

Postal Service
"Restrictions on Private Carriage of Letters"
38 FR 17512 (Jul. 2, 1973)
(notice of proposed rulemaking)

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[38 FR 17512a]

POSTAL SERVICE

[39 CFR Parts 152, 310 and 320]

RESTRICTIONS ON PRIVATE CARRIAGE
OF LETTERS

Proposed Comprehensive Standards for Permissible Private Carriage

Introduction. Since the days of the Articles of Confederation, the Postal Service and its predecessors have administered certain restrictions on the private carriage of letters, now found in 39 U.S.C. §§ 601-606 and 18 U.S.C. §§1693-1699 and 1724, known collectively as the Private Express Statutes. These restrictions confer upon the Postal Service the **[38 FR 17512b]** exclusive right to carry letters, with stated exceptions. Although formal regulations have in the past been promulgated, administration of the Statutes has been based primarily on interpretations found in hundreds of decisions--mostly administrative, a few judicial--rendered through the years. In recent years, a compendium of those decisions has periodically been published in pamphlet form, the most recent of which is POD Publication 111, "Restrictions on Transportation of Letters" (1967).

The body of precedents resulting from the administrative and judicial decisions contains inconsistencies and is not easily understandable. On certain questions, it has been difficult for the public to obtain guidance except by making a formal request for an advisory opinion. Moreover, since 1951 the decisions of the legal officers of the Post Office Department have not been published.

After a complete study and thorough reevaluation of the Private Express Statutes, and their administration, as required by Section 7, of the Postal Reorganization Act, Pub. L. No. 91-375, 84 Stat. 719 (1970), the Postal Service has concluded that changes in the statutes are unnecessary but that certain administrative practices can and should be improved. Accordingly, the following regulations are proposed as a new Subchapter E in Chapter I of Title 39, Code of Federal Regulations, to replace the regulations codified at 39 CFR Part 152 (1970) and the uncodified regulations retained at 35 FR 19399 (1970) See editorial note following Part 958 in the table of contents for 39 CFR Ch. I in the volume revised as of Jan. 1, 1972.

The regulations establish a broad, and we hope readily understandable definition of "letter" that continues the basic coverage of the Statutes as to messages transmitted in corporeal form.

Although the definition of "letter" includes some new matter—most notably, checks—the proposed suspensions (Part 320), together with existing exceptions (§§ 310.3310.7), continue to maintain much of such matter outside the scope of the restrictions. New matter is included within the scope of the restrictions only where analysis has indicated that its exception was legally erroneous.

The Postal Service has determined that the public interest requires exercise of its authority under 39 U.S.C. § 601(b) to suspend the requirement to pay postage for the private carriage of intra-company communications requiring delivery to the addressee within 12 hours or not later than the opening of the addressee's business on his next working day and for periodically and regularly produced data processing materials conveyed to or back from a processing center requiring delivery to the addressee within 12 hours or not later than the opening of the addressee's business on his next working day under circumstances in which the processed output is required to be produced at the processing center within thirty-six hours of the time the materials are sent to the center; for checks [38 FR 17512c] and financial instruments being sent between financial institutions or in bulk to financial institutions; and for newspapers and periodicals.

The proposed regulations would also establish an administrative process for the collection of postage on matter sent in violation of the Statutes. Recovery of such postage would be in addition to other civil and criminal remedies available to carry out the purposes of the Statutes.

The proposed regulations are intended to provide a uniform and comprehensive interpretation of reasonable length with minimum ambiguity. These regulations reflect the Postal Service's extensive experience in administering the Private Express Statutes, and are intended, in part, to correct the inadequacies of the present essentially adjudicatory. The comprehensive approach is consistent with the recommendation of leading legal commentators that rulemaking rather than adjudication should be used where possible.

Highlights of the proposed regulations.--Under 39 U.S.C. 601(b), the Postal Service proposes suspensions which would exempt four categories ofailable matter because such suspensions appear to be in the public interest. Since checks and financial instruments, newspapers, periodicals and, under certain circumstances, data processing materials have been considered not to constitute letters, and since some of this material and much intra-company matter has ordinarily been carried by employees of the sending organization, thus falling within a longstanding exception, the adverse financial impact on the Postal Service from the proposed suspensions should be limited. The suspensions are thus intended, in part, to continue preexisting practices; in the case of intra-company messages and certain data processing materials, they will permit firms to contract with private firms rather than utilize their own employees or the Postal Service, if that seems more efficient for them. It should be emphasized that the suspensions for intra-company and data processing material are proposed only when delivery within 12 hours or overnight is required. Typically, matter qualifying for these suspensions will be of a type which, on a day-to-day basis, requires rapid transmission and turn-around; in the case of the data processing materials suspension, such rapid turn-around is a requirement for materials sent to and back from a processing center to qualify under the suspension. Other intra-company and data processing material must continue to move only upon the prepayment

of U.S. postage.

