

BEFORE THE  
POSTAL REGULATORY COMMISSION  
WASHINGTON, D.C. 20268-0001

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REPOSITIONABLE NOTES MINOR CLASSIFICATION CHANGE

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Docket No. MC2007-2

STATEMENT OF THE UNITED STATES POSTAL SERVICE  
CONCERNING COMPLIANCE WITH FILING REQUIREMENTS  
AND CONDITIONAL MOTION FOR WAIVER  
(April 2, 2007)

In the Compliance Statement (Attachment C to the Request), the Postal Service has identified information contained in its testimony and supporting documentation intended to satisfy the filing requirements in pertinent provisions of the Commission's Rules of Practice and Procedure (Rules 64 and 69). The Postal Service has supplemented materials developed specifically for this filing by incorporating documentation that was submitted by the Postal Service in connection with the most recent omnibus rate proceeding, Docket No. R2006-1. In light of several considerations, the Postal Service believes that most of the specific requirements pertaining to classes of mail and special services are met by incorporating the materials from this rate case.

The proposed change in the expiration date of the Repositionable Notes Provisional Service (RPN) would not alter any established rates, fees, or substantive classifications. The instant request for minor classification changes to RPN follows closely on the heels of an omnibus rate case, Docket No. R2006-1, in which the Postal Service's financial condition and supporting data were subject to close examination by a wide range of participants. In fact, little additional information that might be responsive

to the Commission's filing requirements is available. But to the extent it bears upon RPN, it appears in the testimony of witness Parr (USPS-T-1). For this reason also, the Compliance Statement relies heavily upon materials produced in Docket No. R2006-1 and makes reference, where appropriate, to the proceeding establishing RPN, Docket No. MC2004-5. As such, the Commission's filing requirements are adequately addressed through reference to information provided in the previous proceedings, especially where, as here, the proposal is closely limited to preservation of the status quo.

In assessing compliance in this regard, substantial weight should be given to the extremely limited nature of the proposed classification and its operations, and the tiny magnitude of its impact on costs, volumes, and revenues in total and for particular mail categories and services. In the event that total cost-revenue relationships might be affected by continuing RPN, any changes to those relationships are likely to be so minor as not to warrant amendment of the rate case testimony beyond the additional information provided in this docket.

In the Compliance Statement, we have addressed each filing requirement and indicated which parts of the Postal Service's filing satisfy each rule. We have also incorporated the materials from other dockets by reference. We have addressed the filing requirements applied in connection with requests made pursuant to Rules 64 and 69.

If the Commission concludes that the materials from prior dockets or filed in the instant docket fail to satisfy the filing requirements, and that strict construction of the rules regarding information pertaining to other mail and special services would require

testimony supporting that information which is developed specifically with reference to the proposed change in RPN provisional service expiration date, the Postal Service respectfully moves that those requirements be waived, pursuant to 39 C.F.R. §§ 3001.22, 3001.54(r), 3001.64(h)(3), and 3001.69(c)(1-3).

For the reasons stated above, the minimal impact of this proceeding upon total costs and revenues combined with its small impact on total costs and revenues and on the costs, volumes, and revenues of mail categories, the likely interest among mailers and at the Commission in reviewing the white paper, and the fact that the proposed classification changes would merely preserve the status quo do not warrant strict compliance with the filing requirements, and they should be waived.<sup>1</sup>

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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<sup>1</sup> As reflected in the Compliance Statement, Attachment C to the Request in this case, full or partial waivers are requested with respect to the following rules: 64(b)(1)-(4), 64(c)(1-3), 64(d), 64(h), and 69(c)(1-3). To the extent a conclusion is reached that rule 54 also applies to this minor classification change, a waiver to that extent is also requested.