

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

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**RATE AND SERVICE CHANGES TO  
IMPLEMENT BASELINE NEGOTIATED  
SERVICE AGREEMENT WITH BOOKSPAN**

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**DOCKET NO. MC2005-3**

**MOTION OF BOOKSPAN FOR PROTECTIVE ORDER REGARDING  
RESPONSE TO INTERROGATORY OF THE OFFICE OF THE CONSUMER  
ADVOCATE  
(OCA/BOOKSPAN-T2-11(b))**

**(September 20, 2005)**

Bookspan hereby moves to file the response of Bookspan Witness Epp to Office of the Consumer Advocate Interrogatory OCA/BOOKSPAN-T2-11(b) under seal.

Bookspan respectfully asks the Commission to issue a protective order prohibiting the public disclosure of this information in accordance with Rule 31a of the Commission's Rules of Practice and Procedure.

This interrogatory seeks detailed information about Bookspan's marketing budget, including the amounts it has budgeted for solicitation mail both in previous and upcoming years. This information is highly confidential and commercially sensitive. Revealing this information would provide unwarranted insight into Bookspan's financial condition. It would also result in competitive harm as it would permit Bookspan's competitors to counter Bookspan's marketing efforts. Publicly revealing this information could damage Bookspan's competitive position and cause irreparable harm to

Bookspan's business interests. As the Presiding Officer stated in POR-5, "Since Bookspan is a book club direct mailer, the most commercially sensitive information would likely be related to marketing campaigns and corresponding response rates. If a competitor obtained such information, it could use the information to take Bookspan's customers and directly harm the company." POR-5 at 7.

Bookspan has already answered questions regarding its future marketing plans, including projecting volumes of solicitation mail and indicating that it does not plan to engage in telemarketing. Bookspan does not believe that the additional information requested by this interrogatory will aid the Commission in adjudicating this case. Nevertheless, Bookspan is willing to submit a response to this interrogatory to the Commission under seal.

Bookspan respectfully requests that the Presiding Officer enter an appropriate protective order, such as that issued by the Presiding Officer in response to a similar request earlier in this docket (POR-2, MC2005-3).

Respectfully submitted,

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