

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

Before Commissioners:

Robert G. Taub, Vice Chairman;
Thomas G. Day;
Ann C. Fisher; and
Ashley E. Poling

Service Performance Measurement
Systems for Market Dominant Products
(Consolidating Docket Nos. PI2025-2, PI2025-5,
PI2025-6, and RM2024-9)

Docket No. RM2024-9
Docket No. PI2025-2
Docket No. PI2025-5
Docket No. PI2025-6

ORDER DISMISSING WITHOUT PREJUDICE
NOTICE OF PLANNED SERVICE PERFORMANCE MEASUREMENT CHANGES

(Issued October 8, 2025)

I. INTRODUCTION

On September 9, 2025, the Postal Service filed a notice, pursuant to 39 C.F.R. § 3055.5, of planned revisions to its Service Performance Measurement (SPM) Plan for Market Dominant products.¹ The Postal Service plans “to exclude from measurement certain mailpieces affected by extraordinary events that materially disrupt the timely collection, processing, transportation, and/or delivery of mail” (Extraordinary Events Exclusion). Notice at 5. The Postal Service intends to implement this exclusion no earlier than October 9, 2025. *Id.* at 7.

¹ Docket No. PI2025-6, United States Postal Service Notice of Filing Changes to Service Performance Measurement Plan Document, September 9, 2025 (Notice).

Service standards, and reporting on service quality, form key components of the Postal Accountability and Enhancement Act's modern system for regulating rates and classes for Market Dominant products.² Among other things, reporting on the quality of service allows assessment of whether the ratemaking system is meeting the objective of maintaining the "high quality service standards established under section 3691."³ It is for this reason that the PAEA requires the Postal Service "[t]o provide a system of *objective* . . . performance measurements." 39 U.S.C. § 3691(b)(1)(D) (emphasis added).

These performance measurements, which are currently provided via the Postal Service's Service Performance Measurement (SPM) System, serve a number of purposes. On the one hand, the Commission relies on the measurements in carrying out its statutory responsibility to evaluate the Postal Service's compliance with service standards. However, this information also serves a critical transparency purpose, enabling the Commission to identify and conduct meaningful oversight of service deficiencies, and providing the public with necessary information to inform mailing decisions and help assess whether the Postal Service is meeting its service standards. Without accurate, reliable, and representative SPM data, neither the public nor the Commission can meaningfully monitor service performance quality or hold the Postal Service accountable.

In its Notice, the Postal Service acknowledges that SPM in its current state "accurately reflect[s] service times experienced by impacted mail users." Notice at 3. At the same time, however, the Postal Service wishes to exclude from measurement mailpieces that experience poor service performance due to factors that the Postal Service contends are beyond its control. "Fairness" aside, the problem with such an approach is that it arguably would not constitute an accurate portrayal of the level of

² Postal Accountability and Enhancement Act (PAEA), Pub. L. 109-435, 120 Stat. 3197 (2006).

³ 39 U.S.C. § 3622(b)(3); see Docket No. RM2009-11, Order Establishing Final Rules Concerning Periodic Reporting of Service Performance Measurements and Customer Satisfaction, May 25, 2010, at 10 (Order No. 465).

service actually being received by the public, and it would be potentially inconsistent with a number of statutory provisions and would frustrate the purposes of service performance reporting with respect to transparency.

After review and consideration of the Postal Service's filings supporting the planned revisions to SPM, the Commission finds that it cannot resolve these issues at this time. Due to the vagueness and ambiguity of the planned changes, the Commission is unable to form a complete understanding of the scope of, and justification for, the mail volume that would be excluded, and the Commission cannot meaningfully assess the potential impact of the planned changes on the Postal Service's service performance scores. The Commission therefore dismisses the Postal Service's Notice without prejudice, and provides instructions to the Postal Service, should the Postal Service elect to re-file its Notice, as to what information (at a minimum) that the Commission would expect to see in a subsequent filing.

II. BACKGROUND

On July 2, 2024, the Commission initiated a review of SPM to assess its ongoing accuracy, reliability, and representativeness.⁴ In doing so, the Commission articulated a number of concerns, including, as relevant to this Order, the exclusion of mail from measurement. Order No. 7247 at 28-29. The Commission found that, if large enough, such exclusions have the potential to undermine the accuracy, reliability, and representativeness of reported results. *Id.*

On October 4, 2024, the Postal Service in Docket No. N2024-1 filed a request for an advisory opinion for planned changes in the nature of postal services that would

⁴ Docket No. RM2024-9, Advance Notice of Proposed Rulemaking and Order Initiating Proceedings to Evaluate Internal Service Performance Measurement System, July 2, 2024 (Order No. 7247).

generally affect service on a nationwide or substantially nationwide basis.⁵ These changes included, among other things, transitioning from service standards based on 3-Digit ZIP Code origin/destination pairs to service standards based on 5-Digit ZIP Code origin/destination pairs and “chang[ing] the Service Performance Measurement system to enable measurement at the 5-Digit ZIP Code level, rather than the 3-Digit ZIP Code level” Docket No. N2024-1, Request at 28, 40. The changes also included excluding Sundays and holidays as transit days for service performance measurement for mail that is entered into the Postal Service’s network on Saturday or the day before a holiday (the “Sunday/Holiday Exclusion”).⁶

To implement its Docket No. N2024-1 changes, the Postal Service included in Docket No. N2024-1 planned revisions to the SPM Plan and related design documents.⁷ On October 23, 2024, the Commission announced that it would review the planned changes to the SPM Plan and the SPM design documents in Docket No. RM2024-9.⁸

On January 31, 2025, the Commission provided an advisory opinion regarding the Postal Service’s planned network and operational changes.⁹ The Commission questioned whether SPM in its then-existing form would be able to accurately, reliably, and representatively measure service performance at the 5-Digit level, and noted that

⁵ Docket No. N2024-1, United States Postal Service Request for an Advisory Opinion on Changes in the Nature of Postal Services, October 4, 2024 (Docket No. N 2024-1, Request); see 39 U.S.C. § 3661(b) (“When the Postal Service determines that there should be a change in the nature of postal services which will generally affect service on a nationwide or substantially nationwide basis, it shall submit a proposal . . . to the Postal Regulatory Commission requesting an advisory opinion on the change.”).

⁶ Docket No. N2024-1, Direct Testimony of Arslan Saleem on Behalf of the United States Postal Service, October 4, 2024, at 1-2, 4, 6 (Docket No. N2024-1, USPS-T-2).

⁷ Docket No. N2024-1, USPS-T-2 at 4, 6; Docket No. N2024-1, Library Reference USPS-LR-N2024-1-4, October 4, 2024; Docket No. N2024-1, Library Reference USPS-LR-N2024-1-5, October 4, 2024.

