

Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 (Public Representative). Section II also establishes comment deadline(s) pertaining to each request.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (<http://www.prc.gov>). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.<sup>1</sup>

The Commission invites comments on whether the Postal Service's request(s) in the captioned docket(s) are consistent with the policies of title 39. For request(s) that the Postal Service states concern Market Dominant product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3622, 39 U.S.C. 3642, 39 CFR part 3030, and 39 CFR part 3040, subpart B. For request(s) that the Postal Service states concern Competitive product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3040, subpart B. Comment deadline(s) for each request appear in section II.

## II. Docketed Proceeding(s)

1. *Docket No(s)*: MC2024–29 and CP2024–29; *Filing Title*: USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 12 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: October 30, 2023; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3040.130 through 3040.135, and 39 CFR 3035.105; *Public Representative*: Christopher C. Mohr; *Comments Due*: November 7, 2023.

This Notice will be published in the **Federal Register**.

Erica A. Barker,  
Secretary.

[FR Doc. 2023–24375 Filed 11–3–23; 8:45 am]

BILLING CODE 7710–FW–P

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## POSTAL REGULATORY COMMISSION

[Docket No. C2023–6; Presiding Officer's Ruling No. 2]

### Service Standard Changes

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

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<sup>1</sup> See Docket No. RM2018–3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19–22 (Order No. 4679).

**SUMMARY:** The Commission is providing notice that a hearing and certain procedural events have been scheduled in this proceeding. This notice informs the public of the procedural schedule.

**DATES:** *Notices of intervention are due:* November 13, 2023; *Prehearing Videoconference:* December 4, 2023, at 1:00 p.m., Eastern Daylight Time, Virtual.

**ADDRESSES:** Submit notices of intervention electronically via the Commission's Filing Online system at <https://www.prc.gov>. Persons interested in intervening who cannot submit their views electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** David A. Trissell, General Counsel, at 202–789–6820. For additional information, Presiding Officer's Ruling No. 2 can be accessed electronically through the Commission's website at <https://www.prc.gov>.

**FOR FURTHER INFORMATION CONTACT:** David A. Trissell, General Counsel, at 202–789–6820.

**SUPPLEMENTARY INFORMATION:**

- I. Procedural Schedule
- II. Additional Case Management Procedures
- III. Ruling

### I. Procedural Schedule

*Intervention.* The deadline to file a notice of intervention pursuant to 39 CFR 3010.142 is November 13, 2023.

*Discovery.* Pursuant to Order No. 6688, the Presiding Officer shall conduct limited discovery for the purpose of determining disputed issues of fact in this case.<sup>1</sup>

At the prehearing videoconference conducted on October 30, 2023, the parties agreed that the discovery process should go forward notwithstanding Complainant's two motions pending before the Commission.<sup>2</sup> After further discussion at the videoconference, Complainant indicated that he would file a notice on the Commission's docket withdrawing his motion for summary judgment without prejudice to refile once the discovery process has been completed. Should the Commission grant the motion for reconsideration or otherwise expand the scope of the issues, the Presiding Officer will take appropriate action.

The parties may request that the Presiding Officer obtain specific discovery, but may not independently propound discovery on each other.

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<sup>1</sup> Order Partially Denying United States Postal Service's Motion to Dismiss and Notice of Final Formal Proceedings, September 18, 2023, at 8 (Order No. 6688).

<sup>2</sup> See Motion to Reconsider Order No. 6688, October 20, 2023; Motion for Oral Argument and Summary Judgment, October 30, 2023.

Order No. 6688 at 8. The parties shall email their initial information requests, encompassing both of the disputed issues of fact, to the Presiding Officer (and cc'ing the other party) no later than Monday, November 6, 2023, at 4:30 p.m.<sup>3</sup> The parties should attach their requests to the email in Microsoft Word format. These proposed information requests need not be filed on the Commission's public docket. Failure to submit an initial information request by the deadline without good cause may result in waiver of the party's right to request discovery in this case.

The Presiding Officer will serve information requests by filing them on the Commission's public docket. Answers to information requests, as well as any objections or claims of privilege, are due by the date and time specified in each information request. Although the Presiding Officer will initially review the proposed information requests and reserves the right to revise or reject any proposed questions on grounds such as relevance, the Presiding Officer's issuance of an information request should not be construed as considering or rejecting any objections or claims of privilege that could conceivably be raised. Procedures for raising good faith objections or claims of privilege, if any, will be set out in the Presiding Officer's information request.

Responses to information requests may be transmitted via email, with the Presiding Officer cc'ed, by the date and time due. Unless otherwise indicated, responses to discovery requests need not be filed on the Commission's public docket.

Further information requests submitted by the parties will be considered by the Presiding Officer only after the parties have submitted their responses to the initial information requests. Pursuant to 39 CFR 3010.170, the Presiding Officer may issue information requests on his own initiative, either independently or along with requests submitted by the parties. The parties are advised, however, that issuance of additional information requests will be considered on a case-by-case basis and is not guaranteed, particularly if the party could have requested the information sought in its initial information request.

*Prehearing videoconference.* A prehearing videoconference is scheduled to be conducted before the Presiding Officer on December 4, 2023, at 1:00 p.m. Among other things, this videoconference will discuss procedures for the presentation of

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<sup>3</sup> All times in this Ruling are Eastern Time.

evidence and legal arguments, the need for any additional information requests, as well as the resolution of any pending discovery-related disputes. Additional prehearing conferences may be scheduled as needed.

**Presentation of evidence.** The issue of whether the hearing will involve the presentation of oral versus written testimony (including whether it may be appropriate to supplement written testimony with oral testimony for certain witnesses on particular issues in dispute) will be addressed more fully at the December 4, 2023, prehearing videoconference.

