

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 10-1343

September Term, 2010

FILED ON: MAY 27, 2011

United States Postal Service,

Petitioner

v.

Postal Regulatory Commission

Respondents

Before: HENDERSON, TATEL and BROWN, *Circuit Judges*.

ORDER

It is **ORDERED** by the court that the opinion filed by the court on May 24, 2011 be amended as follows:

On page 7, line -9: insert “first” between “our” and “inquiry.”

On page 7, line -1, add the following footnote 4:

⁴Our second inquiry will require us to proceed to *Chevron* step 2 because the phrase “due to” has an additional—and ambiguous—meaning, which the Commission did not address. *See infra* pp. 9-11.

On page 10, lines 6-7, substitute

“due *in part* to” as well as “due *only* to”

for

“due *in part* to” as well as “due only to.”

On page 11, line 11, substitute

latter
for
second

For the Court:
Mark J. Langer, Clerk

BY: /s/
Jennifer M. Clark
Deputy Clerk