⁸ Docket No. RM2024-9, Notice and Order Regarding Consideration of Proposed Modifications to Service Performance Measurement Plan for Market Dominant Products and Related Design Document, October 23, 2024, at 3-4 (Order No. 7793).

⁹ Docket No. N2024-1, Advisory Opinion on the Operational and Service Standard Changes Related to the Delivering for America Plan, January 31, 2025 (Docket No. N2024-1, Advisory Opinion).

the Sunday/Holiday Exclusion functioned as an effective lengthening of service standards for affected mailpieces, while simultaneously masking that fact within reported service performance results. Docket No. N2024-1, Advisory Opinion at 233-42.

On February 28, 2025, the Postal Service notified the Commission of further planned revisions to the SPM Plan and related design documents intended to implement the network and operational changes from Docket No. N2024-1.¹⁰ The Commission again consolidated Docket No. PI2025-2 with Docket No. RM2024-9.¹¹ In Order No. 8761, the Commission found that the changes to the SPM Plan and related design documents from Docket Nos. N2024-1 and PI2025-2 were not sufficient to address the concerns the Commission had raised in Docket No. N2024-1 with respect to the Sunday/Holiday Exclusion and 5-Digit measurement.¹² The Commission put in place interim reporting requirements to enable it to evaluate the effect of these changes on SPM's accuracy, reliability, and representativeness, and also to evaluate whether any revisions to the Commission's service performance reporting requirements with respect to measurement exclusions were necessary.¹³ Those evaluations remain ongoing.

On May 30, 2025, the Postal Service filed a notice of further planned revisions to the SPM Plan and related design documents intended to enable service performance measurement at the 5-Digit ZIP Code level.¹⁴ The Commission again consolidated

¹⁰ Docket No. PI2025-2, United States Postal Service Notice of Filing Changes to Service Performance Measurement Plan Document, February 28, 2025.

¹¹ Docket Nos. RM2024-9 and PI2025-2, Notice and Order Regarding Consideration of Proposed Modifications to Service Performance Measurement Plan for Market Dominant Products and Related Design Documents, March 4, 2025 (Order No. 8728).

¹² Docket No. RM2024-9 and PI2025-2, Interim Order Regarding Proposed Service Performance Measurement Changes, March 28, 2025, at 15-37 (Order No. 8761).

¹³ Order No. 8761 at 22-23, 37-39, 40-41. These reporting requirements were partially modified by Order No. 8823. See Docket Nos. RM2024-9 and PI2025-2, Order Conditionally Granting Motion for Reconsideration of Order No. 8761, April 30, 2025 (Order No. 8823).

¹⁴ Docket No. PI2025-5, United States Postal Service Notice of Filing Changes to Service Performance Measurement Plan Document, May 30, 2025.

Docket No. PI2025-5 with Docket No. RM2024-9.¹⁵ In Order No. 8942, the Commission identified a variety of issues with respect to the Postal Service's planned changes that could potentially threaten the ability of SPM to produce accurate, reliable, and representative results at the 5-Digit level.¹⁶ The Commission put in place further interim reporting requirements to enable it to evaluate the ongoing accuracy, reliability, and representativeness of SPM in light of these changes. Order No. 8942 at 23-24.

III. PROCEDURAL HISTORY

On September 9, 2025, the Postal Service filed a notice of its planned revisions to the SPM Plan. See *generally* Notice. Accompanying the Notice are two library references, which contain copies of the SPM Plan, revised September 9, 2025 (in both redline and clean versions), as well as copies of related design documents.¹⁷

On September 11, 2025, the Commission issued Order No. 9175, consolidating Docket No. PI2025-6 into Docket No. RM2024-9 and establishing Docket No. RM2024-9 for consideration of the Postal Service's planned modifications to the SPM Plan from Docket No. PI2025-6.¹⁸ Order No. 9175 also appointed a Public Representative to represent the interests of the public and established a deadline for interested persons to submit written comments. Order No. 9175 at 6. The Association for Postal Commerce ("PostCom"), the Greeting Card Association ("GCA"), the National Association of Presort Mailers ("NAPM"), the National Postal Policy Council ("NPPC"), the New Media

¹⁵ Docket Nos. RM2024-9 and PI2025-5, Notice and Order Regarding Consideration of Proposed Modifications to Service Performance Measurement Plan for Market Dominant Products and Related Design Documents, June 3, 2025 (Order No. 8879).

¹⁶ Docket Nos. RM2024-9, PI2025-2, and PI2025-5, Interim Order Regarding Further Proceedings on Planned Service Performance Measurement Changes, June 27, 2025, at 14-21 (Order No. 8942).

¹⁷ Docket No. PI2025-6, Library Reference USPS-LR-PI2025-6-1, September 9, 2025; Docket No. PI2025-6, Library Reference USPS-LR-PI2025-6-2, September 9, 2025.

¹⁸ Docket Nos. RM2024-9, PI2025-2, PI2025-5, and PI2025-6, Notice and Order Regarding Consideration of Planned Modifications to Service Performance Measurement Plan Document, September 11, 2025 (Order No. 9175).

Alliance (“N/MA”), and the Public Representative (PR) all submitted comments in this docket.¹⁹ On October 3, 2025, the Postal Service filed a motion for leave to file reply comments, along with proffered reply comments.²⁰

IV. THE POSTAL SERVICE’S PLANNED CHANGES

According to the Postal Service, “[t]he complexity and scale of [its] operations across the United States inevitably expose those operations to disruption by external events, security threats, and unexpected internal hazards.” Notice at 1. By way of example, the Postal Service cites recent large-scale natural disasters (such as wildfires in southern California and Hurricanes Helene and Milton in the Southeast). *Id.* at 1-2. The Postal Service also cites recent unexpected internal hazards (such as a mercury spill at the St. Louis Network Distribution Center), and the unexpected bankruptcy of a major transportation vendor. *Id.* at 2.

The Postal Service argues that “[t]he current SPM system . . . does not reliably account for extraordinary events in a way that permits the Postal Service to quantify their effect on service performance scores.” *Id.* at 1. While the Postal Service concedes that “service performance results that include mailpieces affected by extraordinary events accurately reflect service times experienced by impacted mail users . . . [,]” it nevertheless contends that such results “do not fairly reflect the Postal Service’s true performance but rather performance that is skewed by events outside the Postal Service’s control.” *Id.* at 3 (emphasis omitted). Moreover, “it is unclear using the

¹⁹ Comments of the Association for Postal Commerce, September 23, 2025 (PostCom Comments); Comments of the Greeting Card Association, September 23, 2025 (GCA Comments); Comments of the National Association of Presort Mailers, September 22, 2025 (NAPM Comments); Comments of the National Postal Policy Council, September 23, 2025 (NPPC Comments); Comments of the News/Media Alliance, September 23, 2025 (N/MA Comments); Comments of the Public Representative, September 23, 2025 (PR Comments).

