

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

ORDER NO. 3213

Before Commissioners:

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

Mail Classification Schedule

Docket No. RM2016-8

NOTICE OF PROPOSED RULEMAKING  
CONCERNING PRODUCT LISTS  
AND THE MAIL CLASSIFICATION SCHEDULE

(Issued April 6, 2016)

I. INTRODUCTION

This rulemaking is initiated by the Postal Regulatory Commission (Commission) to fulfill its responsibilities under the Postal Accountability and Enhancement Act (PAEA), Public Law No. 109-435, 120 Stat. 3198 (2006). The proposed rules amend existing rules concerning the Mail Classification Schedule (MCS) and the associated market dominant and competitive product lists. The proposals amend existing rules to conform to the current practice of publishing the MCS on the Commission's website at [www.prc.gov](http://www.prc.gov), noticing changes to the market dominant and competitive product lists in the *Federal Register*, and publishing the market dominant and competitive product lists in the *Code of Federal Regulations* (CFR).

The proposed rules replace existing 39 CFR part 3020, subpart A in its entirety. Conforming changes also are proposed for 39 CFR part 3020, subparts B, C, and D. The proposed text for these rules appears after the signature of this Order.

## II. HISTORY

On October 29, 2007, the Commission issued Order No. 43, which in part established rules concerning the MCS, and the market dominant and competitive product lists.<sup>1</sup> It also directed publication of an MCS outline in the CFR that was limited to a table of contents and the market dominant and competitive product lists. Order No. 43, Appendix A. These rules, including the appendix, were codified at 39 CFR part 3020.

The Commission, in Docket No. RM2007-1, also began the process of developing a comprehensive MCS.<sup>2</sup> This task was not complete at the time the Commission issued Order No. 43.

When an initial proposed MCS was complete, the Commission initiated Docket No. RM2011-8 to incorporate it into the CFR.<sup>3</sup> The proposed MCS was to replace the existing outline of the MCS. The Commission solicited and received comments on both the proposed MCS and the corresponding rules. The suggestions provided in the comments were extremely helpful in further developing the MCS and have been incorporated into the rule proposals appearing in the instant rulemaking.

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<sup>1</sup> Docket No. RM2007-1, Order Establishing Ratemaking Regulations for Market Dominant and Competitive Products, October 29, 2007, at 99-108,138-154 (Order No. 43); 72 Fed. Reg. 64,155 (Nov. 15, 2007).

<sup>2</sup> Docket No. RM2007-1, Order No. 26, Order Proposing Regulations to Establish a System of Ratemaking, August 15, 2007, at 2, 82-83; 72 Fed. Reg. 50,744 (Sept. 4, 2007). *See also* Order No. 43 at 99.

<sup>3</sup> Docket No. RM2011-8, Order No. 666, Notice of Proposed Rulemaking Concerning Mail Classification Schedule, February 7, 2011; Docket No. RM2011-8, Order No. 758, Notice of Proposed Rulemaking Concerning Mail Classification Schedule (Revising Order No. 666), July 12, 2011; 76 Fed. Reg. 51,311 (Aug. 18, 2011) (to be codified at 39 CFR part 3020, subpart A).

From an administrative perspective, the rulemaking also required the Commission to develop internal procedures for implementing the proposed rules. This included procedures for publishing timely updates to the MCS and the associated product lists appearing in the CFR. Because of the continuous flow of Postal Service proposals to add or modify products, the Commission recognized that keeping the CFR-published MCS and the associated product lists current would require updates on a weekly, if not daily, basis. With the procedures envisioned and the anticipated frequency of updates, the Commission concluded that it would incur prohibitive publication costs and challenging resource burdens.<sup>4</sup>

In the interim, the Postal Service and the Commission each maintained versions of the MCS. The Postal Service used its version when presenting price and classification proposals to the Commission for evaluation. This required the Commission to first resolve any differences between the Commission's version of the MCS and the Postal Service's version of the MCS before considering the Postal Service's proposals.

