

UNITED STATES COURT OF APPEALS  
DISTRICT OF COLUMBIA CIRCUIT

AMERICAN POSTAL WORKERS UNION  
AFL-CIO,

Petitioner,

v.

POSTAL REGULATORY COMMISSION,

Respondent.

Case No. 15-1156

**STATEMENT OF ISSUES TO BE RAISED**

Petitioner American Postal Workers Union, AFL-CIO (“APWU”) intends to raise the following issues in its Petition for Review of the Postal Regulatory Commission (“PRC” or “Commission”) Order No. 2512, issued May 27, 2015, dismissing the APWU’s Complaint in PRC Docket No. C2013-10:

1. The Postal Service is required to comply with service standards promulgated under 39 U.S.C. §§ 3653 and 3691 and 39 C.F.R. § 121.1. Are these service standards unenforceable “expectations,” as the Commission rules in this Order, or legally enforceable requirements subject to complaint and remedy under 39 U.S.C. §§ 3662-3663 and 3691?

2. The Commission held that the APWU's allegations of Postal Service noncompliance with service standards were consistent with the Commission's own findings in its Annual Compliance Determinations. Order No. 2512 at 16. The Commission held that its Annual Compliance Determinations foreclosed further action on APWU's Complaint. May the Commission refuse to process meritorious service complaints under 39 U.S.C. §§ 3653(e) and 3691(a) and (d), on the ground that they allege violations consistent with the Commission's own findings?

3. May the Commission foreclose a remedy for service complaints under 39 U.S.C. §§ 3662-3663, on the ground that its Annual Compliance Determination has urged the Postal Service to improve service in hortatory language that (according to the Commission) cannot be enforced?

June 18, 2015

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned certifies that on June 18, 2015, I electronically filed the foregoing with the Clerk of Court for the United States Court of Appeals for the District of Columbia Circuit by using the appellate CM/ECF system. All participants in the case are registered CM/ECF users, and service will be accomplished by the appellate CM/ECF system:

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