

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

Competitive Product Prices  
Priority Mail Express & Priority Mail Contract 29  
(MC2016-120)  
Negotiated Service Agreement

Docket No. CP2016-150

PUBLIC REPRESENTATIVE COMMENTS ON  
REQUEST OF THE UNITED STATES POSTAL SERVICE TO AMEND  
PRIORITY MAIL EXPRESS AND PRIORITY MAIL SERVICE CONTRACT 29  
NEGOTIATED SERVICE AGREEMENT

(November 9, 2016)

The Public Representative hereby provides comments pursuant to a Commission notice initiating this docket.<sup>1</sup> In that Order, the Commission established the above referenced docket to receive comments from interested persons, including the undersigned Public Representative, on the Postal Service's notice to amend Priority Mail Express and Priority Mail Contract 29 negotiated service agreement.<sup>2</sup>

## Discussion

The Public Representative has previously reviewed and commented on the Postal Service's initial request to add Priority Mail Express and Priority Mail Contract 29 to the competitive product list.<sup>3</sup> In that docket, the Public Representative concluded that the Postal Service's request "satisfies the criteria of section 3642(b), concerning the

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<sup>1</sup> Notice Initiating Docket(s) for Recent Postal Service Negotiated Service Agreement Filings, November 3, 2016.

<sup>2</sup> Notice of United States Postal Service of Amendment to Priority Mail Express & Priority Mail Contract 29, with Portions Filed Under Seal, November 2, 2016. (Notice)

<sup>3</sup> See Public Representative Comments on Postal Service Request to Add Priority Mail Express & Priority Mail Contract 29 to the Competitive Product List. April 18, 2016.

classification of new competitive products, and complies with the requirements of section 3633(a) during the first year.” *Id.* at 3. In addition, he concluded that the concern for subsequent years of the contract is “mitigated somewhat by the fact that the terms of the contract provide for an adjustment to the contract...that may permit revenues to cover cost during years 2 and 3.” *Id.*

## **Conclusion**

The Public Representative, after reviewing the original comments and amended materials submitted by the Postal Service, concludes that the amended contract continues to satisfy the relevant provisions of title 39.

The Public Representative respectfully submits the foregoing comments for the Commission’s consideration.

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