The proposed regulations would further provide that private carriers wishing to provide service within the areas of the suspensions must notify the Postal Service of the operations expected to be undertaken before they are allowed- to begin. operations and that they must provide annual reports, together with any certificates required by the Postal [38 FR 17513a] Service, on the extent and nature of the activities under the suspension. While the Postal Service retains the right to revoke, alter, or add suspensions, it is expected this right would not be used to curtail actual operations under the suspensions; to a territory or scale of operations smaller than those antedating a revocation, although reasonable regulatory changes in conditions affecting the suspensions may be implemented as to carriers already operating under them.

Administrative machinery is provided under which postage owing to the Postal Service because of private carriage in violation of the Statutes can be determined and collected. The process for determining postage owed could include a hearing on the record in cases involving disputed issues of fact. This proposal reflects an exercise of the Postal Service's authority to prescribe the manner in which postage is to be paid and is intended to make the administration of the Private Express Statutes more effective. The availability of a right to collect postage is not intended, however, to affect in any way the exercise of other options available under civil and criminal law for carrying out the purposes of the Statutes.

The new definition of "letter" is based on a traditional and objective standard: a message sent to a specific address. When the Statutes were first enacted in the United States, the definition Of "letter" included all means Of corporeal message communication then in use, and the present definition is intended to perform much the same function. Considerations based upon format, intent of the sender, utility to the addressee, and type of information conveyed are eliminated, because these requirements do not further the statutory purpose and they have given rise to administrative and interpretative problems.

Examples, of materials formerly determined not to be letters which are now included in the definitions are listed below. Carriage of none of these materials is restricted where they fall into the range of the five broad exceptions to, and four categories of suspension of, coverage, as set out in §§ 310.3-310.7 and in Part 320.

(a) *Matter conveying information already known to the addressee.* The exception for matter known to the addressee is based upon an unsupported administrative determination that something otherwise appearing to be a letter was not a letter if the information if it was not "live" or "current." Since it is difficult to determine the extent of the addressee's knowledge and to separate information already known from other information, this definition has proven impracticable. Whether information was "live" or "current" does not appear to have been taken into account in the century and a half of the administration of the Private Express Statutes. Examples: exact copies of items previously forwarded to the addressee; contracts sent several times between parties with no changes. [38 FR 17513b]

(b) *Checks and other commercial papers.* These were declared not to be letters on the theory that they are evidence of rights of the holder rather than written messages. Such a theory is inconsistent with the original general definitions of "letter" because such documents are in fact messages, conveying information of several kinds. Since checks (and presumably other commercial papers) were held to be letters if information "extraneous" to them appeared with or on them, interpretative problems have resulted. Other examples of commercial papers are financial instruments such as stock certificates, promissory notes, bonds and other negotiable securities; contracts, insurance policies, abstracts of title, mortgages, deeds, leases and articles of incorporation. The suspension provided for checks and financial instruments will allow their continued private carriage without prepayment of U.S. postage between financial institutions and in bulk to financial institutions. The suspension does not cover other movements of checks or financial instruments, such as between private individuals.

(c) *Legal papers and documents.* These were declared not to be letters, apparently for reasons similar to those for commercial papers, and the same objections to this determination apply. Examples are court orders, pleadings in judicial or quasi-judicial tribunals, briefs, birth and death certificates, election ballots and tally sheets, lists of registrations of voters and certificates to practice certain professions.

(d) *Matter sent for auditing or preparation of bills.* The exclusion of certain auditing materials from the definition of letter grew out of an unsupported administrative determination that an item was a letter if it contained information upon which the recipient was expected to "act, rely, or refrain from acting." The rationale, as it was used to justify an exception for matter sent for auditing, was based on the fiction that auditing is a mechanical process requiring no thought and that therefore no information is conveyed. Examples: meter books forwarded from local gas companies to central offices for preparation of customers' bills, if no other use is made of them and no part of the data is retained in a central office; records of receipts and disbursements sent to independent auditing firms, if the firm takes no corrective action, adjusts no accounts, and makes no, other use of the information.