On April 1, 2013, the Commission published its version of the MCS to the Commission's website.<sup>5</sup> This provided visibility to all interested persons participating in Commission proceedings as to current prices and classifications. From this point forward, the Postal Service submitted its proposed price and classification changes based on this version of the MCS.

The Commission developed internal procedures for updating the draft MCS appearing on its website on approximately a monthly basis. The Commission displays all changes in redline, as had been requested by the Postal Service. The redline changes are incorporated, and a new baseline MCS created, at the conclusion of major

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<sup>4</sup> The Commission also explored a "publication by reference" approach with the *Federal Register*. This approach presented an equal number of challenges to the Commission and was dropped from consideration.

<sup>5</sup> Notice of Posting Draft Mail Classification Schedule to the Commission's Website, April 1, 2013. At this stage in the development of the MCS, the Commission's version and the Postal Service's version were nearly identical.

price or classification proceedings. All prior versions of the MCS are archived and available on the website for reference.

The Commission also developed internal procedures for publishing product list changes in the *Federal Register* and for updating the outline MCS appearing in the CFR. The Commission, at that time, removed the table of contents from the outline MCS and simply provided current market dominant and competitive product lists.<sup>6</sup> The Commission also elected to notice product list changes in the *Federal Register* and update the product lists in the CFR on approximately a quarterly basis. Internal Commission procedures were implemented to compile product list changes directed by Commission orders by calendar quarter. The compiled list of changes are noticed in the *Federal Register* and are used to update the outline MCS appearing in the CFR shortly after the close of each calendar quarter.

The instant rulemaking proposes to codify the current practice, as described in the above procedures. The MCS appearing on the website has proven effective in documenting current prices and classifications and in facilitating communications of the Postal Service's proposed price and classification changes to the Commission. The procedures for noticing product list changes in the *Federal Register* and updating product lists in the CFR fulfill the statutory requirements for publishing revised product lists.

The effect of the rulemaking is to make the version of the MCS appearing on the Commission's website the authoritative and most up to date comprehensive source for price and classification information for Postal Service products.<sup>7</sup> In keeping with current practice, the proposed rules codify that product lists will continue to be published in the CFR, with notice of changes published in the *Federal Register*. The proposed rules no longer indicate that the MCS will be published in the CFR.

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<sup>6</sup> The table of contents was hopelessly outdated and contradicted the table of contents appearing in the MCS appearing on the Commission's website.

<sup>7</sup> The proposed rules recognize the immediate binding effect of the Commission's final orders on the Postal Service, subject to statutory challenge, and the inherent time lag in updating product lists and the MCS.

### III. RULE MODIFICATIONS

The Commission’s existing rules concerning the MCS, which include the associated market dominant and the competitive product lists, are codified at 39 CFR part 3020, subpart A—Mail Classification Schedule. An abridged version of the MCS (which only includes the market dominant and competitive product lists) is codified at 39 CFR part 3020, Appendix A to subpart A—Mail Classification Schedule.

This rulemaking codifies current practice. The product lists and the MCS will be treated as separate items. Only the product lists are noticed in the *Federal Register* and published in the CFR. The MCS will be available on the Commission’s website.<sup>8</sup> Conforming changes are also required in 39 CFR part 3020, subparts B, C, and D.

The title of subpart A is changed from “Mail Classification Schedule” to “Product Lists and Mail Classification Schedule.” The addition of “Product Lists” to the title more accurately describes the content of subpart A.

The existing § 3020.1, “Applicability,” specifies that the market dominant and competitive product lists are to be included as part of the MCS. The proposed § 3020.1 describes the product lists and the MCS as separate items.

Proposed § 3020.1(a) clarifies that it is the Commission’s responsibility to establish and maintain lists of Postal Service products and a MCS.

