

December 22, 2021

Honorable Erica Barker  
Secretary  
Postal Regulatory Commission  
901 New York Avenue, NW, Suite 200  
Washington, DC 20268-0001

Reference: International Postal Money Order Agreements

Dear Ms. Barker:

Pursuant to 39 U.S.C. § 407(d)(2), the U.S. Postal Service (Postal Service) files as Enclosures 1, 2, 3, and 4 to this letter redacted copies of two exchanges of letters with a foreign postal operator concerning the exchange of international postal money orders. The Postal Service has marked the non-public, unredacted versions of these letters as "Confidential" and "Non-Public" and filed them under seal because they contain information considered confidential and commercially sensitive by the affected postal operator and the Postal Service.

The Postal Service considers certain portions of these letters to be protected by Exemption 3 of the Freedom of Information Act (FOIA), 5 U.S.C. §552(b)(3), coupled with 39 U.S.C. § 410(c)(2), and thereby not subject to mandatory disclosure under the FOIA. Further, the documents contain the confidential commercial information of the affected foreign postal operator, and as such, certain portions of the letters are also subject to protection under Exemption 4 of the FOIA. Consequently, the Postal Service requests that the redacted portions of the letters remain confidential and files as Enclosure 5 to this letter the Application of the United States Postal Service for Non-Public Treatment of Materials, pursuant to 39 C.F.R. § 3011.201. In addition, the Postal Service respectfully requests that the Postal Regulatory Commission coordinate with the Postal Service in the event that the letters become the subject of a FOIA request, so that we can engage in appropriate consultations with the affected postal operator.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/

Christopher C. Meyerson  
Attorney  
Global Business & Service Development

Enclosures

ROBERT H. RAINES JR.  
MANAGING DIRECTOR, GLOBAL BUSINESS



July 29, 2021

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

BY EMAIL TO: [REDACTED]

RE: [REDACTED] Exchange of Money Orders between the United States of America and [REDACTED]

Dear [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED] USPS is willing to [REDACTED]  
to continue the exchange of international postal money orders with [REDACTED]  
provided that the following understandings are acceptable to the [REDACTED]

1. [REDACTED]  
[REDACTED]
2. [REDACTED]  
[REDACTED]
3. [REDACTED]  
[REDACTED]

We kindly request that the [REDACTED] confirm these understandings in writing by Friday, August 6, 2021.

Additionally, [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Robert H. Raines, Jr.".

Robert H. Raines, Jr.



August 4, 2021

Mr. Robert H. Raines Jr.  
Managing Director, Global Business  
United States Postal Service  
475 L' Enfant Plaza SW  
Washington D.C 20260

**RE:** [redacted] **Exchange of Postal Money Order between the U.S.A and** [redacted]

Dear Mr. Raines,

This is further to your letter dated July 29, 2020, [redacted]  
[redacted] on the above subject matter.



[redacted] will gladly continue its Postal Money Order Service with the United States Postal Service and understands and accepts the following:

1. [redacted]

2. [REDACTED]
3. [REDACTED]

Additionally, [REDACTED]

Many thanks for your kind consideration.

Sincerely,

[REDACTED]

C: [REDACTED]  
[REDACTED]  
[REDACTED]

---

[REDACTED]

ROBERT H. RAINES JR.  
MANAGING DIRECTOR, GLOBAL BUSINESS



November 17, 2021

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Dear [REDACTED]:

In further response to your letter dated August 4, 2021, the United States Postal Service (USPS) is willing to continue the exchange of international money orders with [REDACTED], provided that the following understandings are acceptable:

1. [REDACTED]
2. [REDACTED]
3. [REDACTED]

We kindly request that [REDACTED] confirm these understandings in writing by Wednesday, December 1, 2021.

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Robert H. Raines, Jr.".

Robert H. Raines, Jr.



December 1, 2021

Mr. Robert H. Raines Jr.  
Managing Director, Global Business  
United States Postal Service  
475 L' Enfant Plaza SW  
Washington D.C 20260

**RE: [redacted] the Exchange of Postal Money Order between the U.S.A and [redacted]**

Dear Mr. Raines,

This letter is in response to your letter dated November 17, 2021, whereby [redacted] is confirming acceptance of the below:

- 1. [redacted]
- 2. [redacted]
- 3. [redacted]

Looking forward to continuing working relationship with you.

