

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

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**Mail Processing Network Rationalization  
Service Changes, 2012**

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**Docket No. N2012-1**

**AMERICAN POSTAL WORKERS UNION, AFL-CIO,  
MOTION FOR ACCESS TO  
NON-PUBLIC INFORMATION IDENTIFIED  
AS USPS-LR-N2012-1/NP28  
(May 30, 2012)**

Pursuant to 39 CFR 3007.40 and Rule 21 of the Commission's Rules of Practice and Procedure, the American Postal Workers Union, AFL-CIO (APWU) hereby moves for access to Postal Service Library Reference USPS-LR-N2012-1/NP28, Materials Responsive to Interrogatory NPMHU/USPS-9.

The Postal Service submitted Library Reference USPS-LR-N2012-1/NP28 on May 25, 2012, accompanied by an Application for non-public treatment. In its Application, the Postal Service explains that the "materials covered by this application consist of a list of mail processing facilities alluded to by witness Marc Smith (USPS-ST-4 at 7) as having been identified by the Postal Service as ones that it might be able to vacate depending on the network configuration that ultimately emerges from its ongoing rationalization initiative."<sup>1</sup> The Postal Service asserts that "premature public disclosure of the locations of a property that the Postal Service may vacate and potentially seek to sell on the open market could adversely affect the Postal Service's ability to obtain the maximum market value for that property should it be offered for sale."<sup>2</sup> The Postal Service requests that these materials "be withheld from persons not directly involved in analyzing the costing testimony presented by USPS witness Smith (USPS-T-9 and USPS-ST-3) as it relates to the service changes at issue in this docket, in order to prevent the list from being publicly

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<sup>1</sup> Application of United States Postal Service for Non-Public Treatment of Library Reference USPS-LR-N2012-1/NP28 (May 25, 2012).

<sup>2</sup> Id. at 3-4.

or otherwise disseminated to persons or entities in the commercial real estate industry who could potentially be involved in negotiating or bidding on the purchase of postal properties, as well as their consultants and attorneys.”<sup>3</sup>

APWU is the exclusive collective bargaining representative of postal employees in the clerk, maintenance, and motor vehicle service crafts nationwide. APWU also mails millions of letters, periodicals, and packages each year and APWU members and retirees make extensive use of postal products and services. The changes proposed in this docket could have a significant impact on APWU represented employees and on the APWU and its members as a large user of the mail. Accordingly, APWU has intervened and has participated actively in this docket. APWU has also submitted rebuttal testimony in this docket. Parties should be entitled to the material relevant to a full evaluation of the Postal Service’s plan in this docket. We believe that the information presented in USPS-LR-N2012-1/NP28 will inform our arguments on brief at the conclusion on this case. Therefore, APWU respectfully requests access to Library References USPS-LR-N2012-1/NP28.

In accordance with 39 CFR 3007.40(b), APWU representatives, consultants and attorneys have completed a Statement of Compliance with Protective Conditions Certification, found in Appendix A to Part 3007 of Title 39 of the Code of Federal Regulations, for Library Reference USPS-LR-N2012-1/NP28 as follows:

Phillip A. Tabbita  
Manager, Negotiation Support and Special Projects  
American Postal Workers Union, AFL-CIO

Kathryn Kobe  
Director of Price, Wage and Productivity Analysis ECS, LLC  
Economic Consultant for American Postal Workers Union, AFL-CIO

Darryl J. Anderson  
O’Donnell, Schwartz & Anderson, PC  
Counsel for the American Postal Workers Union, AFL-CIO

Jennifer L. Wood, Esq.  
O’Donnell, Schwartz & Anderson, PC  
Counsel for the American Postal Workers Union, AFL-CIO

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<sup>3</sup> Id. at 8.

Barbara Zibordi  
Paralegal  
O'Donnell, Schwartz & Anderson, PC

Pierre Kacha  
Decision/Analysis Partners  
Consultant for American Postal Workers Union, AFL-CIO

Donald M. Baron  
Decision/Analysis Partners  
Consultant for American Postal Workers Union, AFL-CIO

Kyle Stamper  
Commonwealth Computer Research, Inc.  
Systems Engineer  
Decision/Analysis Partners

A copy of each Certification is attached hereto. The original Certifications will be promptly filed with the Commission. Persons identified by the Postal Service pursuant to Section 3007.2(c) have also been provided with a copy of this Motion and accompanying certifications today by email.

Counsel for APWU has conferred with Postal Service counsel and has been told that the Postal Service has no objection to the above named individuals accessing the materials contained in USPS-LR-N2012-1/NP28. Thus, APWU requests that the Commission waive the normal three-day waiting period required to allow the Postal Service to object and grant immediate access to USPS Library Reference N2012-1/NP28 to the above named individuals.

