

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

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**Public Inquiry on the Methodology to  
Estimate the Value of the Postal Service  
Letter and Mailbox Monopolies**

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**Docket No. PI2020-1**

**PITNEY BOWES INC.'s MOTION REQUESTING  
ACCESS TO NON-PUBLIC MATERIALS UNDER PROTECTIVE CONDITIONS**  
(February 24, 2021)

Pitney Bowes Inc. (Pitney Bowes) respectfully requests access to the full, unredacted version of PRC-LR-PI2020-1-NP1 (Analysis of the Value of the Postal and Mailbox Monopolies) filed by the Commission in this docket on February 10, 2021.<sup>1</sup>

Pitney Bowes requests access under the protective conditions established by the Commission to the full, unredacted version of PRC-LR-PI2020-1-NP1 (Analysis of the Value of the Postal and Mailbox Monopolies) to aid its evaluation of the issues in the above-captioned proceeding.<sup>2</sup> Pitney Bowes requests access for the following individuals: Lawrence G. Buc, Sander Glick, Peter Kiesel (outside consultants with SLS Consulting, Inc.) and Michael Scanlon (outside counsel with K&L Gates LLP).

Pursuant to 39 C.F.R. 3011.301(b)(5-6) attached is the executed Protective Conditions Statement and executed certificates for each of the four individuals certifying that each will comply with the Protective Conditions Statement.

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<sup>1</sup> See Docket No. PI2020-1, Notice of Filing Library Reference PRC-LR-PI2020-1-NP1 and Order Setting Comment Deadline (Feb. 10, 2021).

<sup>2</sup> The nonpublic information subject to this motion was filed by the Commission, accordingly, Pitney Bowes did not provide notice of this motion to the Postal Service pursuant to 39 C.F.R. 3011.201(b)(2).

For the reasons stated above, Pitney Bowes respectfully requests that the Commission grant this motion.

Respectfully submitted:

          /s/ Michael F. Scanlon            
K&L GATES LLP  
1601 K Street, NW  
Washington, DC 20006  
Telephone: (202) 661-3764  
E-Mail: michael.scanlon@klgates.com

Counsel to PITNEY BOWES INC.

February 24, 2021

Exhibit 1

1. Michael Scanlon
2. Lawrence G. Buc
3. Sander Glick
4. Peter Kiesel

### Protective Conditions Statement

In response to a motion by the Postal Service, the Commission filed non-public materials identified as PRC-LR-PI2020-1-NP1 (Analysis of the Value of the Postal and Mailbox Monopolies). Pitney Bowes, Inc. (“the movant”) requests access to these materials to aid its evaluation of the issues raised in Docket No. PI2020-1.

The movant has provided to each person seeking access to these materials:

- this Protective Conditions Statement,
- the Certification to Comply with Protective Conditions,
- the Certification of Compliance with Protective Conditions and Termination of Access; and
- the Commission’s rules applicable to access to non-public materials filed in Commission proceedings (subpart C of part 3011 of the U.S. Code of Federal Regulations).

Each person (and any individual working on behalf of that person) seeking access to these materials has executed a Certification to Comply with Protective Conditions by signing in ink or by typing /s/ before his or her name in the signature block.

The movant attaches the Protective Conditions Statement and the executed Certification(s) to Comply with Protective Conditions to the motion for access filed with the Commission.

The movant and each person seeking access to these materials agree to comply with the following protective conditions:

1. In accordance with 39 CFR 3011.303, the Commission may impose sanctions on any person who violates these protective conditions, the persons or entities on whose behalf the person was acting, or both.

2. In accordance with 39 CFR 3011.300(b), no person involved in competitive decision-making for any individual or entity that might gain competitive advantage from using these materials shall be granted access to these materials. Involved in competitive decision-making includes consulting on marketing or advertising strategies, pricing, product research and development, product design, or the competitive structuring and composition of bids, offers or proposals. It does not include rendering legal advice or performing other services that are not directly in furtherance of activities in competition with an individual or entity having a proprietary interest in the protected material.