Proposed § 3020.1(b) replaces existing § 3020.1(a). Both specify that the starting point for the product lists are the market dominant products identified in 39 U.S.C. 3621(a) and the competitive products identified in 39 U.S.C. 3631(a). Proposed § 3020.1(b) expands upon this requirement by including products within the product lists identified as market tests pursuant to 39 U.S.C. 3641 and nonpostal pursuant to 39 U.S.C. 404(e). This flows from the requirement for the Postal Service to properly categorize market tests as either market dominant or competitive (39 U.S.C. 3641(b)(2))

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<sup>8</sup> For the convenience of the reader, the MCS will include copies of the market dominant and competitive product lists.

and the Commission to properly categorize nonpostal services as either market dominant or competitive (39 U.S.C. 404(e)(5)).<sup>9</sup>

Proposed § 3020.1(c) states the purpose of the MCS as providing current price and classification information applicable to the products appearing on the market dominant and competitive product lists.

Proposed § 3020.1(d) modifies the material previously included in existing § 3020.1(b) by addressing the product lists and the MCS as two separate items. The proposed section provides that either item may be modified subject to the procedures in 39 CFR part 3020.

Proposed § 3020.2 directs that the market dominant and competitive product lists shall be published in the *Federal Register* as Appendix A to subpart A of part 3020 and Appendix B to subpart A of part 3020, respectively. Currently, an abridged version of the MCS, which includes only the market dominant and competitive product lists, is published in the *Federal Register* as Appendix A to subpart A of part 3020. The intent of the existing rule was to eventually publish the entire MCS in the *Federal Register*. The intent of the proposed rule is to implement current practice and only publish the market dominant and competitive product lists in the *Federal Register*. Providing a separate appendix for each product list is intended to potentially reduce *Federal Register* publication costs when modifications are required of one product list but not the other.

Proposed § 3020.3 explains how product lists are modified and how the public is notified of such changes. This section replaces and expands upon the material previously appearing in existing § 3020.14. Generally, § 3020.3 implements the publication requirement appearing in 39 U.S.C. 3642(d)(2), which requires *Federal Register* notice of product list changes.

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<sup>9</sup> This change was adopted at the suggestion of the Docket No. RM2011-8 Public Representative. Docket No. RM2011-8, Public Representative Comments on Notice of Proposed Rulemaking Concerning Mail Classification Schedule, March 24, 2011, at 5.

Proposed § 3020.3(a) explains that the requirement to publish notice of a product list change is triggered by a Commission final order that directs such changes.

The current practice of the Commission is to accumulate all final orders involving changes to product lists and to file a product list update with the *Federal Register* on a quarterly basis. Proposed § 3020.3(b) sets a maximum 6-month deadline for filing the quarterly update. This essentially provides a maximum of 3 months from the quarterly accumulation cutoff date to process and submit the changes to the *Federal Register*.

The Commission's position is that Commission orders issued within its jurisdiction are binding upon the Postal Service when issued, unless challenged pursuant to 39 U.S.C. 3663. Accordingly, § 3020.3(c) specifies that changes to product lists are effective upon issuance of the final order, and not upon publication in the *Federal Register*, which generally occurs at a later date.

Proposed § 3020.3(d) specifies the content of the *Federal Register* notice consistent with the requirements of 39 U.S.C. 3642(d)(2). This material previously appeared in existing § 3020.14.

Since April 1, 2013, the MCS has been available on the Commission's website at *www.prc.gov*. Proposed § 3020.4(a) directs the Commission to publish the authoritative version of the MCS on its website. Proposed § 3020.4(b) describes the minimum required content of the MCS. This material previously appeared in existing § 3020.13.

Proposed § 3020.5 explains that modifications to the MCS are triggered by Commission final orders directing such changes.

The current practice of the Commission is to accumulate all final orders involving changes to the MCS and to update it on a monthly basis. Proposed § 3020.5(b) sets a maximum 3-month deadline for filing the quarterly update. This essentially provides a maximum of 2 months from the quarterly accumulation cutoff date to process and post a revised MCS to the website.

