

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

Complaint on First-Class Mail Service Standards
--

Docket No. C2001-3

MOTION OF THE UNITED STATES POSTAL SERVICE  
FOR PROTECTIVE CONDITIONS  
FOR MARKET RESEARCH MATERIALS PROVIDED FOR *IN CAMERA* INSPECTION  
(January 4, 2002)

In accordance with Presiding Officer's Ruling No. C2001-3/14 (December 19, 2001), the Postal Service has provided four documents to the Commission for the purpose of *in camera* inspection. The Postal Service respectfully moves that the copies of each document provided to the Commission be maintained under protective conditions that guard against the public disclosure of their contents and that each copy be returned to the Postal Service at the conclusion of this proceeding or at such earlier time as the Commission deems appropriate.

The four documents provided for *in camera* inspection contain market research prepared for the Postal Service by different consulting firms during calendar year 2001 and reflect data and analysis pertaining to the potential for diversion of First-Class Mail by postal competitors. These materials are not relevant to the substantive issues raised by the complaint in this proceeding, but are being provided solely for the purpose of enhancing the Commission's ability to resolve the question of the application of protective conditions to information requested by interrogatories DFC/USPS-1 and 9.

The Postal Service regards the four market research reports it has provided in response to Ruling No. C2001-3/14 to be privileged, commercially-sensitive, and proprietary in nature. The public disclosure of these documents would provide valuable

market research to firms seeking to improve their ability to compete with the Postal Service for the delivery or transmission of matter that could be sent as First-Class Mail. Such access to the contents of these documents would result in harm to the Postal Service's competitive interests. In addition, the firms that produced two of the reports have a proprietary and commercial interest in their dissemination.

Accordingly, the Postal Service respectfully moves that none of the titles or contents of these reports, nor any information identifying the consulting firms that produced them, be publicly disclosed in the course of the disposition of the discovery dispute in relation to which they are being provided. Presiding Officer's Ruling No. C2001-3/14 does not address the issue of intervenor access to these documents. The Postal Service hereby reserves the right to comment upon or oppose any Docket No. C2001-3 intervenor request for access to these documents.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

Daniel J. Foucheaux  
Chief Counsel  
Ratemaking

---

Michael T. Tidwell  
Attorney

**CERTIFICATE OF SERVICE**

I hereby certify that, in accordance with section 12 of the Rules of Practice, I have this day served the foregoing document upon all parties of records in t his proceeding.

---

Michael T. Tidwell

475 L'Enfant Plaza West, S.W.  
Washington, D.C. 20260-1137  
(202) 268-2998/ FAX: -5402  
mtidwell@email.usps.gov  
January 4, 2002