

UNITED STATES OF AMERICA
Before The
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

Experimental Changes to Implement)
Capital One NSA)

Docket No. MC2002-2

OFFICE OF THE CONSUMER ADVOCATE
ANSWER TO
MOTION OF CAPITAL ONE SERVICES, INC
FOR PROTECTIVE ORDER
(November 26, 2002)

On November 25, 2002, Capital One Services, Inc., (Capital One) filed an Objection to the Office of Consumer Advocate interrogatory OCA/COS-T1-29. That interrogatory asks Capital One to provide all the calculations used, citing all sources, to derive witness Jean's estimate that, for 2001, Capital One had approximately 9.8 percent of its First-Class Mail solicitations returned, and for 2002, approximately 9.6 percent. The objection asserts that the revelation of the calculations, and their sources, would divulge commercial information of a highly sensitive nature which could damage Capital One competitively. Capital One offered to provide this information if the Presiding Officer would issue a ruling providing protective conditions and filed a motion consistent with its offer.

Given the representations contained in the motion, the Office of the Consumer Advocate does not oppose the request of Capital that the Presiding Officer to enter an appropriate Protective Order.

Respectfully submitted

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