

**§ 3020.90**

**Subpart E—Requests Initiated by the Postal Service to Change the Mail Classification Schedule**

**§ 3020.90 General.**

The Postal Service shall assure that product descriptions in the Mail Classification Schedule accurately represent the current offerings of Postal Service products and services.

**§ 3020.91 Modification.**

The Postal Service shall submit corrections to product descriptions in the Mail Classification Schedule that do not constitute a proposal to modify the market dominant product list or the competitive product list as defined in § 3020.30 by filing notice of the proposed change with the Commission no later than 15 days prior to the effective date of the proposed change.

[73 FR 6427, Feb. 4, 2008]

**§ 3020.92 Public input.**

The Commission shall publish Postal Service submissions pursuant to § 3020.91 on its Web site and provide interested persons with an opportunity to comment on whether the planned changes are inconsistent with 39 U.S.C. 3642.

**§ 3020.93 Implementation.**

(a) The Commission shall review the proposed changes to product descriptions, and the comments thereon. So long as such changes are not inconsistent with 39 U.S.C. 3642, the Commission shall, subject to editorial corrections, change the Mail Classification Schedule to coincide with the effective date of the proposed change.

(b) The Commission's finding that changes to the product descriptions are not inconsistent with 39 U.S.C. 3642 is provisional and subject to subsequent review.

[72 FR 63698, Nov. 9, 2007, as amended at 73 FR 6427, Feb. 4, 2008]

**39 CFR Ch. III (7–1–14 Edition)**

**Subpart F—Size and Weight Limitations for Mail Matter**

**§ 3020.110 General.**

Applicable size and weight limitations for mail matter shall appear in the Mail Classification Schedule as part of the description of each product.

**§ 3020.111 Limitations applicable to market dominant mail matter.**

(a) The Postal Service shall inform the Commission of updates to size and weight limitations for market dominant mail matter by filing notice with the Commission 45 days prior to the effective date of the proposed update. The notice shall include a copy of the applicable sections of the Mail Classification Schedule and the proposed updates therein in legislative format.

(b) The Commission shall provide notice of the proposed update in the FEDERAL REGISTER and seek public comment on whether the proposed update is in accordance with the policies and the applicable criteria of chapter 36 of title 39 of the United States Code.

(c) If the Commission finds the proposed update in accordance with the policies and the applicable criteria of chapter 36 of 39 U.S.C., the Commission shall review the proposed Mail Classification Schedule language for formatting and conformance with the structure of the Mail Classification Schedule, and subject to editorial changes, shall change the Mail Classification Schedule to coincide with the effective date of the proposed update.

(d) If the Commission finds the proposed update not in accordance with the policies and the applicable criteria of chapter 36 of title 39 of the United States Code, the Commission may direct other action as deemed appropriate.

**§ 3020.112 Limitations applicable to competitive mail matter.**

The Postal Service shall notify the Commission of updates to size and weight limitations for competitive mail matter pursuant to subpart E of this part.

**PART 3025—RULES FOR APPEALS  
OF POSTAL SERVICE DETERMINA-  
TIONS TO CLOSE OR CONSOLI-  
DATE POST OFFICES**

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AUTHORITY: 39 U.S.C. 404(d).

SOURCE: 77 FR 6679, Feb. 9, 2012, unless otherwise noted.

**§ 3025.1 Definitions.**

The following definitions apply in this part:

- (a) *Final determination* means the written determination and findings required by 39 U.S.C. 404(d)(3).  
(b) *Petitioner* means a person who files a Petition for Review.  
(c) *Petition for Review* means a written document that the Commission accepts as an appeal of a post office closing or consolidation.

**§ 3025.2 Applicability.**

- (a) The rules in this part apply when:  
(1) The Postal Service decides to close or consolidate a post office, and  
(2) A patron of that post office appeals the closing or consolidation.  
(b) The following sections in part 3001, subpart A of this chapter, apply to appeals of post office closings or consolidations: §§3001.1 through 3001.9 of this chapter; §3001.11(a) of this chapter, §3001.11(c) through (f) of this chapter; §§3001.12 through 3001.17 of this chapter; and §§3001.21 and 3001.22 of this chapter.  
(c) Answers to motions filed by the Postal Service are due within 10 days.

**§ 3025.3 Notice by the Postal Service.**

(a) Pursuant to section 404(d) of title 39, United States Code, any decision to close or consolidate a post office must be preceded by 60 days' notice to persons served by such post office, the opportunity for such persons to present their views, and a written determination based upon consideration of each of the factors listed in section 404(d)(2) of title 39, United States Code.

(b) This notice must include a provision stating that, pursuant to section 404(d)(5) of title 39, United States Code, a final Postal Service determination to close or consolidate a post office may be appealed by any person served by such office to the Postal Regulatory Commission at 901 New York Avenue NW., Suite 200, Washington, DC 20268-0001, within 30 days after such determination is made available to such person by the Postal Service.

**§ 3025.10 Starting an appeal.**

(a) A Postal Service decision to close or consolidate a post office may be appealed only by a person served by that office. An appeal is commenced by submitting a Petition for Review to the Postal Regulatory Commission.

(b) The Petition for Review must state that the person(s) submitting it is/are served by the post office that the Postal Service has decided to close or consolidate. The petition should include the name(s) and address(es) of the person(s) filing it and the name or location of the post office to be closed or consolidated. A petitioner may include other information deemed pertinent.

**§ 3025.11 Submitting an appeal and other documents.**

Petitions for Review, comments, motions, answers, and other documents may be submitted by persons other than the Postal Service by mail, electronically through the Commission's Web site, <http://www.prc.gov>, or by delivery to the Commission's offices at 901 New York Avenue NW., Suite 200, Washington, DC 20268-0001.

**§ 3025.12 Duplicate appeals.**

If the Commission receives more than one Petition for Review of the