²⁰ United States Postal Service Motion for Leave to Respond to Third-Party Comments, October 3, 2025 (Motion); Response Comments of the United States Postal Service, October 3, 2025 (Reply Comments). Pursuant to its discretion, the Commission grants the Motion because doing so does not prejudice any other party.

current SPM system to what extent such results are attributable to the Postal Service and what is attributable to events beyond the Postal Service's control." *Id.* at 3-4.

The Postal Service asserts that:

Because the Commission and the public are chiefly interested in evaluating how the Postal Service ordinarily performs (i.e., whether its regular operations are effective), the results would more accurately, reliably, and representatively reflect Postal Service regular operational performance if they focused on mail unaffected by extraordinary events beyond the Postal Service's control.

Id. at 4. The Postal Service notes that the Commission has repeatedly inquired as to the impact of extraordinary events on service performance and specifically whether and how the Postal Service could quantify such impact. *Id.* The Postal Service argues that its planned Extraordinary Events Exclusion is consistent with the Commission's interest. *Id.* at 5.

The planned Extraordinary Events Exclusion is reflected in the SPM Plan at new section 10.7.²¹ It would exclude mailpieces from measurement "during periods when conditions beyond the Postal Service's reasonable control materially disrupt the timely collection, processing, transportation, and/or delivery of mail." Revised SPM Plan at 67. The Postal Service states that such "disruptive conditions may affect public or private infrastructure upon which the Postal Service and its vendors rely for operations; the availability or safety of human, physical, intangible, or other resources used by the Postal Service and its vendors for operations; and/or safe access to delivery and collection points." *Id.* The Postal Service provides the following examples of what it would consider to be extraordinary events:

[S]evere or unanticipated weather, extreme or atypical temperature fluctuations, hurricanes, floods, fires, earthquakes, and explosions; war, invasion, civil unrest, acts of terrorism, and other hostilities; directives or other action by a governmental entity other than the Postal Service; strikes,

²¹ Docket No. PI2025-6, Library Reference USPS-LR-PI2025-6-1, PDF file "iSPM RevPlan Effective 9-9-2025 – Redline.pdf," at 67 (Revised SPM Plan).

slowdowns, and other labor disruptions; power, internet, and other utility outages; epidemics, pandemics, and other severe infectious disease outbreaks; introduction into the Postal Service's or a vendor's working environment of hazardous materials and other severe safety hazards that disrupt postal operations pending remediation; security measures that the Postal Service, in consultation with relevant law enforcement authorities, determines to require suspension of normal postal operations; and bankruptcy or other cessation of service by a Postal Service vendor without an immediately available alternative.

Id. The planned Extraordinary Events Exclusion would apply to mailpieces:

- Originating or destinating in 3-Digit or 5-Digit ZIP Code areas experiencing disruption;
- Diverted for processing to other facilities due to disruption (direct or indirect) at the facility at which they would ordinarily be processed;
- Processed in facilities with disrupted operations (due to direct or indirect disruptions at the facility or another facility); and/or
- Requiring significant diversion from ordinary transportation routes or methods due to the disruption.

Id.

The Postal Service states that “[t]he duration and geographic extent of each temporary exclusion will depend on the nature of the disruption, its impact on public infrastructure and Postal Service operations, including the availability of key personnel, and the time required to restore affected local operations approximately to pre-disruption performance levels.” *Id.* The Extraordinary Events Exclusion would apply “only if and to the extent there is a material impact on Postal Service operations and service levels.” Notice at 5. By way of example, the Postal Service states that a hypothetical disease outbreak would not trigger Extraordinary Events Exclusion “if employee and vendor availability remain at levels sufficient to allow for normal service levels.” *Id.* The Postal Service states that “the salient criterion [for applying the Extraordinary Events Exclusion] is whether the extraordinary event not only affects

postal operations, but whether it impairs the Postal Service's ability to perform at normal service levels to such a degree that reported service performance results would be unrepresentative." *Id.* at 6.

The Postal Service states that the case-specific parameters of mail excluded from measurement will flow from the work already performed by the Continuity and Preparedness, Retail and Delivery, Processing, Logistics, and Data Analytics teams to assess, mitigate, and communicate the geographic and temporal scope of disruptive events on service performance. *Id.* The Postal Service states that any decisions to exclude mail volume will be reviewed and confirmed by the Postal Service's Chief Performance Office personnel serving as internal auditors. *Id.* The Postal Service states that it will report the volumes excluded from measurement as a new exclusion reason in the Postal Service's annual and quarterly reports. *Id.* at 5 (citing 39 C.F.R. §§ 3055.2(n)(1)–(2), 3055.31(h)(1)–(2)).

V. COMMENTS

Commenters universally oppose the Postal Service's planned changes. They challenge the Postal Service's contention that "the public [is] chiefly interested in evaluating how the Postal Service ordinarily performs" Notice at 4. To the contrary, commenters stress that mailers are interested in how the Postal Service *actually* performs, regardless of conditions, and that the purpose of service performance measurement is to measure the level of service actually

provided.²² Commenters emphasize that service performance data should be as comprehensive, accurate, and transparent as possible.²³ NPPC states that “presenting [the expectation of what service performance should be under “normal conditions”] is the role of . . . service standards.” NPPC Comments at 3.

Commenters criticize the planned Extraordinary Events Exclusion for being vague and ambiguous as to its scope, with key terms undefined and open to interpretation.²⁴ As a result of this ambiguity, they note that the potential scope of the exclusion is broad.²⁵ GCA and PostCom contend that some of the events identified by the Postal Service are at least somewhat within its control. GCA Comments at 1; PostCom Comments at 4.

Commenters express concern that the Extraordinary Events Exclusion would reduce the accuracy, reliability, utility, and transparency of service performance data.²⁶ They note that it would increase the amount of mail out of measurement. NAPM Comments at 3; PR Comments at 6-7. NAPM states that the planned changes do not include any provision for providing specific information as to mailpieces that would be excluded, such as the specific causes for the exclusion and which ZIP Codes were

²² N/MA Comments at 3 (“N/MA members are interested in actual performance. . . . Ordinary performance is useful information, but actual performance is what subscribers experience.”); NPPC Comments at 3 (“Mailers need the most accurate and complete data available The point of service performance measurement is to measure what service is actually provided”); PostCom Comments at 3 (“[Mailers] want timely, accurate, and complete information presented with sufficient granularity and necessary contextual information to allow for reasoned inferences about service performance.”); PR Comments at 4 (“The Public Representative believes that the Postal Service is mistaken that the public is only interested in service performance under ordinary circumstances (i.e., those not impacted by ‘extraordinary’ events). Including mailpieces affected by such events in actual service performance measurement helps inform businesses (and other members of the public) so that they can tailor their expectations and mailing behaviors accordingly.”). *Id.* at 6 (“The Public Representative’s view is that service performance measurement should reflect service performance under all conditions.”).

