
¹ Hereinafter cited as “*Report*.”

² Pub. L. 109-435, 120 Stat. 3198 (Dec. 20, 2006), *codified as* 39 U.S.C. §§ 101 *et seq.*

³ Hereinafter cited as “USPS” or “Postal Service.”

⁴ *Id*

We join in the Commission’s finding that the USPS, because it is an agency of the government of the United States, “enjoys” a net competitive disadvantage versus other firms selling competitive products.⁶ The differential application of various federal and state laws to the USPS’s sale of competitive products provides more burdens than benefits for the Postal Service.

Having answered the question posed to the Commission by the Congress, we would have ended the Report by observing that the USPS could only be placed on a level competitive playing field (1) if the Congress reduced the burdens imposed only on the USPS in the sale of competitive products, and (2) if the Postal Regulatory Commission required the USPS’s pricing of competitive products to reflect the value of the benefits it receives from differential application of the laws to it, *it*,

⁶ See *Report* at 8.

⁷ See *Report* at 9-10.

⁸ “Whether the USPS enjoys a net economic advantage or disadvantage by virtue of its unique status ultimately is irrelevant to the issue of efficient allocation of the resources in the economy as a whole.” *Report* at 70-71.

foreclosed the use of compulsory process⁹ to seek potentially more complete and reliable

⁹ 15 U.S.C. § 46(b).

¹⁰ *See Report* at 1 n.3.