(e) *Matter sent for filing or storage.* The exclusion of this information was also based upon the "act, rely, or refrain from acting" language. The rationale for the exclusion was that there was no purpose of communication with the addressee when information was sent for filing or storage. The definition sometimes proved unworkable because it depended on a determination whether files being sent would ever be used again. It must be assumed that files not destroyed are kept because of an ultimate purpose of communication. Examples: shipment [38 FR 17513c] of old personal messages; files sent to another office for storage, but only if never used again.

Comments. Although, under 39 U.S.C. 410(a), the Postal Service is exempted from the advance notice requirement of the Administrative Procedure Act regarding proposed rule making (5 U.S.C. 553(b), (c)), the Postal Service hereby gives advance notice of the following proposed changes in Chapter I of Title 39, Code of Federal Regulations, and certain uncodified regulations. The proposed regulations are generally not intended to alter established practices except to the extent that

the public interest appears to warrant a change. Parties who believe that their practices will be altered unjustifiably by the proposed regulations and any other interested parties should submit data, views, or arguments concerning the proposed regulations in writing to the General Counsel, United States Postal Service, Washington, D.C. 20260, at any time on or before August 31, 1973.

Louis A. Cox,
General Counsel.

JUNE 22, 1973.

Uncodified Regulations. I. The uncodified regulations previously codified in the 1970 revision of 39 CFR as Part 152, retained in effect by 35 FR 193.99 (1970), are hereby rescinded.

II. The note following Part 958 in the table of contents for 39 CFR Ch. I in the volume revised as of Jan. 1, 1972, is amended by deleting the following entry: Part 152--Who may carry letters.

III. Part 152 of this title is hereby reserved.

IV. *New Subchapter E.* Title 39, Code of Federal Regulations, is hereby amended by the addition of the following subchapter:

SUBCHAPTER E-RESTRICTIONS ON PRIVATE CARRIAGE OF LETTERS

PART 310 —ENFORCEMENT OF THE PRIVATE EXPRESS STATUTES

Sec.

- 310.1 Definitions.
- 310.2 Unlawful carriage of letters.
- 310.3 Cargo exception.
- 310.4 Letters of the carrier exception.
- 310.5 Private hands without compensation exception.
- 310.6 Special messenger exception.
- 310.7 Carriage prior or subsequent to mailing exception.
- 310.8 Payment of postage on violation.
- 310.9 Advisory opinions.

Authority: (39 U.S.C. 401, 404, 601-606; 18 U.S.C. 1693-1699,1724.

§ 310.1 Definitions.

(a) "Letter" is a message in or on a physical object sent to a specific address.

(1) Physical objects used for letters include, but are not limited to, paper (including paper in sheet or card form), recording discs, and magnetic tapes. Methods by which messages are placed in

or on physical objects include, but are not limited to, the use of written or printed characters, drawing, holes, or orientations of magnetic particles in a [38 FR 17514a] manner having a predetermined significance.

(2) Whether a physical object contains a message is generally to be determined on an objective basis without regard to the intended or actual use made of the object sent. Usually, however, letters convey live, current information between the sender and the addressee. If the object sent cannot, because of the relationship between sender and addressee, convey information (for example, when a supplier of blank forms supplies such forms to a purchaser; a printer of advertising circulars supplies them to an advertiser; or documents are sent for destruction), no letter is involved.

(3) Identical messages in or on more than one physical object sent to more than one specific address or separately sent to the same address constitute separate letters.

(4) "Packet" is two or more letters, under one cover or otherwise bound together. As used in these regulations, unless the context otherwise requires, "letter" or "letters" includes "packet" or "packets."

(5) The specific form of letter known as a telegram is implicitly exempted from the restrictions by Congress.

(b) "Person" is an individual, corporation, association, partnership, governmental agency, or other legal entity.

(c) "Post routes" are routes between places regularly served by the Postal Service, and include post roads as defined in 39 U.S.C. 5003, as follows:

- (1) The waters of the United States, during the time the mail is carried thereon;
- (2) Railroads or parts of railroads and air routes in operation;
- (3) Canals, during the time the mail is carried thereon;
- (4) Public roads, highways, and toll roads during the time the mail is carried thereon; and
- (5) Letter-carrier routes established for the collection and delivery of mail.