²³ GCA Comments at 1; N/MA Comments at 2-3; NPPC Comments at 2, 3; PostCom Comments at 5.

²⁴ NAPM Comments at 3-4; GCA Comments at 1; N/MA Comments at 5; NPPC Comments at 3; PostCom Comments at 2, 3-4.

²⁵ NAPM Comments at 3-4; N/MA Comments at 5; PostCom Comments at 3-4.

²⁶ N/MA Comments at 3-4; NAPM Comments at 3; PR Comments at 6, 8.

impacted. NAPM Comments at 4. NAPM asserts that if the Extraordinary Events Exclusion is approved by the Commission, there should be reporting requirements with respect to such information, and such reporting should be subject to independent auditing/verification. *Id.* at 5.

Commenters note that under the planned changes the Postal Service would have the unilateral ability to decide what mail volume should be excluded, and they express concern that exclusions could be applied arbitrarily. N/MA Comments at 5; NPPC Comments at 3, 4. As a result, the Public Representative fears the changes would introduce “a heightened degree of subjectivity to service performance measurement.” PR Comments at 6. NPPC and PostCom contend that the Postal Service’s management will be incentivized to over-exclude mail volume. NPPC Comments at 3-4; PostCom Comments 4-5. PostCom states that “depending on the extent of the exclusions, SPM may become either unreliable or impossible.” PostCom Comments at 3. Other commenters stress that the Postal Service has not provided any quantification of the scope of impacted mail volume or evaluation of the potential impact of the exclusion on service performance scores. PostCom Comments at 2; PR Comments at 6.

NAPM contends that the changes would result in reported service performance results being further divorced from actual mailer experience. NAPM Comments at 4. N/MA and NPPC assert that the planned changes could result in a perverse incentive if the Commission were ever to adopt a performance incentive mechanism as part of the Market Dominant ratemaking system, allowing the Postal Service to exclude from measurement mailpieces that received poor service. N/MA Comments at 5; NPPC Comments at 4.

Multiple commenters argue that it is not necessary to exclude mailpieces from measurement for the effects of extraordinary events to be taken into account. They explain that the Postal Service could quantify the aggregate effect of extraordinary events and provide that information as part of its service performance reporting to

contextualize service performance results, while still providing the actual time taken to deliver within SPM's official results.²⁷

N/MA takes issue with the Postal Service's statement that "the Commission has expressed interest in the impacts of extraordinary events and the Postal Service's ability to quantify the related impacts on service performance[.]" arguing that the Commission never intended for the Postal Service to exclude such mailpieces from measurement. See N/MA Comments at 4 (citing Notice at 4). PostCom "[o]nce again . . . urges the Commission to require the Postal Service to provide unedited scan data on all market dominant mail pieces and to make such data available to the public on an unrestricted basis." PostCom Comments at 5. The Public Representative recommends that the Postal Service add an "Extraordinary Events" alert mechanism to its Service Performance Dashboard, to enhance transparency as to mailpieces affected by extraordinary events. PR Comments at 7.

VI. LEGAL AUTHORITY

An objective of the modern system for regulating rates and classes for Market Dominant mail is "to maintain high quality service standards established under section 3691." 39 U.S.C. § 3622(b)(3). The Postal Service must, in consultation with the Commission, enact (and from time-to-time may revise) a set of modern service standards for Market Dominant products.²⁸ The service standards are to be designed to achieve four objectives appearing in 39 U.S.C. § 3691(b)(1).²⁹ The objectives include: "enhanc[ing] the value of postal services to both senders and recipients[.]" "preserv[ing] regular and effective access to postal services in all communities, including those in

²⁷ NAPM Comments at 4-5; N/MA Comments at 6; NPPC Comments at 4; PostCom Comments at 5; PR Comments at 6, 9.

²⁸ 39 U.S.C. § 3691(a). Additional service standard requirements are placed upon the Postal Service by uncodified Pub. L. 109-435, Title III, § 302, 120 Stat. 3197, 3219 (2006).

²⁹ The service standards also must take into account eight factors appearing in 39 U.S.C. § 3691(c)(1)-(8).

rural areas or where post offices are not self-sustaining[],” and “reasonably assur[ing] Postal Service customers delivery reliability, speed and frequency consistent with reasonable rates and best business practices.” 39 U.S.C. § 3691(b)(1)(A)-(C). As relevant to this case, the objectives also require the Postal Service to “provide a system of objective external performance measurements for each market-dominant product as a basis for measurement of Postal Service performance.” 39 U.S.C. § 3691(b)(1)(D). Prior to 2018, the Postal Service relied on an external measurement system for First-Class Mail single-piece letters and flats, and a hybrid external/internal measurement system for letters and flats entered in bulk. Order No. 7247 at 8.

Pursuant to 39 U.S.C. § 3691(b)(2), “with the approval of the Postal Regulatory Commission an internal measurement system may be implemented instead of an external measurement system.” *Id.*; see 39 C.F.R. § 3055.4. In 2018, the Commission provided approval for the Postal Service to begin replacing its former service performance measurement systems with an internal measurement system known as the Internal Service Performance Measurement (SPM) System.³⁰ The Commission found the applicable standard for use of an internal measurement system to be whether that system is capable of producing accurate, reliable, and representative service performance data. Order No. 4697 at 15. Based on a review of the Postal Service’s then-governing SPM Plan, statistical design documentation, and quarterly data and audit reports, the Commission found SPM to be “capable of reporting accurate, reliable, and representative service performance data.” *Id.* at 3. The Commission explained that “[i]f, in the future, this is determined not to be the case, the Commission may, by statute, take steps to correct any problems.” *Id.* Based on its review, the Commission conditionally approved SPM’s use as the system of record for measurement beginning in FY 2019. *Id.* at 66-67.

³⁰ See Docket No. PI2015-1, Order Approving Use of Internal Measurement Systems, July 5, 2018 (Order No. 4697).

An accurate service performance measurement system supports several important objectives under the statutory framework. Accurate, reliable, and representative SPM data provides critical transparency into the Postal Service's performance, which enables evaluation of the Postal Service's compliance with its service standards. The Commission relies on these data to conduct meaningful oversight, identify deficiencies, and determine which remedial actions the Postal Service must take. For the public, these data inform mailing decisions—such as where to enter mail into the Postal Service's network and what the value received for postage paid is—and also help assess whether the Postal Service is meeting its applicable service standards.³¹ Without accurate, reliable, and representative SPM data, neither the public nor the Commission can meaningfully monitor service performance quality, make informed postal purchasing decisions or hold the Postal Service accountable.

