

**IN THE
UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

NATIONAL POSTAL POLICY COUNCIL
Petitioner,

v.

POSTAL REGULATORY COMMISSION,
Respondent.

Case No. 17-1276

NATIONAL POSTAL POLICY COUNCIL AND
MAJOR MAILERS ASSOCIATION,
Petitioners,

v.

POSTAL REGULATORY COMMISSION,
Respondent.

Case No. 20-1505

ALLIANCE OF NONPROFIT MAILERS, et al.,
Petitioners,

v.

POSTAL REGULATORY COMMISSION,
Respondent.

Case No. 20-1510

UNITED STATES POSTAL SERVICE,
Petitioner,

v.

POSTAL REGULATORY COMMISSION,
Respondent.

Case No. 20-1521

MOTION FOR LEAVE TO INTERVENE

Pursuant to 28 U.S.C. § 2348, 47 U.S.C. § 402(e), Rule 15(d) of the Federal Rules of Appellate Procedure, and D.C. Circuit Rule 15(b), the News Media Alliance (“NMA”) and National Newspaper Association (“NNA”) hereby move for leave to intervene as of right in the above-captioned consolidated appeal.

Petitioners in these consolidated cases seek review of Orders Nos. 4257 and 5763 of the Postal Regulatory Commission (“PRC”). *See* Order No. 5763, *Statutory Review of the System for Regulating Rates and Classes for Market Dominant Products*, Docket No. RM2017-3, 85 Fed. Reg. 81,124 (Dec. 15, 2020) & Order No. 4257, *Order on the Findings and Determination of the 39 U.S.C. 3622 Review* (Dec. 1, 2017). In those Orders, the PRC made substantial revisions to its regulations governing the maximum rates that the United States Postal Service may charge for market-dominant postal products.

NMA and NNA actively participated in the PRC proceedings below, and, as trade associations representing the interests of newspaper mailers of Periodicals and USPS Marketing Mail, their interests will be substantially affected by this Court’s review of the PRC’s *Orders*. NMA and NNA thus are each a “party in interest in the proceeding” entitled to intervene “as of right” in this matter. 28 U.S.C. § 2348; 47 U.S.C. § 402(e). NMA and NNA therefore respectfully requests that this Court grant its motion for leave to intervene in support of Petitioners National Postal Policy Council, Major Mailers Association, Alliance of Nonprofit

Mailers, Association for Postal Commerce, MPA-the Association of Magazine Media, and American Catalog Mailers Association.

Respectfully submitted,

/s/ William B. Baker

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January 12, 2021

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CORPORATE DISCLOSURE STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, the News Media Alliance submits the following corporate disclosure statement:

The News Media Alliance is a corporation. It does not have a parent company and no publicly held company owns more than 10% of News Media Alliance stock.

The News Media Alliance represents nearly 2,000 diverse news organizations in the United States and Canada—from the largest news groups and international outlets to local daily and weekly newspapers across the United States. Its members use the U.S. Postal Service for the delivery of newspapers and for the delivery of pre-printed advertising inserts.

Respectfully submitted,

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Case No. 20-1521

CORPORATE DISCLOSURE STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, the National Newspaper Association submits the following corporate disclosure statement:

The National Newspaper Association is a not for profit Florida corporation established in 1885 to represent the interests of local community newspapers. It does not have a parent company and no publicly held company owns more than 10% of National Newspaper Association stock. Its members are primarily weekly publications in America's small towns and do not have a distribution service or network other than the United States Postal Service for delivery of newspapers and marketing publications to readers' homes and offices.

Respectfully submitted,

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CERTIFICATE AS TO PARTIES

Pursuant to D.C. Circuit Rule 27(a)(4) and D.C. Circuit Rule 28(a)(1)(A), counsel for the News Media Alliance and National Newspaper Association hereby certify the following:

In Case No. 20-1510, the Petitioners are Alliance of Nonprofit Mailers, Association for Postal Commerce, MPA-The Association of Magazine Media, and American Catalog Mailers Association. The Respondent is the Postal Regulatory Commission (“Commission”). Movants News Media Alliance and National Newspaper Association seek leave to appear in this matter as an intervenor. No amici have appeared before this Court.

Case No. 20-1510 is consolidated with Case No. 17-1276, in which the Petitioner is National Postal Policy Council and the Respondent is Postal Regulatory Commission. Intervenors are Alliance of Nonprofit Mailers, Association for Postal Commerce, MPA-The Association of Magazine Media, Valpak Franchise Association, Inc., and United States Postal Service.

Case No. 20-1510 is consolidated with Case No. 20-1505, in which Petitioner are National Postal Policy Council and Major Mailers Association and the Respondent is Postal Regulatory Commission.

Case No. 20-1510 also is consolidated with Case No. 20-1521, in which the Petitioner is United States Postal Service and the Respondent is Postal Regulatory Commission.

Respectfully submitted,

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January 12, 2021

CERTIFICATE OF SERVICE

I hereby certify that on January 12 ,2021, I electronically filed the foregoing **Motion for Leave to Intervene** with the Clerk of the Court for the United States Court of Appeals for the D.C. Circuit by using the CM/ECF system. All participants are registered CM/ECF users and will be served by the appellate CM/ECF system.

Respectfully submitted,

/s/ William B. Baker (D.C. Bar No. 387715)

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