

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

NOTICE OF RULEMAKING

Docket No. RM2010-9

MOTION OF UNITED STATES POSTAL SERVICE FOR WAIVER OF COMPLIANCE
WITH REQUIREMENTS OF 39 § 3007.20(b) AND 39 § 3007.21(b)(2) IN ORDER TO
FILE REVISED RESPONSE TO CHAIRMAN'S INFORMATION REQUEST NO. 1,
QUESTIONS 2a, 2c AND 3
(September 22, 2010)

Chairman's Information Request (CHIR) No. 1 was issued on August 13, 2010. The Postal Service filed its response on September 10, 2010, but was asked to revise its response to Questions 2a, 2c and 3 to include mailer-specific information or provide additional data. Making such revisions requires an application for non-public treatment of this commercially sensitive information as the response to Questions 2a, 2c and 3 includes mailer-specific information for over 470 third parties.

Pursuant to 39 § 3007.20(b) and 39 § 3007.21(b)(2), the Postal Service is required in the application for non-public treatment to identify the name, phone number, and e-mail address of any third party who is known to have a proprietary interest in the materials, or if such an identification is sensitive, contact information for a Postal Service employee who shall provide notice to that third party that disclosure of this information may implicate its proprietary interest. Compliance with this requirement would burden the Postal Service greatly and cause it to expend resources it does not have to make contact with each of these parties. Thus, the Postal Service respectfully requests that it be relieved of the requirements of 39 § 3007.20(b) and 39 §

3007.21(b)(2) so that it may file an application for non-public treatment of this proprietary information without contacting each of the third-parties, who reasonably would want its information protected.

In the interest of time, the Postal Service will file its application for non-public treatment of its revised response to CHIR 1, Question 3, to include the express name of the mailer mentioned in part 3a of the question and the specific mailer names requested in part 3b of the question, in combination with the present Motion. The public version of this response with generic identification numbers or names was filed on September 10, 2010 in Docket No. RM2010-9, Response of the United States Postal Service to Chairman's Information Request No. 1, p. 6 and in Docket No. R2009-5 data collection report, (filed July 26, 2010, revised July 29, 2010). The Postal Service is currently preparing a response to Questions 2a and 2c and, if this motion is granted, an application for non-public treatment of that revised response will be filed also as soon as all the requested data are gathered.

UNITED STATES POSTAL SERVICE

By its attorneys:

R. Andrew German
Managing Counsel, Pricing & Product
Development

Daniel J. Foucheaux, Jr.
Chief Counsel, Pricing & Product Support

Brandy A. Osimokun

475 L'Enfant Plaza West, S.W.
Washington, D.C. 20260-1137
(202) 268-2982, Fax -6187
September 22, 2010