The Commission's position is that its orders are binding upon the Postal Service when issued, unless challenged pursuant to 39 U.S.C. 3663. Accordingly, § 3020.3(c)

specifies that changes to the MCS are effective upon issuance of the final order, and not once the MCS is actually modified, which generally occurs at a later date.

The titles to 39 CFR part 3020, subparts B, C, and D and §§ 3020.30, 3020.50, and 3020.70 refer to the product lists as being within the MCS. Conforming changes are proposed to remove this reference.

#### IV. PUBLIC REPRESENTATIVE

Pursuant to 39 U.S.C. 505, Kenneth E. Richardson is appointed to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this docket.

#### V. INVITATION OF COMMENTS

The Commission invites public comment on the proposed rules. Comments by interested persons are due 30 days after publication in the *Federal Register*.

#### VI. ORDERING PARAGRAPHS

*It is ordered:*

1. Docket No. RM2016-8 is established for the purpose of receiving comments on the Commission's proposed rules.
2. The Commission proposes to amend its rules as described below. The proposed amendments involve amending 39 CFR part 3020, subpart A—Mail Classification Schedule, and conforming amendments to subparts B, C, and D.
3. Pursuant to 39 U.S.C. 505, the Commission appoints Kenneth E. Richardson to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

4. Interested persons may submit comments no later than 30 days after the date of publication of this Order in the *Federal Register*.
5. The Secretary shall arrange for publication of this Order in the *Federal Register*.

By the Commission.

Stacy L. Ruble  
Secretary

## List of Subjects in 39 CFR Part 3017

Administrative practice and procedure.

For the reasons discussed in the preamble, the Commission proposes to amend chapter III of title 39 of the Code of Federal Regulations as follows:

### Part 3020—PRODUCT LISTS

1. The authority citation for part 3020 continues to read as follows:

**Authority:** 39 U.S.C. 503; 3622; 3631; 3642; 3682.

2. Revise subpart A of part 3020 to read as follows:

#### Subpart A—Product Lists and the Mail Classification Schedule

Sec.

§ 3020.1 Applicability.

§ 3020.2 Product Lists.

§ 3020.3 Notice of Product List change.

§ 3020.4 Mail Classification Schedule.

§ 3020.5 Modifications to the Mail Classification Schedule.

Appendix A to subpart A of part 3020—Market Dominant Product List

Appendix B to subpart A of part 3020—Competitive Product List

#### § 3020.1 Applicability.

(a) The rules in this part require the Postal Regulatory Commission to establish and maintain lists of Postal Service products and a Mail Classification Schedule.

(b) The product lists shall categorize postal products as either market dominant or competitive. As established, the market dominant and competitive product lists shall be consistent with the market dominant products identified in 39 U.S.C. 3621(a) and the competitive products identified in 39 U.S.C. 3631(a). The market dominant and

competitive product lists shall also include products identified as market tests pursuant to 39 U.S.C. 3641 and nonpostal pursuant to 39 U.S.C. 404(e).

(c) The Mail Classification Schedule shall provide current price and classification information applicable to the products appearing on the market dominant and competitive product lists.

(d) Once established, the product lists and the Mail Classification Schedule may be modified subject to the procedures specified in this part.

### **§ 3020.2 Product Lists.**

(a) *Market Dominant Product List.* The market dominant product list shall be published in the *Federal Register* at Appendix A to subpart A of part 3020—Market Dominant Product List.

(b) *Competitive Product List.* The competitive product list shall be published in the *Federal Register* at Appendix B to subpart A of part 3020—Competitive Product List.

### **§ 3020.3 Notice of Product List change.**

(a) Whenever the Postal Regulatory Commission issues a final order that modifies the list of products in the market dominant category or the competitive category, it shall cause notice of such change to be published in the *Federal Register*.