Sincerely,



**Enclosure 5**

**APPLICATION OF THE UNITED STATES POSTAL SERVICE FOR  
NON-PUBLIC TREATMENT**

In accordance with 39 C.F.R. Part 3011, the United States Postal Service (Postal Service) hereby applies for non-public treatment of the unredacted version of two exchanges of letters between the Postal Service and a Foreign Postal Operator (FPO). The Postal Service is transmitting these two exchanges of letters to the Postal Regulatory Commission (Commission) in accordance with 39 U.S.C. § 407(d). The redacted version of the two exchanges of letters are enclosed with this Application as Enclosures 1, 2, 3, and 4. The Postal Service is filing an unredacted copy of the two exchanges of letters under seal.

The Postal Service hereby furnishes below the justification required by 39 C.F.R. § 3011.201(b) for this Application.

**(1) The rationale for claiming that the materials are non-public, including the specific statutory provision(s) supporting the claim, and an explanation justifying application of the provision(s) to the materials;**

The materials designated as non-public consist of information of a commercial nature, including Postal Service and third-party business information, which under good business practice would not be disclosed to the public. Based on the Postal Service's longstanding and deep familiarity with the postal and communications businesses and markets generally, and its knowledge of many firms, including competitors, mailers, and suppliers, the Postal Service does not believe that any commercial enterprise would voluntarily publish portions of the materials designated as non-public. Rather, this information would be exempt from mandatory disclosure pursuant to 39 U.S.C. §

410(c)(2) and 5 U.S.C. § 552(b)(3) and (4).<sup>1</sup> Because the portions of the materials that the Postal Service seeks to file under seal fall within the scope of information not required to be publicly disclosed, the Postal Service asks the Commission to support the Postal Service's determination that these materials are exempt from public disclosure and to grant its Application for its non-public treatment.

**(2) A statement of whether the submitter, any person other than the submitter, or both have a proprietary interest in the information contained within the non-public materials, and the identification(s) specified in paragraphs (b)(2)(i) through (iii) of [39 C.F.R. § 3011.201] (whichever is applicable). For purposes of this paragraph, identification means the name, phone number, and email address of an individual;**

The Postal Service has a proprietary interest in the information contained within the non-public versions of the two exchanges of letters. The Postal Service believes that the only third party that has a proprietary interest in the materials submitted in this matter is the FPO involved in the two exchanges of letters. Because the identity of this affected FPO is commercially sensitive information, the Postal Service proposes that a designated Postal Service employee serve as the point of contact for any notices to this FPO. The Postal Service identifies as an appropriate contact person Robert Raines, Managing Director, Global Business.<sup>2</sup> Mr. Raines' phone number is (202) 268-2978, and his email address is robert.h.rainesjr@usps.gov.

---

<sup>1</sup> In appropriate circumstances, the Commission may determine the proper level of confidentiality to be afforded to such information after weighing the nature and extent of the likely commercial injury to the Postal Service against the public interest in maintaining the financial transparency of a government establishment competing in commercial markets. 39 U.S.C. § 504(g)(3)(A). The Commission has indicated that "likely commercial injury" should be construed broadly to encompass other types of injury, such as harms to privacy, deliberative process, or law enforcement interests. PRC Order No. 194, Second Notice of Proposed Rulemaking to Establish a Procedure for According Appropriate Confidentiality, Docket No. RM2008-1, Mar. 20, 2009, at 11.

<sup>2</sup> 39 C.F.R. § 3011.201(b)(2)(ii) further states the following:

"(i) If the submitter has a proprietary interest in the information contained within the materials, identification of an individual designated by the submitter to accept actual notice of a motion related to the non-public materials or notice of the pendency of a subpoena or order requiring production of the materials.

The Postal Service has already informed the participating postal operator, consistent with 39 C.F.R. § 3011.200(b), about the nature and scope of this filing and about the postal operator's ability to address any confidentiality concerns directly with the Commission.

**(3) A description of the information contained within the materials claimed to be non-public in a manner that, without revealing the information at issue, would allow the Commission to thoroughly evaluate the basis for the claim that the information contained within the materials is non-public;**

Pursuant to 39 U.S.C. § 407(d), the Postal Service is transmitting the two exchanges of letters with a foreign postal operator that is an agency of a foreign government. The redactions to the two exchanges of letters withhold certain information, such as business rules of operation and settlement, the FPO's identity, as well as information that, due to its context, would reveal the identity of the FPO. The Postal Service maintains that the redacted portions of the two exchanges of letters should remain confidential.

