



FREQUENTLY ASKED QUESTIONS

Operational and Service Standard Changes Related to the Delivering for America Plan, 2024 – Docket No. N2024-1

Q. Why did the Commission issue this advisory opinion?

A. This advisory opinion results from a request by the Postal Service. Whenever the Postal Service determines that it should change the “nature of postal services,” which will “affect service on a nationwide or substantially nationwide basis,” it is required by law to submit a proposal to the Commission before implementing those changes. After conducting a formal, on-the-record hearing and allowing interested parties to provide argument or additional evidence, the Commission issues an advisory opinion on the request. Here, the Postal Service filed its request for an advisory opinion in October 2024. After conducting an on-the-record hearing in December 2024, the Commission has issued its advisory opinion on the proposed changes contained in the Postal Service’s request.

Q. What did the Commission take into consideration when developing this advisory opinion?

A. Along with the request, the Commission considered (1) the witness testimony submitted by the Postal Service; (2) library references submitted by the Postal Service in support of the request; (3) answers the Postal Service submitted to Presiding Officer information requests and discovery requests submitted by interested parties and the Public Representative; (4) rebuttal cases submitted by multiple parties; (5) the answers given by Postal Service witnesses at the on-the-record hearing; (6) briefs and reply briefs submitted by interested parties, the Public Representative, and the Postal Service; and (7) Commission staff analysis.

Q. What are the major takeaways from the advisory opinion?

A. The advisory opinion concludes that the Postal Service’s plan is based on defective modeling and is not ready for implementation. It also concludes that the Postal Service relied on overly optimistic and unsubstantiated financial projections for cost savings that are also not likely to improve the overall financial health of the Postal Service. It further concludes that the Postal Service’s proposed changes will negatively and disproportionately impact rural communities throughout the United States. Moreover, the appendix to the advisory opinion contains several recommendations from the Commission.

Q. Does the Commission find that these changes would violate postal law?

A. The Commission’s advisory opinion concludes that the record, in this case, lacks the foundation for it to conclude whether the Postal Service balanced the legal factors and

objectives it is required by law to consider because there is too little known about the timeline of the changes, and the Postal Service asserts that the changes are subject to continual adjustments, changes, and variations. The Commission concludes that, as presented, the proposed two provisions of postal law -- 39 U.S.C. §§ 101(a) and (e), which require the Postal Service to “provide prompt, reliable, and efficient services to patrons in all areas and render postal services to all communities” and “give the highest consideration to the requirement for the most expeditious collection, transportation, and delivery of important letter mail” -- have not been satisfied by the Postal Service. Finally, the Commission concluded that it is concerned about the impacts of the proposed changes on rural communities, but without additional specifics, the Commission could not conclude whether the proposed changes violate the prohibition against “undue or unreasonable discrimination” contained in 39 U.S.C. § 403(c).

Q. Does the Commission expect the Postal Service to modify its direction in the Delivering for America plan because of this advisory opinion?

A. The Commission expects the Postal Service to seriously consider the recommendations made throughout the advisory opinion and that, based on these findings, the Postal Service will reconsider the proposed changes.

Q. How will this advisory opinion affect service standards?

A. This advisory opinion does not approve, modify, or reject the service standard changes proposed by the Postal Service. The law requires the Postal Service to “consult” with the Commission when it proposes changes to service standards. But the law is also clear that the Commission’s advisory opinion is just that – advisory. The law does not permit the Commission to approve, modify, or prohibit the changes the Postal Service proposes to the service standards. Therefore, while the advisory opinion expresses an unfavorable view of the proposed changes to the service standards and makes several recommendations, the Commission cannot legally reject the proposed changes.

Q. Can this advisory opinion hold the Postal Service accountable for the service issues the public has been experiencing across the country?

A. Yes, but not directly by Commission action. The Commission can highlight the likely negative impact on service, particularly in rural areas. The Commission can also make recommendations for the Postal Service to consider when determining whether to implement the proposed changes. These findings will be shared with the Postal Service and its management, interested parties, and Congress.

Q. What needs to happen to enforce the suggestions outlined by the Commission in this advisory opinion?

A. The United States Postal Service Governors and United States Congress are the two entities that could directly hold the Postal Service accountable for the suggestions identified in the proposal if they determine it is necessary to do so and whether changes in the law are required. Additionally, should the Postal Service implement the proposed changes, and should those changes have the predicted negative effects on rural customers, the Commission has the legal authority to hear complaints asserting, among other things, any “undue or unreasonable discrimination” that results from the changes.

Q. Who has the authority to hold the Postal Service accountable for the network changes that interfere with reliable mail delivery?

A. The Commission has the authority to hear complaints that assert, among other things, that the Postal Service is engaged in “undue or unreasonable discrimination” if any changes it implements interfere with reliable mail delivery. Additionally, the United States Postal Service Governors and/or Congress can consider these issues and have direct authority to modify postal policy or, in the case of Congress, the law as it determines necessary. Additionally, Postal Service management may choose to make changes to its proposal based on the findings in the advisory opinion. Finally, through the *Annual Compliance Determination*, the Commission monitors the Postal Service’s service performance for 27 Market Dominant products/categories. The Commission can order corrective action if the Postal Service fails to meet these service performance targets.

Q. Will some geographic areas be impacted more significantly than others because of these changes?

A. Yes, the Commission’s advisory opinion concludes that the Postal Service’s proposed changes will disproportionately affect rural areas.

Q. How will the Commission present the advisory opinion to the Postal Service and will there be any in-person briefings with PMG DeJoy and his staff and/or the Board of Governors?

A. The advisory opinion will be filed in the Commission’s edockets system. The Commission will also release public communications regarding the issuance of the advisory opinion through our website, social media, and press materials.

Q. Is the advisory opinion also sent to Congress, and if it is, to whom is it sent?

A. It is the practice of the Commission’s Public Affairs and Government Relations department to provide the advisory opinion and any accompanying materials to the Chair and Ranking Member of the House Committee on Oversight and Government Reform and the Senate Homeland Security and Governmental Affairs Committee.

Q. Does the Postal Service provide any feedback to the Commission for any further revisions to the advisory opinion?

A. Though it’s not a required practice, the Commission welcomes engagement with the Postal Service on its findings. However, the Commission does not revise its original findings based on interactions with the Postal Service.

Q. If the Postal Service implements its plan, how will some of these proposed changes affect service?

A. In the advisory opinion, the Commission concluded that the proposed service standard changes will lengthen the time some mail will take to get to its final destination while speeding up some as well. The Regional Transportation Optimization (RTO) initiative will add an extra day of service for outgoing mail sent by postal customers living more than 50 miles from one of the Postal Service’s 60 processing facilities, known as Regional Processing and Distribution Centers (RPDC). Meanwhile, those living within 50 miles of an RPDC may see more rapid delivery times. The Commission’s analysis found that around 75 percent of ZIP Codes fall outside of the 50-mile

radius, and therefore, could face an added day. There are some additional ways that postal customers may experience longer wait times for their mail to arrive, particularly the Postal Service's proposal to no longer count Sundays or Federal Holidays as transit days, which the Commission concludes is plainly a service degradation. For example, currently, a Single Piece First-Class Mail letter with a 5-day service standard sent on Saturday is expected to be delivered on the following Thursday. After these changes, that same piece of mail would be expected to be delivered on a Friday, or if sent on a Saturday before a Monday Federal holiday, it would be expected to be delivered on the following Saturday, a full 7 days later. So, while the Postal Service indicates it is not changing the 2–5-day standard, the Commission concludes in the advisory opinion that this contention hides a degradation in service.