(d) "Private Express Statutes" are 18 U.S.C. 1693-1699 and 1724 and 39 U.S.C. 601-606 (1970).

§ 310.2 Unlawful carriage of letters.

- (a) It is generally unlawful under the Private Express Statutes for any person other than the

Postal Service in any manner to send or carry a letter between places regularly served by the Postal Service, or in any manner to cause or assist such activity. Violation may result in injunction fine or imprisonment, and payment of postage lost as a result of the illegal activity. (see § 310.8).

(b) Activity described in § 310.2(a) is permitted with respect to a letter if —

(1) it is enclosed in an envelope or other suitable container;

(2) The amount of postage which would have been charged on the letter if it had been sent through the Postal Service is paid by stamps, or postage meter stamps, on the container or by other methods approved by the Postal Service; **[38 FR 17514b]**

(3) The name and address of the person for whom the letter is intended appears on the container;

(4) The container is so sealed that the letter cannot be taken from it without defacing the container;

(5) Any stamps on the container are cancelled in ink by the sender; and

(6) The date of the letter, or of its transmission or receipt by the carrier, is endorsed on the container in ink by the sender or carrier, as appropriate.

(c) The Postal Service may suspend the operation of any part of paragraph (b) of this section where the public interest requires the suspension.

(d) Activity described in paragraph (a) of this section is permitted with respect to letters which—

(1) Relate to some part of the cargo of, or to some article carried at the same time by, the conveyance carrying it (see § 310.3);

(2) Are sent by or addressed to the carrier (see § 310.4);

(3) Are conveyed or transmitted, by private hands without compensation (see § 310.5);

(4) Are conveyed or transmitted by special messenger employed for the particular occasion only, provided that not more than twenty-five such letters are conveyed or transmitted by such special messenger (see § 310.6) ; or

(5) Are privately carried prior or subsequent to mailing (see § 310.7).

§ 310.3 Cargo exception.

This exception permits the sending and carrying of letters when they accompany shipments when the letters exclusively relate to the shipment process or to the goods shipped.

§ 310.4 Letters of the carrier exception.

(a) This exception permits the sending and carrying of letters sent by or addressed to the individual carrying them and letters sent by or addressed to officers or employees of a carrier on the current business of the carrier (i.e., in their capacities as such officers or employees).

(b) The fact that the individual performing the carriage may be an officer or employee of the carrier for certain purposes does not necessarily mean that he is an officer or employee for purposes of this exception. The following factors bear on qualifications for the exception the carrying employee is employed full-time; the carrying employee is a regular salaried employee and shares in all privileges enjoyed by other regular employees (including employees not engaged primarily in the letter-carrying function) including but not limited to salary, annual vacation time, absence allowed for illness, health benefits, workmen's compensation insurance, and retirement benefits.

(c) Separately incorporated carriers and carriers operating as independent units are separate entities for purposes of this exception, regardless of any subsidiary, ownership, or leasing arrangement. **[38 FR 17514c]**

§ 310.5 Private hands without compensation exception.

This exception permits the sending and carrying of letters when no charge for carriage is made by the carrier. However, carriage of letters free of charge by a person engaged in transportation of goods or persons for hire does not fall within the exception.

§ 310.6 Special Messenger exception.

(a) This exception permits use of a special messenger employed for the particular occasion only to transmit letters when not more than twenty-five letters are involved. The permission granted under this exception is restricted to use of messenger service on an infrequent, irregular basis by the sender or addressee of the message.

(b) A special messenger is a person who, at the request of either the sender or the addressee of the letter, picks it up from the sender's home or place of business and carries it to the addressee's home- or place of business, but a messenger or carrier operating regularly between fixed points is not a special messenger.

§ 310.7 Carriage prior or subsequent to mailing exception.

(a) This exception permits the private sending or carrying of unopened letters which enter the mail stream -at some point between their origin and destination. The origin of a letter is the residence

or place of business of the sender; the destination of a letter is the residence or place of business of the addressee.

(b) Examples of permitted activity are the pickup of letters which are delivered to post offices for mailing; the pickup of letters at post offices for delivery to addressees; and the bulk shipment of individually addressed letters ultimately carried by the Postal Service.

§ 310.8 Payment of postage on violation.