(b) Notice shall be submitted to the *Federal Register* for publication within 6 months of the issue date of the applicable final order that affects the change.

(c) Modifications pending publication in the *Federal Register* are effective immediately upon written direction from the Postal Regulatory Commission.

(d) The *Federal Register* notice shall:

(i) Identify modifications to the current list of market dominant products and the current list of competitive products; and

(ii) Indicate how and when the previous product lists have been modified.

**§ 3020.4 Mail Classification Schedule.**

(a) The Postal Regulatory Commission shall publish a Mail Classification Schedule (including both current and previous versions) on its Web site at <http://www.prc.gov>. Copies of the Mail Classification Schedule also shall be available during regular business hours for reference and public inspection at the Postal Regulatory Commission located at 901 New York Avenue, NW, Suite 200, Washington, DC 20268-0001.

(b) The Mail Classification Schedule shall include, but shall not be limited to:

(1) Front matter, including:

(i) A cover page identifying the title of the document as the Mail Classification Schedule, the source of the document as the Postal Regulatory Commission (including Commission seal), and the publication date;

(ii) A table of contents;

(iii) A table specifying the revision history of the Mail Classification Schedule;

and

(iv) A table identifying Postal Service trademarks; and

(2) Information concerning market dominant products, including:

(i) A copy of the Market Dominant Product List;

(ii) Descriptions of each market dominant product organized by the class of product, including:

(A) Where applicable, the general characteristics, size and weight limitations, minimum volume requirements, price categories, and available optional features of each market dominant product;

(B) A schedule listing the rates and fees for each market dominant product;

(C) Where applicable, the identification of a product as a special classification within the meaning of 39 U.S.C. 3622(c)(10) for market dominant products;

(D) Where applicable, the identification of a product as an experimental product undergoing a market test; and

(E) Where applicable, the identification of a product as a nonpostal product; and

(3) Information concerning competitive products, including:

(i) A copy of the Competitive Product List; and

(ii) Descriptions of each competitive product, including:

(A) Where applicable, the general characteristics, size and weight limitations, minimum volume requirements, price categories, and available optional features of each competitive product;

(B) A schedule listing the current rates and fees for each competitive product of general applicability;

(C) The identification of each product not of general applicability within the meaning of 39 U.S.C. 3632(b)(3) for competitive products;

(D) Where applicable, the identification of a product as an experimental product undergoing a market test; and

(E) Where applicable, the identification of a product as a nonpostal product; and

(4) A glossary of terms and conditions; and

(5) A list of country codes for international mail prices.

**§ 3020.5 Modifications to the Mail Classification Schedule.**

(a) Whenever the Postal Regulatory Commission issues a final order that modifies the Mail Classification Schedule, it shall update the Mail Classification Schedule appearing on its Web site at *http://www.prc.gov*.

(b) Modification to the Mail Classification Schedule shall be incorporated within 3 months of the issue date of the final order.

(c) Modifications pending incorporation into the Mail Classification Schedule are effective immediately upon written direction from the Postal Regulatory Commission.

**Appendix A to subpart A of part 3020—Market Dominant Product List**

(An asterisk (\*) indicates an organizational group, not a Postal Service product.)

First-Class Mail\*

- Single-Piece Letters/Postcards
- Presorted Letters/Postcards
- Flats
- Parcels
- Outbound Single-Piece First-Class Mail International
- Inbound Letter Post

Standard Mail (Commercial and Nonprofit)\*

- High Density and Saturation Letters
- High Density and Saturation Flats/Parcels
- Carrier Route
- Letters
- Flats
- Parcels
- Every Door Direct Mail—Retail

Periodicals\*

- In-County Periodicals
- Outside County Periodicals

Package Services\*

- Alaska Bypass Service
- Bound Printed Matter Flats
- Bound Printed Matter Parcels
- Media Mail/Library Mail