The primary regulatory purpose for which the Commission relies on service performance measurement is to produce data for use in the Commission's annual compliance process. Using SPM, the Postal Service reports service performance measurements for each Market Dominant product.³² For each Market Dominant product during each fiscal year, the Postal Service must provide the Commission with: "measures of the quality of service afforded by the Postal Service in connection with [each] product, including—(i) the level of service (described in terms of speed of delivery and reliability) provided[]" 39 U.S.C. § 3652(a)(2)(B)(i). The Commission uses the service performance measurement data to determine whether service performance complies with applicable service standards. 39 U.S.C. § 3653(b)(2). If

³¹ Post-PAEA, the Postal Service Reform Act of 2022 (PSRA), Pub. L. 117-108, 136 Stat. 1127 (2022) further emphasized transparent service performance reporting by requiring the Postal Service to develop a publicly available website "that provides performance information for market-dominant products that is updated on a weekly basis" that is granular and comprehensive. 39 U.S.C. § 3692(c)(1).

³² See 39 U.S.C. §§ 3652, 3653. Annual service performance reporting requirements are prescribed by 39 C.F.R. § 3055, subpart A. Periodic (quarterly) service performance reporting requirements are prescribed by 39 C.F.R. § 3055, subpart B.

service performance is found to be noncompliant, the Commission shall prescribe remedial action to be taken by the Postal Service. *Id.* § 3653(c).

The Commission has clear authority to regulate the Postal Service's service performance reporting, particularly when the accuracy, reliability, and representativeness of SPM data are in question. First, the Commission must promulgate rules related to the content and form of reports that the Postal Service must provide to the Commission. *Id.* § 3652(e)(1). The Commission initially promulgated such regulations appearing in 39 C.F.R. part 3055 subparts A and B regarding the Postal Service's annual and periodic (quarterly) reports to the Commission in FY 2010.³³

Second, the Commission has specific authority to revise these rules "whenever it shall appear that . . . (B) the quality of service data has become significantly inaccurate or can be significantly improved; or (C) such revisions are, in the judgment of the Commission, otherwise necessitated by the public interest." 39 U.S.C. § 3652(e)(2).

Third, the Commission has general statutory authority to promulgate rules and regulations and establish procedures that the Commission "deem[s] necessary and proper to carry out [its] functions and obligations to the Government of the United States and the people as prescribed under [Title 39 of the United States Code]." 39 U.S.C. § 503.

Fourth, 39 C.F.R. § 3055.5 allows the Commission to initiate a proceeding to consider "changes to measurement systems, service standards, service goals or reporting methodologies . . . at any time . . . if it appears that the changes might have a material impact on the accuracy, reliability, or utility of the reported measurement" In this proceeding, the Postal Service has filed notice of planned changes to measurement systems. 39 C.F.R. § 3055.5.

³³ See Docket No. RM2009-11, Order Establishing Final Rules Concerning Periodic Reporting of Service Performance Measurements and Customer Satisfaction, May 25, 2010 (Order No. 465).

Finally, the Commission, the Chairman of the Commission, or a presiding officer has discretion to issue an information request “to obtain information that is likely to materially assist the Commission in the conduct of its proceedings, in the preparation of its reports, or in the performance of its functions under title 39 of the United States Code.” 39 C.F.R. § 3010.170(a). Information requests may be used to “[r]equire the Postal Service in any proceeding . . . to provide any information, and associated documents or things in its possession or control, or any information, and any associated documents or things that it can obtain through reasonable effort and expense[.]” 39 C.F.R. § 3010.170(b)(1).

VII. COMMISSION ANALYSIS

Based on its review of the Postal Service’s planned changes to the SPM Plan and the Postal Service’s Notice, the Commission has serious concerns about the consistency of the planned changes with multiple statutory provisions relevant to service performance reporting. However, the Commission is unable to resolve these issues at this time because the Postal Service has not provided the information necessary to allow the Commission and the public to understand the scope of, and justification for, mail volume that would be excluded. The Postal Service’s planned changes are vague and ambiguous regarding the scope of mail volume that might be impacted, and the Postal Service has not provided any empirical information that would enable the Commission to quantify this scope or to analyze (either currently, prospectively, or retrospectively) what its potential impact on service performance scores or providing accurate information to the public would be. The Postal Service has also failed to provide any means by which the Commission or the public could review, verify, and/or evaluate the Postal Service’s decisions as to the scope of mail volume to be excluded. In the absence of such basic information, the Commission cannot meaningfully evaluate the consistency of the planned changes with relevant statutory provisions. Therefore, the Commission dismisses the Postal Service’s Notice without prejudice and provides

instructions to the Postal Service should it elect to re-file its Notice as to what information the Commission would expect to see (at a minimum).

- A. The planned changes are vague and ambiguous, lack clear criteria to guide the applicability of the Extraordinary Events Exclusion, and are susceptible to arbitrary and inconsistent application by Postal Service personnel.

As noted by commenters, both the text of the planned changes to the SPM Plan and the Postal Service's Notice are vague and ambiguous. In the text of the planned changes, the Postal Service would exclude mailpieces from measurement whenever "conditions beyond the Postal Service's reasonable control *materially disrupt* the timely collection, processing, transportation, and/or delivery of mail." Revised SPM Plan at 67 (emphasis added). There is no definition as to what constitutes a "material disruption," and no criteria for objectively distinguishing a "material" disruption from a nonmaterial one.

The Postal Service provides a nonexclusive list of "examples of extraordinary events" that would seem to encompass virtually any deviation from hypothetically ideal conditions, including not only extreme weather events, acts of terrorism, and pandemics, but also "power, internet, and other utility outages," "labor disruptions," and "bankruptcy or other cessation of service by a Postal Service vendor without an immediately available alternative." *Id.* As noted by commenters, the scope of what could potentially be excluded from measurement under the terms of this policy is very broad.