3. In accordance with 39 CFR 3011.302(a), a person granted access to these materials may not disseminate these materials in whole or in part to any person not allowed access pursuant to 39 CFR 3011.300(a) (Commission and court personnel) or 3011.301 (other persons granted access by Commission order) except in compliance with:

- a. Specific Commission order,
- b. Subpart B of 39 CFR 3011 (procedure for filing these materials in Commission proceedings), or
- c. 39 CFR 3011.305 (production of these materials in a court or other administrative proceeding).

4. In accordance with 39 CFR 3011.302(b) and (c), all persons granted access to these materials:

- a. must use these materials only related to this matter; and

- b. must protect these materials from any person not authorized to obtain access under 39 CFR 3011.300 or 3011.301 by using the same degree of care, but no less than a reasonable degree of care, to prevent the unauthorized disclosure of these materials as those persons, in the ordinary course of business, would be expected to use to protect their own proprietary material or trade secrets and other internal, confidential, commercially sensitive, and privileged information.
5. The duties of each person granted access to these materials apply to all:
- a. Disclosures or duplications of these materials in writing, orally, electronically, or otherwise, by any means, format, or medium;
  - b. Excerpts from, parts of, or the entirety of these materials;
  - c. Written materials that quote or contain these materials; and
  - d. Revised, amended, or supplemental versions of these materials.
6. All copies of these materials will be clearly marked as “Confidential” and bear the name of the person granted access.
7. Immediately after access has terminated pursuant to 39 CFR 3011.304(a)(1), each person (and any individual working on behalf of that person) who has obtained a copy of these materials must execute the Certification of Compliance with Protective Conditions and Termination of Access. In compliance with 39 CFR 3011.304(a)(2), the movant will attach the executed Certification(s) of Compliance with Protective Conditions and Termination of Access to the notice of termination of access filed with the Commission.

8. Each person granted access to these materials consents to these or such other conditions as the Commission may approve.

Respectfully submitted:

/s/ Michael F. Scanlon  
Michael F. Scanlon  
K&L GATES LLP  
1601 K Street, NW  
Washington, DC 20006  
Telephone: (202) 661-3764  
E-Mail: michael.scanlon@klgates.com

Counsel to PITNEY BOWES INC.

February 24, 2021

CERTIFICATION TO COMPLY WITH PROTECTIVE CONDITIONS

The undersigned represents that:

Access to these materials provided in the matter identified as Docket No. PI2020-1 has been authorized by the Commission. The cover or label of the copy obtained is marked with my name. I agree to use the information only for purposes of analyzing matters at issue in the matter identified as Docket No. PI2020-1.

I certify that I have read and understand the protective conditions statement and this certification to comply with protective conditions. I certify that I am eligible to receive access to materials because I am not involved in competitive decision-making for any individual or entity that might gain competitive advantage from using these materials. I further agree to comply with all protective conditions and will maintain these materials in strict confidence in accordance with all of the protective conditions set out above.

Name: Michael Scanlon  
Firm: K&L Gates LLP  
Title: Partner  
Representing: Pitney Bowes, Inc.  
Signature:       /s/ Michael F. Scanlon        
Date: February 24, 2021

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Name: Lawrence G. Buc  
Firm: SLS Consulting, Inc.  
Title: Principal  
Representing: Pitney Bowes, Inc.  
Signature:       /s/ Lawrence G. Buc        
Date: February 24, 2021

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Name: Sander Glick  
Firm: SLS Consulting, Inc.  
Title: Principal  
Representing: Pitney Bowes, Inc.  
Signature:           /s/ Sander Glick            
Date: February 24, 2021

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Name:	Peter Kiesel
Firm:	SLS Consulting, Inc.
Title:	Consultant
Representing:	Pitney Bowes, Inc.
Signature:	<u>      /s/ Peter Kiesel      </u>
Date:	February 24, 2021