Special Services\*

- Ancillary Services
- International Ancillary Services
- Address Management Services
- Caller Service
- Credit Card Authentication
- International Reply Coupon Service
- International Business Reply Mail Service
- Money Orders
- Post Office Box Service
- Customized Postage
- Stamp Fulfillment Services

Negotiated Service Agreements\*

Domestic\*

- PHI Acquisitions, Inc. Negotiated Service Agreement

International\*

- Inbound Market Dominant Multi-Service Agreements with Foreign Postal Operators 1
- Inbound Market Dominant Exprés Service Agreement 1

Nonpostal Services\*

- Alliances with the Private Sector to Defray Cost of Key Postal Functions
- Philatelic Sales

Market Tests\*

**Appendix B to subpart A of part 3020—Competitive Product List**

(An asterisk (\*) indicates an organizational class or group, not a Postal Service product.)

Domestic Products\*

- Priority Mail Express
- Priority Mail
- Parcel Select
- Parcel Return Service
- First-Class Package Service
- Retail Ground

International Products\*

- Outbound International Expedited Services
- Inbound Parcel Post (at UPU rates)
- Outbound Priority Mail International
- International Priority Airmail (IPA)
- International Surface Air List (ISAL)
- International Direct Sacks—M-Bags
- Outbound Single-Piece First-Class Package International Service

Negotiated Service Agreements\*

Domestic\*

- Priority Mail Express Contract 8

Priority Mail Express Contract 15  
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Priority Mail Express Contract 32  
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Priority Mail Express Contract 34  
Priority Mail Express Contract 35  
Parcel Return Service Contract 5  
Parcel Return Service Contract 6  
Parcel Return Service Contract 7  
Parcel Return Service Contract 8  
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Parcel Return Service Contract 10  
Priority Mail Contract 24  
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Parcel Select & Parcel Return Service Contract 3  
Parcel Select & Parcel Return Service Contract 5  
Parcel Select Contract 2  
Parcel Select Contract 5  
Parcel Select Contract 7  
Parcel Select Contract 8  
Parcel Select Contract 9  
Parcel Select Contract 10  
Parcel Select Contract 11  
Parcel Select Contract 12  
Parcel Select Contract 13  
Parcel Select Contract 14  
Priority Mail—Non-Published Rates  
    Priority Mail—Non-Published Rates 1  
First-Class Package Service Contract 35  
First-Class Package Service Contract 36  
First-Class Package Service Contract 37  
First-Class Package Service Contract 38  
First-Class Package Service Contract 39  
First-Class Package Service Contract 40  
First-Class Package Service Contract 41  
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Priority Mail Express, Priority Mail & First-Class Package Service Contract 2  
Priority Mail Express, Priority Mail & First-Class Package Service Contract 3  
Priority Mail Express, Priority Mail & First-Class Package Service Contract 4  
Priority Mail Express, Priority Mail & First-Class Package Service Contract 5  
Priority Mail Express, Priority Mail & First-Class Package Service Contract 6  
Priority Mail Express, Priority Mail & First-Class Package Service Contract 7  
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- Priority Mail & First-Class Package Service Contract 13
- Priority Mail & First-Class Package Service Contract 14
- Priority Mail & First-Class Package Service Contract 15
- Priority Mail & First-Class Package Service Contract 16
- Outbound International\*
  - Global Expedited Package Services (GEPS) Contracts
    - GEPS 3
  - Global Bulk Economy (GBE) Contracts
  - Global Plus Contracts
    - Global Plus 1C
    - Global Plus 2C
  - Global Reseller Expedited Package Contracts
    - Global Reseller Expedited Package Services 1
    - Global Reseller Expedited Package Services 2
    - Global Reseller Expedited Package Services 3
    - Global Reseller Expedited Package Services 4
  - Global Expedited Package Services (GEPS)—Non-Published Rates
    - Global Expedited Package Services (GEPS)—Non-Published Rates 2
    - Global Expedited Package Services (GEPS)—Non-Published Rates 3
    - Global Expedited Package Services (GEPS)—Non-Published Rates 4
    - Global Expedited Package Services (GEPS)—Non-Published Rates 5
    - Global Expedited Package Services (GEPS)—Non-Published Rates 6
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    - Global Expedited Package Services (GEPS)—Non-Published Rates 9
    - Global Expedited Package Services (GEPS)—Non-Published Rates 10
  - Priority Mail International Regional Rate Boxes—Non-Published Rates
  - Outbound Competitive International Merchandise Return Service Agreement with Royal Mail Group, Ltd.
  - Priority Mail International Regional Rate Boxes Contracts
    - Priority Mail International Regional Rate Boxes Contracts 1
  - Competitive International Merchandise Return Service Agreements with Foreign Postal Operators
    - Competitive International Merchandise Return Service Agreements with Foreign Postal Operators 1
    - Competitive International Merchandise Return Service Agreements with Foreign Postal Operators 2
- Inbound International\*
  - International Business Reply Service (IBRS) Competitive Contracts
    - International Business Reply Service Competitive Contract 1

