

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Mail Processing Network Rationalization
Service Changes, 2012

Docket No. N2012-1

DOUGLAS F. CARLSON
MOTION TO REQUEST ACCESS TO NONPUBLIC
MATERIALS IN USPS-LR-N2012-1/NP14

March 14, 2012

Pursuant to 39 C.F.R. § 3007.40 of the *Rules of Practice*, I hereby request access to library reference USPS-LR-N2012-1/NP14, which the Postal Service designated as nonpublic pursuant to 39 C.F.R. §§ 3007.20 and 3007.21.¹

According to the Postal Service:

The research undertaken but not sponsored by witness Elmore-Yalch and Opinion Research Corporation (ORC) allows calculation of changes in volume, revenue and contribution for customers in six customer segments if all of the many changes considered at various times by Postal Service management were made effective (at one time). See the response of witness Whiteman to DFC/USPS-T12-9 (February 24, 2012). The results thus reflect customer specific responses regarding actual mail volume mailed in the past and projections of what would be mailed in an “All Sources” post-implementation environment.

Application at 1.

Since the Postal Service apparently is considering several service changes, including eliminating delivery, collection, and processing of outgoing mail on Saturdays, slowing service standards for First-Class Mail, and closing

¹ United States Postal Service Notice of Filing Library Reference USPS-LR-N2012-1/NP14 and Application for Non-Public Status (“Application”), filed March 6, 2012.

retail facilities, market research investigating the likely combined effect of all these changes, and perhaps others, on volume, revenue, and contribution is highly relevant to the Commission's current task of advising the Postal Service, Congress, and the public about the Postal Service's current proposal to slow service standards. I wish to evaluate this market research to inform testimony or legal arguments in this proceeding.

I am an individual representing myself, and I have no affiliations with other parties in this case.

I notified the Postal Service on March 14, 2012, that I will file this motion today.

Respectfully submitted,

Dated: March 14, 2012

DOUGLAS F. CARLSON

The materials are identified as USPS-LR-N2012-1/NP14.

Appendix A to Part 3007—Statement of Compliance with Protective Conditions

The Postal Service (or a third party) has filed non-public materials identified as USPS-LR-N2012-1/NP14 in Commission Docket No. (if any) N2012-1. The Postal Service (or a third party) requests confidential treatment of the materials (hereinafter “these materials”).

The following protective conditions limit access to these materials identified as USPS-LR-N2012-1/NP14 by the Postal Service (or third party). Each person seeking to obtain access to these materials must agree to comply with these conditions, complete the attached certifications, and provide the completed certifications to the Commission and counsel for the Postal Service.

1. Access to these materials is limited to a person as defined in rule 5(f), 39 CFR 3001.5(f), or an individual employed by such person, or acting as agent, consultant, contractor, affiliated person, or other representative of such person for purposes related to the matter identified as Docket N2012-1. However, no person involved in competitive decision-making for any entity that might gain competitive advantage from use of this information shall be granted access to these materials. “Involved in competitive decision-making” includes consulting on marketing or advertising strategies, pricing, product research and development, product design, or the competitive structuring and composition of bids, offers or proposals. It does not include rendering legal advice or performing other services that are not directly in furtherance of activities in competition with a person or entity having a proprietary interest in the protected material.
2. No person granted access to these materials is permitted to disseminate them in whole or in part to any person not authorized to obtain access under these conditions.
3. Immediately after access has terminated under 39 CFR 3007.41 or 3007.51, a person (and any individual working on behalf of that person) who has obtained a copy of these materials shall certify to the Commission:
 - (a) That the copy was maintained in accordance with these conditions (or others established by the Commission); and

- (b) That the copy (and any duplicates) either have been destroyed or returned to the Commission.
4. The duties of each person obtaining access to these materials shall apply to material disclosed or duplicated in writing, orally, electronically, or otherwise, by any means, format, or medium. These duties shall apply to the disclosure of excerpts from or parts of the document, as well as to the entire document.
 5. All persons who obtain access to these materials are required to protect the document by using the same degree of care, but no less than a reasonable degree of care, to prevent the unauthorized disclosure of the document as those persons, in the ordinary course of business, would be expected to use to protect their own proprietary material or trade secrets and other internal, confidential, commercially sensitive, and privileged information.
 6. These conditions shall apply to any revised, amended, or supplemental versions of these materials provided in the matter identified as N2012-1.
 7. The duty of nondisclosure of each person obtaining access to these materials is continuing, terminable only by specific order of the Commission, or as specified in paragraphs 9 and 10, below.
 8. Each person granted access to these materials consents to these or such other conditions as the Commission may approve.
 9. Any written materials that quote or contain materials protected under these protective conditions are also covered by the same protective conditions and certification requirements, and shall be filed with the Commission only under seal. Documents submitted to the Commission as confidential shall remain sealed while in the Secretary's office or such other place as the Commission may designate so long as they retain their status as stamped confidential documents.
 10. If a court or other administrative agency subpoenas or orders production of confidential information which a person has obtained under the terms of this protective order, the target of the subpoena or order shall promptly (within 2 business days) notify the Postal Service of the pendency of the subpoena or order to allow it time to object to that production or seek a protective order.

CERTIFICATION

The undersigned represents that:

USPS-LR-N2012-1/NPI14 _____ Access to these materials provided in the matter identified as _____ by the Postal Service has been terminated.

I certify that I have destroyed or returned to the Commission, all materials subject to protective conditions, relevant to the above matter. I also certify that these materials were maintained in accordance with the established protective conditions.

Name	Douglas F. Carlson
Firm	_____
Title	_____
Representing	Self
Signature	
Date	March 14, 2012