other potential agreements which have delayed the process for a successor agreement in the instant docket. *Id.* Although the Postal Service states that the customer prefers to prioritize other negotiations for the time being, it would like to continue to utilize the rates negotiated in the Existing Agreement through the busy holiday and peak mailing season. *Id.* The Postal Service requests a 60-day extension to allow the parties additional time to conclude negotiations on other potential negotiated service agreement opportunities and finalize a successor agreement. *Id.* at 2.

The request for temporary relief filed in this docket is not unique. Indeed, it is part of a growing pattern. In Order No. 2753, the Commission reiterated its expectation that “any future extensions ‘should state with particularity the circumstances necessitating the additional extension.’”<sup>3</sup>

The Commission, however, recognizes that the Postal Service has made a good faith effort to comply with the expectations set forth in Order No. 2753 by stating the circumstances around the current request with particularity. Given the fact that this is the first request for temporary relief in this docket and the Postal Service’s continued efforts to negotiate a successor agreement during the peak mailing season, the Commission grants the Motion.

The Existing Agreement may continue through and will expire on January 19, 2016, unless terminated earlier pursuant to the terms of the agreement.

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<sup>3</sup> Docket No. CP2012-46, Order Granting Second Motion for Temporary Relief, October 15, 2015, at 2 (Order No. 2753) (*citing* Order No. 2660, Order Granting Motion for Temporary Relief in Part, August 12, 2015, at 2).

*It is ordered:*

1. The Motion of the United States Postal Service for Temporary Relief, filed November 12, 2015, is granted.
2. The Existing Agreement will expire January 19, 2016, or the day after the Commission completes its review of the successor agreement, whichever occurs first.

By the Commission.

Stacy L. Ruble  
Secretary

Vice Chairman Hammond, dissenting.