

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

Periodic Reporting  
(Proposal Four)

Docket No. RM2016-12

ORDER ADDRESSING PROCEDURAL MOTIONS

(Issued October 26, 2016)

On October 24, 2016, the Postal Service filed a motion which requests that the Commission extend the deadline for reply comments until November 14, 2016.<sup>1</sup> The Postal Service contends that the extensive body of materials United Parcel Service, Inc. (UPS) submitted as comments require additional time to understand such that well-informed reply comments can be prepared.<sup>2</sup> This motion is granted. The deadline for

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<sup>1</sup> Motion of the United States Postal Service Seeking an Extension of the Deadline for Reply Comments, October 24, 2016.

<sup>2</sup> Amazon Fulfillment Services, Inc. has filed an answer in support of this motion. Answer of Amazon Fulfillment Services, Inc., in Support of Postal Service Motion for Extension of Time for Reply Comments, October 26, 2016.

reply comments is extended until November 14, 2016.<sup>3</sup>

On October 20 and 21, 2016, the Postal Service filed motions which request that the Commission pose questions to UPS concerning the comments submitted by UPS.<sup>4</sup> Generally, the Commission does not pose questions to participants that are merely commenting. This could act as a discouragement to participation in a proceeding. Exceptions may be considered where participants offer alternatives to the proposals presented by the Postal Service that merit further consideration. Other exceptions also may be appropriate. In this instance, the UPS comments appear to provide a critique of the Postal Service's proposal, but do not go so far as suggesting a new alternative. At this time, the motions which ask the Commission to pose questions to UPS are denied.

Regardless, there is no prohibition against the Postal Service from contacting UPS and asking for clarification of the UPS comments as outlined by the Postal Service's motions.<sup>5</sup> The Commission would encourage participants to first try to resolve these types of issues on their own before seeking Commission intervention. The Postal Service also has the option of addressing any issues presented by participant comments in the Postal Service's reply comments.

The Commission recognizes that portions of the comments received in this docket are extensive and highly technical in nature; the understanding of which may be aided by providing additional information. UPS should recognize that if the Postal Service has questions concerning the UPS's comments, other participants, including the Commission, may have similar concerns. The Commission suggests that if UPS concludes that its initial comments require additional clarification (such as providing

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<sup>3</sup> The deadline for reply comments was initially scheduled for October 21, 2016. Order No. 3482, Notice of Proposed Rulemaking on Analytical Principles Used in Periodic Reporting (Proposal Four), August 24, 2016, at 3. The deadline was subsequently extended to October 31, 2016. Order No. 3546, Order Granting, in Part, Motion for Extension of Deadline to Comment, October 4, 2016, at 3.

<sup>4</sup> First Motion of the United States Postal Service Seeking Issuance of Information Requests to United Parcel Service, October 20, 2016; Second Motion of the United States Postal Service Seeking Issuance of Information Requests to United Parcel Service, October 21, 2016.

<sup>5</sup> Likewise, since UPS is on notice that the Postal Service has questions, UPS can directly contact the Postal Service to resolve these issues.

responses to the questions included in the Postal Service's motions) it may, by motion, file to supplement its initial comments.<sup>6</sup> This shall not be an opportunity to provide new argument. If any participant chooses to take advantage of this option, the Commission suggests that the materials be filed by November 8, 2016, such that the material may be considered in reply comments.

*It is ordered:*

1. The Motion of the United States Postal Service Seeking an Extension of the Deadline for Reply Comments, filed October 24, 2016, is granted.
2. Reply comments are due not later than November 14, 2016.
3. The First Motion of the United States Postal Service Seeking Issuance of Information Requests to United Parcel Service, filed October 20, 2016, is denied.
4. The Second Motion of the United States Postal Service Seeking Issuance of Information Requests to United Parcel Service, filed October 21, 2016, is denied.

By the Commission.

Stacy L. Ruble  
Secretary

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<sup>6</sup> This opportunity is available to all commenters previously submitting comments.