(a) Upon discovery of activity made unlawful by the Private Express Statutes, the Postal Service may require from any person or persons engaged in such activity payment of an amount or amounts, the total of which may not exceed the postage to which it would have been entitled had it carried the letter between its origin and destination.

(b) Such payment of postage is due and payable on demand by the inspection Service. Disputes concerning such demands may be referred in writing to the Judicial Officer and must include specific allegations of all errors. If disputed issues of specific fact are involved, a hearing on the record shall be provided. For other disputed issues, the opportunity for written or oral presentation of evidence or argument shall be afforded. After such opportunity has been exercised or waived, the Judicial Officer shall decide all disputed issues, and his decision shall be final.

(c) Refusal to pay uncontested demands or demands which become final [38 FR 17515a] after dispute subjects the violator to civil suit by the Postal Service.

(d) This provision for the payment of postage on violation shall in no way affect the right of the Postal Service or the Department of Justice to enforce the restrictions by civil or criminal proceedings.

310.9 Advisory opinions.

An advisory opinion on any question arising under this part and Part 320 of this chapter may be obtained by writing the Assistant General Counsel, Opinions Division, United States Postal Service, Washington, DC 20260. Final opinions will be available for inspection by the public in the Library of the United States Postal Service, and copies of individual opinions may be obtained upon payment of charges for duplicating services.

PART 320-SUSPENSIONS OF THE PRIVATE EXPRESS STATUTES

Sec.

320.1 Definitions.

320.2 Suspensions.

320.3 Establishment of operations under suspensions.

Authority: 39 U.S.C. 401,404,601.

§ 320.1 Definitions.

The definitions in § 310.1 apply in this Part 320 to the extent words defined there are used in this Part.

§ 320.2 Suspensions.

(a) The operation of 39 U.S.C. § 601 (a) and § 310.2 (a) of this chapter are suspended on all post routes for the types of matter, and on such terms, as are detailed in paragraph (d) of this section. The effect of these suspensions is to allow any person to send or carry matter covered by the suspensions between places served by the Postal Service without paying postage or meeting any other conditions of section 601 (a) and paragraph (a) of this section.

(b) The contents of any matter carried under the suspension must be made available for examination upon request by a properly identified Postal Inspector.

(c) The suspensions may be revoked at any time. It is not expected, however, that a revocation would curtail then existing operations under the suspensions to a scale smaller than that antedating the revocation in a particular territory served prior to the revocation. Reasonable regulatory changes in conditions affecting the suspensions may, however, be implemented at any time as to all carriers operating under the suspensions.

(d) The following types of matter, if carried under the indicated conditions, are not subject to penalty pursuant to the Private Express Statutes or the regulations issued thereunder.

(1) Interoffice communications between offices and branches of the same corporation, partnership, or other organization when transmission must be and is completed within 12 hours or by not later than the opening of the addressee's business on his next working day.

(2) Data processing materials conveyed to or back from a company-owned **[38 FR 17515b]** or independent data processing center, when transmission must be and is completed within 12 hours or by not later than the opening of the addressee's business on his next working day. For purposes of this suspension, data processing means electro-mechanical or electronic processing; data processing materials include only documents produced on a regular periodic basis, under circumstances where the processing center is required to produce final processed output within thirty-six hours of the time the materials are sent to the processing center. The time limits stated do not include hours of any complete day in which no business is conducted. Within this concept, data processing materials include materials of all types ready for immediate data processing and the direct output of data processing; they also include other materials, ready for automatic intermediate conversion into a form ready for immediate data processing.

(3) Checks and other financial instruments, such as stock certificates, promissory notes, bonds and other negotiable securities, when shipped between financial institutions or in bulk to financial institutions.

(4) Newspapers and periodicals.

§ 320.3 Establishment of operations under suspensions.

(a) Persons intending to establish or alter operations based on suspensions granted pursuant to § 320.2(d) (1) and (2) shall, as a condition to the right to operate under the suspensions, notify the Private Express Liaison officer, Customer Services Group, United States Postal Service, Washington, D.C. 20260, of their intention to establish such operations not later than the beginning of such operations. Such notification, on a form available from the Private Express Liaison Office, shall include:

(1) The name and address of such person; and

(2) A detailed statement of the scope of the proposed operation, including but not limited to the type of matter, geographical area and expected duration of operations.

