

York Rates and Classification Service Center, Postal Service, 1250 Broadway FL 14, New York, NY, 10095-9599. You can view and copy all written comments at the same address between 9 a.m. and 4 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT:

Charles Tricamo, New York Rates and Classification Service Center, at 212-613-8676.

SUPPLEMENTARY INFORMATION: Inclusion of a date in meter indicia is optional for Standard Mail and Package Services items. Many mailers choose to omit the date to increase their production flexibility and allow them to deposit the mailing at any time, even though Postal Service mailing standards do not allow refunds for unused meter indicia lacking a date. The Postal Service grants refunds only for unused, dated meter indicia if requested within 60 days of printing the indicia. The Postal Service proposes that if the mailer can provide sufficient documentation with the refund request to support and validate the proper amount of the refund, the date the mailing was prepared, and the validity of the indicia on the mailpieces, then it could grant refunds for undated metered mail. The Postal Service proposes to apply the existing time frame restrictions for dated metered mail to undated metered mail. Additionally, the Postal Service proposes that refunds for unused, undated metered postage will only be considered when the customer submits at least 500 mailpieces from a single mailing, or, as an alternative, indicia worth at least \$500 from a single mailing, along with the required supporting documentation. When more than one meter was used to prepare the mailing, a separate PS Form 3533, *Application and Voucher for Refund of Postage, Fees, and Services*, must be submitted for each meter used to print the unused indicia submitted for refund. Mailers concerned about their inability to obtain a refund for unused, undated metered postage because they have less than the required mail volume or cannot provide the required documentation should use dated meter indicia or permit imprint for their Standard Mail and Package Services mailpieces, as permitted, in lieu of undated meter indicia.

As part of this proposed rule, the Postal Service also proposes to revise DMM P014, Refunds and Exchanges, to clarify the mailing standards for refunds of unused, dated meter indicia. Portions of P014 are reorganized to consolidate all of the information related to submitting a refund request for unused meter indicia. Also included is a

proposed clarification to specify that a contract postal unit (CPU) will handle refunds for unused meter indicia in accordance with the contract each CPU has executed with the Postal Service for the sale of metered postage.

Although exempt from the notice and comment requirements of the Administrative Procedure Act (5 U.S.C. 553(b), (c)) regarding proposed rulemaking by 39 U.S.C. 410(a), the Postal Service invites public comments on the following proposed amendments to the *Domestic Mail Manual*, incorporated by reference in the *Code of Federal Regulations*. See CFR part 111.

List of Subjects in 39 CFR Part 111

Administrative practice and procedure, Postal Service.

For reasons stated in the preamble, the Postal Service proposes to amend 39 CFR part 111 as follows:

PART 111—[AMENDED]

1. The authority citation for 39 CFR part 111 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 404, 414, 416, 3001, 3011, 3201, 3219, 3403-3406, 3621, 3626, 5001.

2. Revise *Domestic Mail Manual* (DMM) as set forth below:

Domestic Mail Manual (DMM)

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P Postage and Payment Methods

P000 Basic Information

P010 General Standards

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P014 Refunds and Exchanges

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2.0 Postage and Fees Refunds

2.1 Refund Standards

A refund for postage and fees may be made:

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[Add new item e to read as follows:]

e. Under the terms of a contract between the contract postal unit (CPU) and the USPS® for unused postage printed by the CPU.

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[Delete 2.5 and 2.6. Renumber current 2.7 through 2.12 as new 2.5 through 2.10, respectively.]

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2.7 Applying for Refund

[Revise text of renumbered 2.7 to read as follows:]

For refunds under 2.0, the customer must apply for a refund on PS Form 3533; submit it to the postmaster; and

provide the envelope, wrapper, or a part of it showing the names and addresses of the sender and addressee, canceled postage and postal markings, or other evidence of postage and fees paid. Refunds for metered postage are submitted under 3.0.

2.8 Ruling on Refund Request

[Revise text of renumbered 2.8 to read as follows:]

Refund requests are decided based on the specific type of postage or mailing:

a. Refunds under 2.0. The local postmaster grants or denies refunds under 2.0. The customer may appeal an adverse ruling through the postmaster to the rates and classification service center (RCSC) manager who issues the final agency decision.

b. Dated metered postage, except for PC Postage® systems, under 3.0. The postmaster at the licensing Post Office™ grants or denies requests for refunds for dated metered postage under 3.0. The licensee may appeal an adverse ruling within 30 days through the manager of Postage Technology Management, USPS Headquarters (see G043 for address), who issues the final agency decision. The original meter indicia must be submitted with the appeal.

c. Undated metered postage under 3.0. The manager, business mail entry (MBME) at the district Post Office overseeing the mailer's licensing Post Office, or designee, grants or denies requests for refunds for undated metered postage under 3.0. The customer may appeal a decision on undated metered postage within 30 days through the MBME, or designee, to the RCSC manager who issues the final agency decision. The original meter indicia must be submitted with the appeal.

d. PC Postage systems under 3.0. The system provider grants or denies a request for a refund for dated indicia printed by PC Postage systems under 3.0 using established USPS criteria. For dated PC Postage indicia only, the licensee may appeal an adverse ruling within 30 days through the manager of Postage Technology Management, USPS Headquarters, who issues the final agency decision. The original indicia must be submitted with the appeal.

e. Optional procedure (OP) mailings. Mailer's request for a refund must be submitted to the manager of Business Mailers Support (BMS), USPS Headquarters (see G043 for address).

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