**Hearing.** The date on which the hearing of evidence shall begin will be addressed at the December 4, 2023, prehearing teleconference.

## II. Additional Case Management Procedures

**Good faith effort to confer.** A good faith effort to confer with the opposing party requires at least the placing of one telephone call or the transmittal of one email message to the opposing party or its counsel.

**Discovery motions.** The parties must make a good faith effort to confer with the opposing party to attempt to resolve any discovery dispute before filing any motions related to discovery. The Presiding Officer will not entertain a motion to compel discovery, motion for sanctions, motion for protective order, or any other discovery motions until this good faith effort has been made. If this good faith effort is unsuccessful, the motion shall (1) state that a good faith effort has been made to resolve the dispute, (2) attach each disputed discovery request, answer, and objection (if applicable), (3) provide available dates and times for a hearing to be conducted by videoconference, and (4) concisely state the relief sought, the basis therefor, and the authority relied upon. Any party opposing the motion shall file a response no later than 7 days after the motion is filed. *See* 39 CFR 3010.160(b). No replies shall be permitted without express authorization of the Presiding Officer. *See* 39 CFR 3010.160(c). Failure to file a timely response may result in the motion being deemed unopposed. The Presiding Officer may decide the dispute based on the motion and any response, set a hearing to be conducted by videoconference, or order further briefing.

**Extension of time or continuance.** If either party seeks an extension of time or continuance, they must make a good faith effort to confer with the opposing party to determine a proposed mutually agreeable date before filing a motion.

The motion must be filed before the specific deadline expires and shall state whether the other party opposes the motion. Extensions of time or continuances will only be granted for good cause shown.

**Waiver or modification.** If either party seeks to waive or modify the terms of any Presiding Officer's Ruling, the party must make a good faith effort to confer with the opposing party to determine a proposed mutually agreeable resolution before filing a motion. The Presiding Officer may waive or modify the terms of his order for good cause shown.

**Oral argument.** If either party requests to present oral argument before the Presiding Officer relating to any motion or brief, the party shall include "ORAL ARGUMENT REQUESTED" in the caption or title on page 1 of the applicable motion, response, or brief.

## III. Ruling

1. The deadline to file a notice of intervention pursuant to 39 CFR 3010.142 is November 13, 2023.

2. A prehearing videoconference will be conducted before the Presiding Officer on December 4, 2023, at 1:00 p.m.

3. The parties and counsel shall follow the procedural schedule and case management procedures established by this Presiding Officer's Ruling.

4. The Secretary shall arrange for publication of the deadline to file a notice of intervention and the date of the prehearing videoconference in the **Federal Register**.

**Erica A. Barker,**  
Secretary.

[FR Doc. 2023-24380 Filed 11-3-23; 8:45 am]

**BILLING CODE 7710-FW-P**

## POSTAL SERVICE

### Sunshine Act Meetings

**TIME AND DATE:** Monday, November 13, 2023, at 1:00 p.m.; Tuesday, November 14, 2023, at 12:00 p.m.

**PLACE:** Washington, DC, at U.S. Postal Service Headquarters, 475 L'Enfant Plaza SW, in the Benjamin Franklin Room.

**STATUS:** Monday, November 13, 2023, at 1:00 p.m.—Closed. Tuesday, November 14, 2023, at 12:00 p.m.—Open.

### MATTERS TO BE CONSIDERED:

#### Meeting of the Board of Governors

*Monday, November 13, 2023, at 1:00 p.m. (Closed)*

1. Strategic Issues
2. Financial and Operational Matters

3. Compensation and Personnel Matters
4. Executive Session
5. Administrative Items

*Tuesday, November 14, 2023, at 12:00 p.m. (Open)*

1. Remarks of the Chairman of the Board of Governors
2. Remarks of the Postmaster General and CEO
3. Approval of the Minutes
4. Committee Reports
5. Financial Matters
  - a. FY2023 Annual Financial Report
  - b. FY2023 10K and Financial Statements
  - c. Annual Report to Congress
  - d. FY2024 Integrated Financial Plan and Liquidity Outlook
  - e. FY2025 Congressional Reimbursement Request
6. Quarterly Service Performance Report
7. Approval of Tentative Agenda for the February 8, 2024 Meeting
8. Election of the Chairman and Vice Chairman

A public comment period will begin immediately following the adjournment of the open session on November 14, 2023, and shall last no more than 40 minutes. During the public comment period, members of the public present at the meeting may comment on any item or subject listed on the agenda for the open session. Registration of speakers at the public comment period is required. Speakers must register online at <https://www.surveymonkey.com/r/bog-11-14-2023>. No more than 30 minutes of the public comment period shall be allotted to registered speakers present at the meeting, and no more than three minutes shall be allotted to each speaker. The time allotted to each speaker will be determined after registration closes. Registration to speak during the public comment period shall end on November 9 at noon ET. Additionally, a select number of written comments will be read in whole or in part during the public comment period for no more than 10 minutes. Written comments on any item or subject listed on the agenda for the open session may be submitted by United States Mail to the address below or to the email address [bog-inquiries@usps.gov](mailto:bog-inquiries@usps.gov). If submitted by email, written comments must include a valid email address for the person submitting the comment and the words "Public Comment Period" in the subject line. Written comments must be received before November 9 at noon ET. Participation in the public comment period is governed by 39 CFR 232.1(n). The next public comment period is scheduled for November 2024.

**CONTACT PERSON FOR MORE INFORMATION:**  
Michael J. Elston, Secretary of the