

ORDER NO. 3405

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

Before Commissioners:

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

Competitive Product Prices
Global Plus 3 Contracts (MC2016-152)
Negotiated Service Agreements

Docket No. CP2016-196

ORDER GRANTING, IN PART, MOTION FOR TEMPORARY RELIEF

(Issued June 30, 2016)

The Postal Service seeks to modify a Global Plus 3 negotiated service agreement.¹ The Postal Service intends for the Modification to become effective on July 1, 2016. See Notice at 1.

On June 29, 2016, the Commission provided public notice of the Postal Service's filing; reopened the instant docket to consider the Modification; appointed a Public Representative; and provided an opportunity to comment.² Chairman's Information

¹ Notice of the United States Postal Service of Filing Modification to Global Plus 3 Negotiated Service Agreement, June 27, 2016 (Notice). The modification is an attachment to the Notice. Notice, Attachment 1 (Modification).

² Notice Initiating Docket(s) for Recent Postal Service Negotiated Service Agreement Filings, June 29, 2016.

Request No. 1 was issued on June 29, 2016.³ CHIR No. 1 sought clarification on whether the Postal Service intends for the Modification to be incorporated into the baseline agreement for purposes of evaluating future Global Plus 3 contracts for functional equivalency.⁴ The Postal Service filed its response to CHIR No. 1, the same day CHIR No. 1 was issued.⁵ In its response, the Postal Service states that it does not intend for the Modification to be incorporated into the baseline agreement for purposes of evaluating future Global Plus 3 contracts. Response to CHIR No. 1 at 2.

Additionally, the Postal Service provides background relating to the necessity of the Modification and urges the Commission to treat the Modification as effective on July 1, 2016. *Id.* at 3.

Also on June 29, 2016, the Postal Service filed a motion for temporary relief.⁶ In its Motion, the Postal Service seeks clarification on whether the Modification may go into effect on July 1, 2016, while review is pending. Motion at 1. The Postal Service states that there may be serious disruptions in service if the Modification does not go into effect on July 1, 2016. *Id.* Specifically, the Postal Service warns that some of the existing customer base may not be able to access discounted prices. *Id.* at 2.

The Motion is granted in part. The Modification may provisionally go into effect from July 1 to July 11, 2016. This will allow interested parties to file comments and afford the Commission sufficient time to review the notice and consider any comments that are filed. Granting the Postal Service's Motion is in the public interest and will not prejudice any person.

³ Chairman's Information Request No. 1, June 29, 2016 (CHIR No. 1).

⁴ See CHIR No. 1. In Order No. 3378, the Commission approved the use of a Global Plus 3 negotiated service agreement (Agreement) to serve as the baseline in future tests of functional equivalency for Global Plus 3 contracts. Docket Nos. MC2016-152 and CP2016-196, Order Adding Global Plus 3 to the Competitive Product List and Approval of Designation as Baseline Agreement, June 21, 2016, at 7.

⁵ Response of the United States Postal Service to Chairman's Information Request No. 1, June 29, 2016 (Response to CHIR No. 1).

⁶ Motion for Temporary Relief Concerning Notice of the United States Postal Service of Filing Modification to Global Plus 3 Negotiated Service Agreement, June 29, 2016 (Motion).

It is ordered:

1. The Commission grants, in part, the Postal Service's Motion for temporary relief, filed June 29, 2016.
2. The Modification may provisionally go into effect from July 1 to July 11, 2016.

By the Commission.

Ruth Ann Abrams
Acting Secretary