**(4) Particular identification of the nature and extent of the harm alleged and the likelihood of such harm alleged to result from disclosure;**

If the portions of the two exchanges of letters that the Postal Service determined to be protected from disclosure due to their commercially sensitive nature were to be disclosed publicly, the Postal Service considers that it is quite likely that it could suffer

---

(ii) If any person other than the submitter has a proprietary interest in the information contained within the materials, identification of each person who is known to have a proprietary interest in the information. If such an identification is sensitive or impracticable, an explanation shall be provided along with the identification of an individual designated by the submitter to provide notice to each affected person.

(iii) If both the submitter and any person other than the submitter have a proprietary interest in the information contained within the non-public materials, identification in accordance with both paragraphs (b)(2)(i) and (ii) of this section shall be provided. The submitter may designate the same individual to fulfill the requirements of paragraphs (b)(2)(i) and (ii) of this section."

commercial harm. This information is commercially sensitive, and the Postal Service does not believe that it would be disclosed under good business practice. In this regard, the Postal Service is not aware of any business with which it competes (or in any other commercial enterprise), either within industries engaged in the transfer of money across borders, or those engaged in the transfer of money generally, that would disclose publicly information and data of comparable nature and detail.

If the portions of the two exchanges of letters that the Postal Service determined to be protected from disclosure due to their commercially sensitive nature were to be disclosed publicly, the Postal Service considers that it is quite likely that it would suffer commercial harm. Other FPOs could use the information to their advantage in negotiating the terms of their own future agreements with the Postal Service. Competitors could also use the information to assess the offers made by the Postal Service to the FPO that is the counterparty to the FPO-USPS Agreement for any possible comparative vulnerabilities. The Postal Service considers these to be highly probable outcomes that would result from public disclosure of the redacted material.

**(5) At least one specific hypothetical, illustrative example of each alleged harm;**

**Harm: Public disclosure of the information redacted from the two exchanges of letters would provide competitive competitors or other postal operators commercial advantages at the Postal Service's expense.**

**Hypothetical:** A competitor or other postal operator is able to review certain clauses and sections in the two exchanges of letters that concern sensitive commercial information, such as the business rules for operation and settlement. The competitor or other postal operator could take this information and use it to differentiate its own

product from the Postal Service's product when it sells to potential customers, including FPOs

**Harm: Public disclosure of identifying information concerning the FPO in the two exchanges of letters would give competitors an advantage in the marketplace.**

**Hypothetical:** A competitor is able to identify the counterparty FPO in the two exchanges of letters from information provided on the PRC's website. The competitor uses this information to determine specific operational procedures in the marketplace and mimics them for its own benefit and to the financial detriment of the Postal Service.

**Harm: Foreign postal operators could use the redacted terms in the two exchanges of letters to undermine the Postal Service's position in future negotiations.**

**Hypothetical:** The redacted terms in the two exchanges of letters are disclosed to the public. Foreign postal operators obtain the information and use it to their advantage in negotiating future bilateral or multilateral agreements with the Postal Service in an effort to negotiate more favorable terms for themselves.

**Harm: Foreign postal operators could use the redacted terms in the two exchanges of letters to undermine the counterparty foreign postal operator's position in future negotiations.**

**Hypothetical:** The redacted terms in the two exchanges of letters are disclosed to the public. Foreign postal operators obtain the information and use it to their advantage in negotiating future bilateral or multilateral agreements with the counterparty foreign postal operator in an effort to negotiate more favorable terms for themselves.

**(6) The extent of protection from public disclosure alleged to be necessary;**

The Postal Service maintains that the redacted portions of the materials filed non-publicly should be withheld from persons involved in competitive decision-making in

the relevant markets for competitive products (including both private sector entities and FPOs), as well as their consultants and attorneys. Additionally, the Postal Service believes that FPOs, as well as actual or potential customers of a postal operator for these or similar products should not be provided access to the non-public material.

**(7) The length of time for which non-public treatment is alleged to be necessary with justification thereof; and**

The Commission's regulations provide that non-public materials shall lose non-public status ten years after the date of filing with the Commission, unless otherwise provided by the Commission. 39 C.F.R. § 3011.401(a). However, because the Postal Service's relationships with customers and FPOs often continue beyond ten years, the Postal Service intends to oppose requests for disclosure of these materials pursuant to 39 C.F.R. § 3011.401(b)-(c).

**(8) Any other relevant factors or reasons to support the application.**

None.

***Conclusion***

For the reasons discussed, the Postal Service respectfully requests that the Commission grant the Postal Service's Application for non-public treatment of the identified materials.