The Extraordinary Events Exclusion could potentially be applied to any mailpiece "[o]riginat[ing] or destinat[ing] in a three- or five-digit ZIP Code area experiencing disruption[.]" *Id.* Further, it could be applied to any mailpiece that is subject to any further disruptions in the Postal Service's network that are in any way traceable to the initial disruption. *Id.* There are no clearly defined geographic or temporal limitations on the policy. The Postal Service states merely that "[t]he duration and geographic extent of each temporary exclusion will depend on the nature of the disruption, its impact on

public infrastructure and Postal Service operations, including the availability of key personnel, and the time required to restore affected local operations approximately to pre-disruption performance levels.” *Id.*

The Notice does little to clarify these issues. The Postal Service attempts to assure the Commission that “exclusion will happen only if and to the extent that there is a *material* impact on Postal Service operations and service levels[,]” and that “[i]n all cases, the salient criterion is whether the extraordinary event not only affects postal operations, but whether it impairs the Postal Service’s ability to perform at normal service levels *to such a degree* that reported service performance results would be unrepresentative.” Notice at 5, 6 (emphasis added). Again, though, there are no objective criteria to define at what point an impact becomes “material,” or at what “degree” the Postal Service’s performance is impaired enough so as to be “unrepresentative.”³⁴

Under the language of the planned changes, decisions as to what mail volume is to be excluded and for how long must inherently be made on a case-by-case basis. And the Postal Service explains in its Notice that those case-by-case determinations will be made by the Postal Service’s “Continuity and Preparedness, Retail and Delivery, Processing, Logistics, and Data Analytics teams . . . [,]” whose decisions “will be reviewed and confirmed by the Postal Service’s Chief Performance Office personnel that will serve as an internal auditor.” Notice at 6. The Postal Service does not explain what criteria either the teams making the initial determinations or the Chief Performance Office personnel auditing those determinations would be applying.³⁵

³⁴ The Reply Comments are similarly unhelpful. They provide no clarity or criteria; they merely reiterate the vague representations from the Postal Service’s Notice.

³⁵ *See generally id.* In its Reply Comments, the Postal Service argues that decisions as to what mail volume to exclude will be subject to after-the-fact oversight by the Commission and the United States Postal Service Office of Inspector General, but after-the-fact oversight would be limited in its ability to correct the negative effects of past inaccuracies in service performance measurement. *See Reply Comments at 7.*

Given the vagueness and ambiguity of the planned changes, the Commission is concerned about the breadth of the scope of mail volume that might qualify for exclusion. It appears that virtually any weather-related event anywhere in the United States for any amount of time could merit exclusion, along with a host of other occurrences that might not ordinarily be thought of as “extraordinary.” There are no criteria to be applied by the personnel making such decisions to determine whether an event is “extraordinary.” Nor are there any criteria for determining the geographic or temporal scope of mail volume to be excluded. This ambiguity invites the possibility that the personnel making such decisions could exclude volumes for arbitrary or inconsistent reasons, and that the exclusion might be applied inconsistently across similar events and geographic locations. Without clear criteria, the Commission and the public cannot assess whether exclusions are justified, which undermines the Postal Service’s accountability for its performance. Furthermore, without understanding the criteria that would be used to guide the Extraordinary Events Exclusion’s application, the Commission cannot determine what the potential scope of the exclusion would be. Construed liberally, the policy could result in an enormous volume of mail being excluded from measurement and information relevant to accurately understanding the Postal Service’s service performance being hidden from public view.

The Postal Service has not provided any quantitative analysis or estimate of the mail volume that might be impacted. The Postal Service could have, for example, performed a historical analysis of the volume of mail that would have been included in the exclusion in previous years and how the exclusion would have impacted service performance scores for those years. Such an analysis might have enabled the Commission and stakeholders to understand how the Postal Service construes the scope of the exclusion and to evaluate the Postal Service’s justifications for applying the exclusion. Instead, the Postal Service asks the Commission for, as expressed by

N/MA, “unilateral and unreviewable authority to decide what events to exclude.”³⁶ The Commission is unwilling to approve changes to the SPM Plan without the ability to meaningfully understand and review the scope and impact of those changes.

- B. The planned changes are potentially inconsistent with multiple statutory provisions related to service performance reporting.

In addition to the issues discussed above, the Commission has serious concerns about the consistency of the Extraordinary Events Exclusion with the statutory framework for service performance reporting under 39 U.S.C. §§ 3652 and 3653. Under 39 U.S.C. § 3652(a)(2)(B)(i), the Postal Service must provide, for each Market Dominant product during each fiscal year, “measures of the quality of service afforded by the Postal Service in connection with [each] product, including—(i) the level of service (described in terms of speed of delivery and reliability) provided[]” The Commission uses the service performance measurement data (which is currently derived from SPM) to determine whether service performance complies with applicable service standards. 39 U.S.C. § 3653(b)(2). If service performance is found to be noncompliant, the Commission shall “take appropriate action in accordance with subsections (c) and (e) of section 3662” *Id.* § 3653(c). Under 39 U.S.C. § 3662(c), the Commission “shall order that the Postal Service take such action as the Commission considers appropriate in order to achieve compliance with the applicable requirements and to remedy the effects of any noncompliance” Under 39 U.S.C. § 3662(d), “in cases of deliberate noncompliance . . . the . . . Commission may order, based on the nature, circumstances, extent, and seriousness of the noncompliance, a fine . . . for each incidence of noncompliance.”

³⁶ N/MA Comments at 5. See *also* PostCom Comments at 2 (“[T]he Postal Service has opted for a self-administered process based on the outright exclusion of data using vague and open-ended criteria.”); NPPC Comments at 3 (“[T]he Postal Service is reserving to itself sole authority to determine what events are sufficiently disruptive to justify an exclusion, for what duration, and the time required to restore ‘normal’ service.”).

The service performance reporting requirements under 39 U.S.C. §§ 3652 and 3653 are not restricted to the Postal Service's self-described "ordinary performance." Section 3652(a)(2)(B)(i) calls for reporting on "the level of service (*described in terms of speed of delivery and reliability*) provided." (Emphasis added). For both transparency and accountability regarding speed of delivery and reliability, service performance reporting must be grounded in an objective and transparent basis to be consistent with 39 U.S.C. §§ 3652(a)(2)(B)(i) and 3691(b)(1)(D). Moreover, the Postal Service's service standards themselves, which are what the Commission is required to determine compliance with pursuant to 39 U.S.C. § 3653(b)(2), do not make any provision for reduced service in the event of extraordinary events. See 39 C.F.R. chapter 1, subchapter C, pts. 121-122.

To be sure, the occurrence of extraordinary events that negatively impact the Postal Service's service performance is important contextual information that is relevant to the Commission's determination as to what, if any, remedial action is necessary in the event of noncompliance with service standards, as well as whether noncompliance is "deliberate." The fact that the statute provides for a range of possible action for the Commission in its discretion to take in the event of a finding of noncompliance (*i.e.*, "order[ing] . . . such action as the Commission considers *appropriate*" ³⁷—which might include ordering no action at all), along with the fact that the statute explicitly distinguishes between ordinary noncompliance and deliberate noncompliance and provides for heightened remedies in the case of the latter, ³⁸ shows that the kind of "fairness" concerns raised by the Postal Service in its Notice are already implicitly addressed via the statutory scheme. The Postal Service has always been free to present mitigating information to explain why it was unable to comply with any applicable service standards.

