

ORDER NO. 5884

UNITED STATES OF AMERICA  
POSTAL REGULATORY COMMISSION  
WASHINGTON, DC 20268-0001

Before Commissioners:

Michael Kubayanda, Chairman;  
Ashley E. Poling, Vice Chairwoman;  
Mark Acton;  
Ann C. Fisher; and  
Robert G. Taub

Transfer of Bound Printed Matter  
Parcels to the Competitive Product List

Docket No. MC2021-78

ORDER GRANTING MOTION FOR ACCESS TO NON-PUBLIC MATERIALS

(Issued May 4, 2021)

On March 26, 2021, the Postal Service filed a notice with the Commission pursuant to 39 U.S.C. § 3642 and 39 C.F.R. § 3040.130 *et seq.*, requesting that Bound Printed Matter Parcels be transferred from the Market Dominant product list to the Competitive product list.<sup>1</sup>

On May 3, 2021, Scholastic, Inc. (Scholastic) filed a motion under 39 C.F.R. § 3011.301 requesting access to certain non-public materials filed in this docket including a non-public library reference and responses to Chairman's Information

---

<sup>1</sup> United States Postal Service Request to Transfer Bound Printed Matter Parcels to the Competitive Product List, March 26, 2021 (Request).

Requests (CHIRs) that the Postal Service filed under seal.<sup>2</sup> Specifically, Scholastic requests access to:

- Library Reference USPS-LR-MC2021-78/NP1;<sup>3</sup>
- Attachment A to the Response to CHIR No. 2, questions 3.b. and 4.a.;<sup>4</sup>
- Attachment A to the Response to CHIR No. 1, question 9.b.; and<sup>5</sup>
- Attachment A to the Response to CHIR No. 3, question 7.<sup>6</sup>

In addition to the Postal Service, The Colography Group, Inc. has a propriety interest in some of the non-public materials to which Scholastic requests access.<sup>7</sup>

Scholastic indicates that the materials are for its outside counsel and consultants and represents that its use will be to evaluate issues in the instant docket. Motion at 1. Included with the Motion are executed protective conditions statements for the parties to be given access. *Id.* at 2. Scholastic states that actual notice of the Motion was provided to the Postal Service, and that the Postal Service authorized Scholastic to

---

<sup>2</sup> Scholastic Inc.'s Motion Requesting Access to Non-Public Materials Under Protective Conditions, May 3, 2021 (Motion).

<sup>3</sup> USPS-LR-MC2021-78/NP1 - FY 2020 Percentage of Bound Printed Matter (BPM) Parcels by USPS Top 20 Mailers, March 26, 2021.

<sup>4</sup> United States Postal Service Notice of Filing Attachment Under Seal and Motion for Non-Public Treatment of Responses to Questions 3b and 4a of Chairman's Information Request No. 2, April 23, 2021 (Response to CHIR No. 2, questions 3.b. and 4.a.).

<sup>5</sup> United States Postal Service Notice of Filing Attachment Under Seal and Motion for Non-Public Treatment of Response to Question 9b of Chairman's Information Request No. 1, April 29, 2021 (Response to CHIR No. 1, question 9.b.). In its Motion, Scholastic cited instead to the Postal Service's public filing.

<sup>6</sup> United States Postal Service Notice of Filing Attachment Under Seal and Motion for Non-Public Treatment of Response to Question 7 of Chairman's Information Request No. 3, April 29, 2021 (Response to CHIR No. 3, question 7). In its Motion, Scholastic cited instead to the Postal Service's public filing.

<sup>7</sup> Response to CHIR No. 1, question 9.b., Application for Non-Public Treatment at 1; Response to CHIR No. 3, question 7, Application for Non-Public Treatment at 1-2.

represent that both it and The Colography Group, Inc. do not object to the granting of the Motion. *Id.* at 1-2.

The Motion is granted.

*It is ordered:*

1. Scholastic Inc.'s Motion Requesting Access to Non-Public Materials Under Protective Conditions, filed May 3, 2021, is granted.
2. The five representatives identified in the Motion shall be granted access to non-public material identified as Library Reference USPS-LR-MC2021-78/NP1; Attachment A to the Response to CHIR No. 2, Questions 3.b. and 4.a.; Attachment A to the Response to CHIR No. 1, question 9.b.; and Attachment A to the Response to CHIR No. 3, question 7.

By the Commission.

Erica A. Barker  
Secretary