

described in paragraph (b) of this section, the Commission will provide notice to the participants that such relief is being considered. It will allow the participants a reasonable opportunity to comment and present aggravating and mitigating factors for its consideration.

## PART 3031—RULES FOR RATE OR SERVICE INQUIRIES

### Subpart A—Rate or Service Inquiry Forms and Procedures

Sec.

- 3031.10 Rate or service inquiry contents.
- 3031.11 Rate or service inquiry procedures.
- 3031.12 Treatment as a complaint.

### Subpart B [Reserved]

AUTHORITY: 39 U.S.C. 503, 3662.

SOURCE: 74 FR 16746, Apr. 10, 2009, unless otherwise noted.

### Subpart A—Rate or Service Inquiry Forms and Procedures

#### § 3031.10 Rate or service inquiry contents.

(a) A rate or service inquiry shall be in writing and should contain:

- (1) The name, address, and telephone number of the inquiring party;
- (2) Details regarding the Postal Service's action or inaction;
- (3) A statement of facts supporting the inquiring party's allegations; and
- (4) The specific relief being sought, if any.

(b) The Commission may waive any of the requirements listed in paragraph (a) of this section to serve the interests of justice.

#### § 3031.11 Rate or service inquiry procedures.

(a) The Commission will forward rate or service inquiries to the Postal Service for investigation. The Postal Service will, within 45 days of receipt of such inquiry, advise the Commission in writing, with a copy to the inquiring party, of its resolution of the inquiry or its refusal or inability to do so.

(b) The Commission will monitor all rate or service inquiries to determine if

Commission action under § 3031.12 is appropriate.

(c) Where there are clear indications from the Postal Service's report or from other communications between the parties that the inquiry has been resolved, the Commission may, in its discretion, consider such proceeding to be resolved, without response to the inquiring party.

#### § 3031.12 Treatment as a complaint.

If the Commission receives a volume of rate or service inquiries on the same or similar issue such that there may be cause to warrant treatment as a complaint, it may appoint an investigator to review the matter under § 3030.21 of this chapter or appoint a public representative representing the interests of the general public to pursue the matter.

### Subpart B [Reserved]

## PART 3032—SPECIAL RULES FOR COMPLAINTS ALLEGING VIOLATIONS OF 39 U.S.C. 404<sup>a</sup>

### Subpart A—General

Sec.

- 3032.1 Applicability.
- 3032.2–3032.4 [Reserved]

### Subpart B—Requirements and Defenses

- 3032.5 Postal Service rules that create an unfair competitive advantage.
- 3032.6 Disclosure, transfer, and licensing of intellectual property.
- 3032.7 Unlawfully obtaining information.
- 3032.8 Statutorily authorized affirmative defense.

AUTHORITY: 39 U.S.C. 404a; 3662.

SOURCE: 79 FR 62294, Oct. 16, 2014, unless otherwise noted.

### Subpart A—General

#### § 3032.1 Applicability.

The rules in this part govern proceedings filed under 39 U.S.C. 3662 alleging violations of 39 U.S.C. 404a that meet the requirements of §§ 3030.2 and 3030.10 of this chapter.