- International Business Reply Service Competitive Contract 3
- Inbound Direct Entry Contracts with Customers
- Inbound Direct Entry Contracts with Foreign Postal Administrations
  - Inbound Direct Entry Contracts with Foreign Postal Administrations
  - Inbound Direct Entry Contracts with Foreign Postal Administrations 1
- Inbound EMS
  - Inbound EMS 2
- Inbound Air Parcel Post (at non-UPU rates)
  - Royal Mail Group Inbound Air Parcel Post Agreement
- Inbound Competitive Multi-Service Agreements with Foreign Postal Operators 1
- Special Services\*
  - Address Enhancement Services
  - Greeting Cards, Gift Cards, and Stationery
  - International Ancillary Services
  - International Money Transfer Service—Outbound
  - International Money Transfer Service—Inbound
  - Premium Forwarding Service
  - Shipping and Mailing Supplies
  - Post Office Box Service
  - Competitive Ancillary Services
- Nonpostal Services\*
  - Advertising
  - Licensing of Intellectual Property other than Officially Licensed Retail Products (OLRP)
  - Mail Service Promotion
  - Officially Licensed Retail Products (OLRP)
  - Passport Photo Service
  - Photocopying Service
  - Rental, Leasing, Licensing or other Non-Sale Disposition of Tangible Property
  - Training Facilities and Related Services
  - USPS Electronic Postmark (EPM) Program
- Market Tests\*
  - International Merchandise Return Service (IMRS)—Non-Published Rates
  - Customized Delivery

3. Revise the heading of subpart B of part 3020 to read as follows:

**Subpart B—Requests Initiated by the Postal Service to Modify the Product Lists**

4. Revise § 3020.30 to subpart B to read as follows:

**§ 3020.30 General.**

The Postal Service, by filing a request with the Commission, may propose a modification to the market dominant product list or the competitive product list. For

purposes of this part, modification shall be defined as adding a product to a list, removing a product from a list, or moving a product from one list to the other list.

5. Revise the heading of subpart C of part 3020 to read as follows:

**Subpart C—Requests Initiated by Users of the Mail to Modify the Product Lists**

6. Revise § 3020.50 to subpart C to read as follows:

**§ 3020.50 General.**

Users of the mail, by filing a request with the Commission, may propose a modification to the market dominant product list or the competitive product list. For purposes of this part, modification shall be defined as adding a product to a list, removing a product from a list, or transferring a product from one list to the other list.

7. Revise the heading of subpart D of part 3020 to read as follows:

**Subpart D—Proposal of the Commission to Modify the Product Lists**

8. Revise § 3020.70 to subpart D to read as follows:

**§ 3020.70 General.**

The Commission, of its own initiative, may propose a modification to the market dominant product list or the competitive product list. For purposes of this part, modification shall be defined as adding a product to a list, removing a product from a list, or transferring a product from one list to the other list.