(b) Persons filing notification under § 320.3(a) shall file, on a form available from the Private Express Liaison Office, not less frequently than annually, reports on the actual volumes, revenues, distances, frequencies, and such other information such forms and accompanied by such certificates as may be required by the Postal Service on services performed under suspensions granted pursuant to this part.

(c) The filing of notifications or reports under this section shall not constitute the operator a licensee, and the operator will continue to be solely responsible for assuring that his operations conform to applicable Statutes and regulations.

NOTE: The forms referred to in § 320.3 are reproduced below. [38 FR 17515c]

NOTICE OF INTENT TO ESTABLISH OPERATIONS UNDER SUSPENSIONS OF THE PRIVATE EXPRESS STATUTES¹

(see 39 CFR Part 320, Suspensions of the Private Express Statutes)

PRIVATE CARRIAGE OF LETTERS

Name of Carrier -----

¹This form should be used for an initial notice of operations and for any amendments to the initial or subsequent notices. Information relates exclusively to operations under the suspensions for intra-company and data processing materials.

Address -----

State of Incorporation -----

Geographical Area to be Served.

- 1 States in which operations are to be conducted.
2. Is service to be provided for completed delivery entirely within any SMSA? Within any single-city, town or other local jurisdiction not located within an SMSA? If so, please list each SMSA or local jurisdiction not within an SMSA. (Please list SMSA's first and otherwise list places in alphabetical order.)
3. Is service to be provided between any pairs of SMSA's, cities, towns, or other local jurisdictions? If so, please list each pair.

Date

Date

Notary Public

Authorized Officer

SEAL

ANNUAL REPORT

OPERATIONS UNDER SUSPENSIONS OF THE
PRIVATE EXPRESS STATUTES²

(See 39 CFR Part 320, Suspensions of the Private Express Statutes)

PRIVATE CARRIAGE OF LETTERS

Twelve Month Period Ending -----

Name of Carrier-----

Address-----

State of Incorporation-----

- A. Geographical Area Served.
 1. States in which operations are conducted.
 2. Is service provided for completed delivery entirely within any SMSA? Within any single city, town or other local jurisdiction not located within an SMSA? If so, please list each SMSA or local jurisdiction not within an SMSA. (Please list SMSA's first and otherwise list places In alphabetical order.)

²Information relates exclusively to operations under the! suspensions for intra-company communications and data processing materials, except total corporate information requested under C-3 and D.

3. Is service provided between any pairs of SMSA's, cities, towns or other local jurisdictions? If so, please list each pair.

B. Traffic

1. Volume carried.

Please report figures as indicated below for each place listed under A-2, and each pair of places listed under A-2, and each pair of places listed under A-3:

Intra-Company Communications

No. shipments -----

Avg. weight -----

or

Total weight carried (pounds) -----

Data Processing Materials

No. shipments -----

Avg. weight -----

or

Total weight carried (pounds) -----

[38 FR 17516]

2. Average lapsed time for delivery.

Please report average lapsed time for delivery for each place listed under A-2 and each pair of places listed under A-3. (There is no need to break down the figures according to whether they relate to intra-company communications or data processing materials.)

C. Gross Revenues and Operating Margins.

1. Gross revenue.

Please report gross revenue for each place listed under A-2 and each pair of places listed under A-3, broken down as follows:

Intra-company communications \$ -----

Data processing materials \$ -----

2. Operating margins.

Gross margin (net operating revenue before taxes as percent of gross revenue)

All intra-company communication -----

All data processing materials -----

3. Please enclosed an audited financial statement for the most recent year.

D. Management and Staff. (Figures used or derivable from figures used in computing operating margins.)

1. General and Administrative staff (number and hours worked)

All intra-company communication -----

All data processing materials -----

Total corporate -----

2. Carriers, routine delivery personnel and special messengers (number and hours

worked)		
All intra-company communication		-----
All data processing materials	-----	
Total corporate		-----

E. Rates.

Please append a copy of all your current rate structures, including, volume discount structures (if any exist), zone rates and optional service rates.

F. CPA certificate.

Please attach a certificate from a certified public accounting firm in the form--or substantially in the form--that is indicated below.

We have examined the Annual Report of ----- pursuant to U.S. Postal Service regulations, Part 320, Suspensions of the Private Express Statutes, as of ----- . In our opinion, this report presents fairly the information requested, and was prepared in conformance with generally accepted accounting principles.

Date

Auditing Firm