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

Filed: 06/18/2015

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,

/s Michael T. Anderson
Michael T. Anderson
Lorrie E. Bradley
Murphy Anderson PLLC
1701 K Street NW, Suite 210
Washington, DC 20006
(202) 223-2620; (202) 296-9600 (fax)
manderson@murphypllc.com

Attorneys for Petitioner American Postal Workers Union AFL-CIO

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:

/s Michael T. Anderson Michael T. Anderson Murphy Anderson PLLC 1701 K Street NW, Suite 210 Washington, DC 20006 (202) 223-2620; (202) 296-9600 (fax) manderson@murphypllc.com

Attorneys for Petitioner
American Postal Workers Union AFL-CIO