

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

CONSIDERATION OF TECHNICAL METHODS TO BE
APPLIED IN WORKSHARE DISCOUNT DESIGN

Docket No. RM2010-13

**JOINT APPLICATION FOR NONPUBLIC TREATMENT OF
THE MAJOR MAILERS ASSOCIATION,
THE NATIONAL ASSOCIATION OF PRESORT MAILERS, AND
THE NATIONAL POSTAL POLICY COUNCIL
(February 18, 2011)**

The Major Mailers Association, the National Association of Presort Mailers, and the National Postal Policy Council respectfully hereby apply, pursuant to Commission rule of practice 3007.22, for nonpublic treatment of the following:

- Exhibit NP-1: National Association of Presort Mailers survey data (two Excel files, labeled NAPM Raw Data – Part 1 and NAPM Raw Data – Part 2, respectively);
- Exhibit NP-2: National Association of Presort Mailers survey data analysis (an Excel file labeled NAPM Data Analysis);
- Exhibit NP-3: National Postal Policy Council/Major Mailers Association survey data and analysis (an Excel file labeled NPPC – MMA Data Analysis).

Both the NAPM survey data and the NPPC/MMA survey data were collected for the purpose of preparing comments in this Docket No. RM2010-13, filed concurrently today by the The American Bankers Association, the Bank of America Corporation, the Direct Marketing Association, Discover Financial

Services, the Major Mailers Association, the National Association of Presort Mailers, and the National Postal Policy Council (“Joint Commenters”).

Section 3007.22 of the Commission’s rules of practice provides, in the case of an application by a private party for non-public treatment, as follows:

§ 3007.22 Content of third-party application for non-public treatment.

(a) The application for relief from public disclosure submitted by a party other than the Postal Service must clearly identify all materials believed to be protected from disclosure.

(b) The application for non-public treatment must include a specific and detailed statement setting forth:

(1) A description of the materials claimed to be non-public in a manner that, without revealing the materials at issue, would allow a person to thoroughly evaluate the basis for the claim that they are non-public;

(2) Particular identification of the nature and extent of the harm alleged and the likelihood of such harm; and

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

The materials submitted are clearly identified and are contained in sealed envelopes and are labeled in a manner consistent with the descriptions stated above. Each of the materials are entitled to non-public status.

The NAPM survey data and analysis

The NAPM survey data and analysis provides empirical data on the mailing practices of 36 NAPM members that participated in the survey. Those members,

in turn, provided empirical information on 90 customers who had converted from Single-Piece to Presort First-Class Mail within the past year.

This information is competitively sensitive to the participating presort firms. A reasonably sophisticated person could likely deduce the identity of some or all of the participating presorters, and by doing so would obtain access to trade secrets and other business confidential information regarding specific practices or levels of service offered by the participants (e.g., frequency of pickups, daily volume minimums, etc.) which are not typically shared with competing firms. Thus, making this information public could allow competing firms to obtain a competitive advantage by gaining a better understanding of their rivals' costs and capabilities.

The NPPC/MMA Data Analysis

The Excel file labeled NPPC/MMA data analysis contains the data and analysis resulting from the survey of eighteen mailers that are members of NPPC or MMA. All survey results were aggregated by a third party.

The NPPC/MMA Excel file contains mailing data specific to the individual respondent. A reasonably sophisticated person could likely deduce the identity of some or all of the participating mailers, and by doing so would obtain access to trade secrets and other business confidential information about large mailers' mailing practices that are not typically made publicly available. This could result in competitive harm to those participating mailers, and possibly to the Postal Service, as the 18 respondents include many of the largest First-Class mailers.

Conclusion

These surveys and data are submitted in support of Comments being filed concurrently today by the Joint Commenters in a rulemaking to identify a new “benchmark” for the purposes of calculating worksharing discounts in First-Class letter mail. The information collected by the surveys and presented in the analysis are highly relevant to these issues, while sensitive to the mailers concerned. Accordingly, non-public treatment pursuant to rule 3007.22 et seq. is appropriate.

Respectfully submitted,

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