### **Conclusion**

For the forgoing reasons, APWU respectfully requests that access to Library References USPS-LR-N2012-1/NP28 be immediately granted to the above named individuals.

Respectfully submitted,

Jennifer L. Wood  
Counsel for American Postal Workers Union, AFL-CIO

## CERTIFICATION

The undersigned represents that:

Access to these materials provided in the matter identified as **USPS-LR-N2012-1/NP28** by the Postal Service has been authorized by the Commission. The cover or label of the copy obtained is marked with my name. I agree to use the information only for purposes of analyzing matters at issue in the matter identified as **PRC Docket No. N2012-1**. I certify that I have read and understand the above protective conditions and am eligible to receive access to materials under paragraph 1 of the protective conditions. I further agree to comply with all protective conditions and will maintain these materials in strict confidence in accordance with all of the protective conditions set out above.

Name	<u>Phillip Tabbita</u>
Firm	<u>American Postal Workers Union, AFL-CIO</u>
Title	<u>Mgr Negotiation Support</u>
Representing	<u>American Postal Workers Union, AFL-CIO</u>
Signature	<u></u>
Date	<u>May 25, 2012</u>

**CERTIFICATION**

The undersigned represents that:

Access to these materials provided in the matter identified as **USPS-LR-N2012-1/NP28** by the Postal Service has been authorized by the Commission. The cover or label of the copy obtained is marked with my name. I agree to use the information only for purposes of analyzing matters at issue in the matter identified as **PRC Docket No. N2012-1**. I certify that I have read and understand the above protective conditions and am eligible to receive access to materials under paragraph 1 of the protective conditions. I further agree to comply with all protective conditions and will maintain these materials in strict confidence in accordance with all of the protective conditions set out above.

Name	<u>Kathryn Kabe</u>
Firm	<u>ECS, LLC</u>
Title	<u>Director of Price, Cost, Productivity Analysis</u>
Representing	<u>APWU</u>
Signature	<u>Kathryn Z Kabe</u>
Date	<u>May 29, 2012</u>

**CERTIFICATION**

The undersigned represents that:

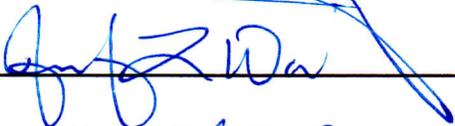
Access to these materials provided in the matter identified as **USPS-LR-N2012-1/NP28** by the Postal Service has been authorized by the Commission. The cover or label of the copy obtained is marked with my name. I agree to use the information only for purposes of analyzing matters at issue in the matter identified as **PRC Docket No. N2012-1**. I certify that I have read and understand the above protective conditions and am eligible to receive access to materials under paragraph 1 of the protective conditions. I further agree to comply with all protective conditions and will maintain these materials in strict confidence in accordance with all of the protective conditions set out above.

Name	Darryl Anderson
Firm	O'Donnell, Schwartz & Anderson, P.C.
Title	Attorney
Representing	APWU
Signature	
Date	5/29/12

**CERTIFICATION**

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Name	<u>Jennifer L. Wood</u>
Firm	<u>O'Donnell, Schwartz and Anderson, P.C.</u>
Title	<u>Attorney</u>
Representing	<u>APWU</u>
Signature	<u></u>
Date	<u>May 28, 2012</u>

**CERTIFICATION**

The undersigned represents that:

Access to these materials provided in the matter identified as **USPS-LR-N2012-1/NP28** by the Postal Service has been authorized by the Commission. The cover or label of the copy obtained is marked with my name. I agree to use the information only for purposes of analyzing matters at issue in the matter identified as **PRC Docket No. N2012-1**. I certify that I have read and understand the above protective conditions and am eligible to receive access to materials under paragraph 1 of the protective conditions. I further agree to comply with all protective conditions and will maintain these materials in strict confidence in accordance with all of the protective conditions set out above.

Name	Barbara Zibordi
Firm	O'Donnell, Schwartz & Anderson, P.C.
Title	Paralegal
Representing	APWU
Signature	<i>Barbara Zibordi</i>
Date	5/29/12

## CERTIFICATION

The undersigned represents that:

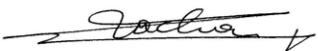
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Name Pierre Kacha

Firm decision/analysis partners

Title Consultant

Representing APWU

Signature 

Date May 29, 2012

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Name	<u>Ronald M. Baron</u>
Firm	<u>Decision Analysis Partners</u>
Title	<u>Consultant</u>
Representing	<u>APWU</u>
Signature	<u>Ronald M. Baron</u>
Date	<u>5/29/2012</u>

## CERTIFICATION

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Name	Kyle Stamper
Firm	Commonwealth Computer Research, Inc.
Title	Systems Engineer
Representing	APWU
Signature	
Date	May 27, 2012