³⁷ 39 U.S.C. § 3662(c) (emphasis added).

³⁸ Compare 39 U.S.C. § 3662(c), with 39 U.S.C. § 3662(d).

It is for this reason that the Commission has in the past encouraged *quantification* by the Postal Service of the effect of extraordinary events on the Postal Service's service performance.³⁹ For many years now, the Postal Service has argued that extraordinary events negatively impacted its service performance, and has represented that it was undertaking an initiative to enable it to quantify the effect of such events on its service performance and to diagnose service failures.⁴⁰ Given that the Postal Service has historically been unable to distinguish to what extent service failures were due to traffic, weather, mechanical breakdowns, changes to the Postal Service's network, etc., the Commission has encouraged these efforts—especially given their potential to help remediate extraordinary events' impact on service performance. *Id.* While the Postal Service has stated that this initiative would potentially “enable [it] to report on service performance—with impacted pieces included, and with impacted pieces excluded[,]”⁴¹—the Postal Service has never suggested that impacted pieces

³⁹ The Reply Comments unpersuasively argue that extraordinary events should be removed from measurement to allow the Postal Service to set its targets better. See Reply Comments. This ignores that events appearing to qualify as extraordinary according to the Postal Service's broad and vague definition have occurred with regularity throughout the Postal Service's existence (and no provision therefor is made in the service standards), and that being able to isolate and quantify (rather than isolate and exclude) would allow for reasonable consideration of whether (and if so, how) such events should be considered *vis-à-vis* target-setting, which the Postal Service performs each fiscal year pursuant to 39 U.S.C. § 3692(a).

⁴⁰ See Docket No. ACR2018, Postal Regulatory Commission, *Analysis of the Postal Service's FY 2018 Annual Performance Report and FY 2019 Performance Plan*, May 13, 2019, at 25-26, 33-34; Docket No. ACR2019, Postal Regulatory Commission, *Analysis of the Postal Service's FY 2019 Annual Performance Report and FY 2020 Performance Plan*, June 1, 2020, at 26, 31-32; Docket No. ACR2020, Postal Regulatory Commission, *Analysis of the Postal Service's FY 2020 Annual Performance Report and FY 2021 Performance Plan*, June 2, 2021, at 47-49; Docket No. ACR2021, Postal Regulatory Commission, *Analysis of the Postal Service's FY 2021 Annual Performance Report and FY 2022 Performance Plan*, June 30, 2022, at 26, 33, 48-50; Docket No. ACR2022, Postal Regulatory Commission, *Analysis of the Postal Service's FY 2022 Annual Performance Report and FY 2023 Performance Plan*, June 28, 2023, at 42-43; Docket No. ACR2023, Postal Regulatory Commission, *Analysis of the Postal Service's FY 2023 Annual Performance Report and FY 2024 Performance Plan*, July 2, 2024, at 28, 58-59; Docket No. ACR2024, Postal Regulatory Commission, *Analysis of the Postal Service's FY 2024 Annual Performance Report and FY 2025 Performance Plan*, July 23, 2025, at 23, 25-26, 33, 37-38.

⁴¹ See Docket No. ACR2018, Responses of the United States Postal Service to Questions 1-14 of Chairman's Information Request No. 2, January 28, 2019, question 1.b. (Docket No. ACR2018, Response to CHIR No. 2).

would be excluded from service performance measurement altogether, nor has the Commission ever endorsed such an approach.⁴²

For the Commission to be able to meaningfully make the kinds of contextual decisions described above with respect to whether a product was noncompliant (or deliberately noncompliant), and, if so, what the appropriate remedial action should be, the Commission must have an accurate baseline understanding of what the actual level of service performance was. The Commission has long expressed concern about the amount of mail out of measurement, which was one of the potential issues with SPM's accuracy, reliability, and representativeness that the Commission specifically identified when it initiated Docket No. RM2024-9. As the Commission explained at that time, the exclusion of mail from measurement leads to the possibility of selection bias if the "true" service performance results of the mail that has been excluded from measurement is different from the results of the mail that is included in measurement. Order No. 7247 at 28. This concern is particularly acute with respect to the Extraordinary Events Exclusion, since due to the very nature of the exclusion it is probable that the pieces being excluded would have received poor service performance. The predictable effect

⁴² Outright exclusion from service performance results also appears premature given the Postal Service's own admission that it lacks a degree of certainty as to how to isolate such events based on the following question and response:

The Postal Service states that '[g]iven the complexity and scale of the Postal Service's operations across the United States, impacts to service due to severe weather are unavoidable,' specifically mentioning Hurricane Beryl and a mercury leak at the Saint Louis NDC. FY 2024 ACR at 48. Please quantify the extent to which each of these unavoidable events affected the annual on-time service performance scores for Market Dominant products on a national level. Specifically, please estimate the percentage of the scores' variance that can be attributed to these disruptions.

RESPONSE: The Postal Service is evaluating how it might account for exogenous variables in a way that would permit it to quantify with any degree of certainty their effect on annual on-time service performance scores for market dominant products on a national level. At this time, it is unclear whether and to what degree of certainty such impacts can be quantified.

would be to make reported SPM scores appear higher than they would have appeared if such mailpieces had been included in measurement, which would undermine the accuracy of SPM as well as misrepresent to the consumer the service level actually experienced. To the Postal Service, this result is a matter of “fairness,” but the Postal Service concedes that SPM in its current state “accurately reflect[s] service times experienced by impacted mail users.” Notice at 3.

As a result, the Commission has serious concerns about the consistency of the Extraordinary Events Exclusion with the statutory reporting requirements under 39 U.S.C. § 3652(a)(2)(B)(i). Pursuant to that provision, the Postal Service must report on “the level of service (described in terms of speed and delivery and reliability) provided[.]” As the Commission stated in Order No. 8761, “it is important, for purposes of both transparency and accountability, for service performance reporting to be grounded in an objective and transparent basis.” Order No. 8761 at 21. The Extraordinary Events Exclusion appears to be neither objective nor transparent and could render reported service performance measurement less accurate and less useful by masking the actual level of service provided by the Postal Service. 39 C.F.R. § 3055.5. This concern is heightened by the fact that, due to the vagueness and ambiguity of the planned changes, the likelihood of inconsistent and arbitrary decisions by Postal Service personnel as to what mail volume to exclude appears high. These issues could render reported percent-on-time results confusing and disconnected from actual customer experience and could make compliance determinations based on such results meaningless. Accordingly, the Extraordinary Events Exclusion would make the quality of service data less accurate. See 39 U.S.C. § 3652(e)(2)(B). Similarly, the Postal Service’s captive Market Dominant customers have an interest in knowing whether the Postal Service’s reported percent-on-time results (and changes in those results over time) are due to actual improved Postal Service performance or to exclusions from reporting. See 39 U.S.C. § 3652(e)(2)(C). In sum, the Extraordinary Events Exclusion obscures the Commission’s and the public’s ability to clearly understand the significance of the Postal Service’s reported on-time results (and compliance

