

BEFORE THE  
POSTAL REGULATORY COMMISSION  
WASHINGTON, D.C. 20268-0001

MARKET TEST OF EXPERIMENTAL PRODUCT –  
MARKETING MAIL MADE EASY

Docket No. MT2011-3

RESPONSE OF THE UNITED STATES POSTAL SERVICE IN OPPOSITION TO  
MOTION OF VALPAK DIRECT MARKETING SERVICES, INC. AND VALPAK  
DEALERS ASSOCIATION, INC. FOR ISSUANCE OF INFORMATION REQUEST  
(February 11, 2011)

On February 4, 2011, Valpak Direct Marketing Services, Inc. and Valpak Dealers Association, Inc. (collectively, “Valpak”) filed a Motion for Issuance of Information Request pursuant to Commission Rule 21(a). In the Motion, Valpak requested that the Commission order the Postal Service to answer fifteen questions with subparts, which were included in their Motion. Valpak asserts that the response to these questions will clarify what they perceive to be ambiguities in the Notice of the United States Postal Service of Market Test of Experimental Product – Marketing Mail Made Easy, January 12, 2011 (“Notice”) and allow the Commission to evaluate the test under 39 U.S.C. § 3641(b).

The Postal Service hereby opposes the Motion. The Postal Service’s Notice clearly describes Marketing Mail Made Easy (MMME) and who is eligible to utilize the product. While MMME is targeted to small and medium-sized business, the Postal Service has not excluded any mailer from using the product as long as the mailer does not enter more than 5,000 mailpieces, which weigh no more than 3.3 ounces, at a Destination Delivery Unit per day. All mailers are eligible to use this product regardless of size and those mailing industry members who prepare mailings for small and

medium-sized businesses are able to use the product for their customers as well. However, answering Valpak's very specific questions regarding how the Postal Service intends to implement the market test is not relevant to any of the legal conditions necessary for approval of the market test. Further, many of the questions in the Motion have been addressed in the Notice. Those matters that might need a more detailed explanation will likely be addressed in the Postal Service's reply comments, due February 15, 2011.

While the Commission is free to pose questions to the Postal Service in the form of Chairman's Information Requests, Commission procedures do not permit discovery for interested parties in market test filings. The Postal Service respectfully submits that the 30 day notice and comment period is not structured for an intense discovery period, particularly in the context of a Rule 21 seven-day response period to motions and a market test with a planned implementation date only 16 days away. Moreover, the Postal Service does not believe that a prolonged discussion of every possible detail or hypothetical that could stem from the implementation of MMME will assist the Commission in evaluating the merits of this market test.

Thus, the Postal Service respectfully requests that the Commission deny the Public Representative's Motion.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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