determinations based on those results). This could affect results for FY 2026 (and potentially the Commission's FY 2026 annual compliance determination based on such results) if these planned changes were to be implemented after October 9, 2025, as provided in the Postal Service's Notice. Notice at 7. The planned changes could also frustrate the Commission's ability to conduct meaningful oversight by identifying deficiencies, determining whether and to what extent corrective action is needed, and making recommendations to the Postal Service concerning potential improvements. Furthermore, they could frustrate mailers' ability to make informed mailing decisions that take into account the reality of the Postal Service's network and operations.

These concerns with the Extraordinary Events Exclusion are also relevant to the Commission's larger concerns with SPM in general, which the Commission has been exploring in Docket No. RM2024-9. An open question in that docket is whether SPM in its current form is producing results that are accurate, reliable, and representative. Order No. 7247 at 5. Since Docket No. RM2024-9 was initiated in July 2024, the Postal Service has twice made substantial changes to the SPM system, as a result of which SPM is, practically speaking, no longer the same system that the Commission conditionally approved in 2018, or that the Commission initiated a review of in 2024. The Commission is continuing to review the effect of the changes from Docket Nos. N2024-1, PI2025-2, and PI2025-5 on SPM's accuracy, reliability, and representativeness. The Extraordinary Events Exclusion would constitute yet another large-scale change to SPM, with questionable effects on its accuracy, reliability, and representativeness, and for which the Postal Service has not provided any evaluation or analysis prior to submitting these planned changes.

- C. Due to the vagueness of the planned changes, the Commission is unable to resolve the potential statutory inconsistencies and thus cannot meaningfully review the planned changes at this time.

The planned changes to the SPM Plan associated with the Extraordinary Events Exclusion are vague and ambiguous as to the exclusion's scope and application, raise significant questions regarding their consistency with applicable statutory provisions,

and are unsupported by any evaluation or analysis of their potential effect on SPM's accuracy, reliability, and representativeness. The Commission finds that it "it appears that the changes might have a material impact on the accuracy, reliability, or utility of the reported measurement" 39 C.F.R. § 3055.5. Given the vagueness and ambiguity of the planned revisions, the Commission cannot meaningfully review them at this time to determine if they are, in fact, consistent with statute. Doing so would require, at a minimum, the Commission to have a full understanding of the scope of mail volume that could potentially be excluded from measurement, which would mean understanding the criteria that the Postal Service intends to rely on in applying the Extraordinary Events Exclusion. As a result, the Commission has no choice at this time but to dismiss the Postal Service's Notice, without prejudice. Accordingly, the Commission directs the Postal Service not to implement the planned changes at this time.

Should the Postal Service intend to re-file its Notice, the Postal Service should do so in Docket No. RM2024-9. The Commission would expect the Postal Service to fully address the statutory issues discussed in this Order. The Commission would also expect the Postal Service to provide, at a minimum, the following information to address the vagueness/ambiguity concerns discussed in this Order:

- Specific, quantifiable criteria defining what constitutes a "material impact" on, or "materially disrupt[s]" operations;
- Thresholds (such as capacity reduction percentages, employee availability metrics, or processing delay timeframes, weather conditions) for application of the Extraordinary Events Exclusion;
- A tiered approach to applying the above criteria and thresholds based on severity of disruption;
- Cross-references to apply the criteria identified above using existing operational performance metrics (e.g., reduction of processing capacity by at least a defined percentage, employee availability below a certain

percentage, or delays exceeding standard processing times by at least a defined number of hours); and

- Certification from the Postal Service's Chief Performance Office personnel responsible for performing internal auditing that the criteria identified above have been circulated to the Continuity and Preparedness, Retail and Delivery, Processing, Logistics, and Data Analytics teams that will be making decisions as to which mail volumes to exclude.

Given the Postal Service's representation that its Chief Performance Office personnel will internally audit all decisions to exclude mail volume, it is reasonable to expect that the Postal Service has already developed such criteria and should be capable of providing it to the Commission. The Commission would also expect the Postal Service to provide:

- All of the parameters upon which any internal audits will be based;
- Quantification of the volumes that the Postal Service expects would be impacted by product, accounting for seasonal variation; and
- To the extent that quantification of impacted volumes relies on data from FY 2025 or prior fiscal years, a crosswalk of the impacted volumes with the events that necessitated exclusion.

Should the Postal Service re-file its Notice, the Commission intends to "initiate a proceeding . . . to consider such changes" pursuant to 39 C.F.R. § 3055.5. The Commission intends to provide at least a 30-day period for comments on the Postal Service's filing, and the Postal Service would be directed not to implement the planned changes until the Commission has fully reviewed the matter. Given the gravity of the concerns expressed in this Order, the Commission does not wish to give the impression that if the Postal Service provides the information identified above the Commission would, as a matter of course, approve of the Postal Service's planned changes. This information is the bare minimum in terms of what the Commission would need to have to be able to consider the Postal Service's planned changes, but the Commission's statutory concerns would remain and would need to be meaningfully addressed by the

Postal Service. If a refiling is deficient on its face, the Commission will summarily dismiss it.⁴³

Ultimately, the planned changes demonstrate that it is possible for the Postal Service to isolate the mail volume that it contends has been adversely impacted by extraordinary events. This means that it is possible to quantify the effect of extraordinary events on the Postal Service's service performance, something that the Postal Service has been working towards for many years. There is nothing preventing the Postal Service from "report[ing] on service performance—with impacted pieces included, and with impacted pieces excluded[.]" as the Postal Service itself originally proposed to do when it began developing the Extraordinary Events initiative.⁴⁴ To exclude such mailpieces from measurement altogether, though, is another matter entirely, and would require a highly compelling argument by the Postal Service to overcome the Commission's concerns.

VIII. ORDERING PARAGRAPH

It is ordered:

The United States Postal Service Notice of Filing Changes to Service Performance Measurement Plan Document, filed September 9, 2025, is dismissed without prejudice.

By the Commission.

Erica A. Barker
Secretary

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⁴³ The Commission notifies the Postal Service that a subsequent filing similar to the Reply Comments would be in the vein of unpersuasive matter that would be summarily dismissed.

⁴⁴ See Docket No. ACR2018, Response to CHIR No. 2, question 1.b.