

Before the  
POSTAL REGULATORY COMMISSION  
WASHINGTON, DC 20268-0001

Market Test of Experimental Product-  
Global eCommerce Marketplace (GeM)  
Non-Published Rates

Docket No. MT2016-1

PUBLIC REPRESENTATIVE MOTION  
TO UNSEAL MODEL CONTRACT

(March 28, 2016)

On March 16, 2016, the Postal Service filed a notice that it intends to conduct a test of an experimental competitive product.<sup>1</sup> Concomitant with filing the Notice, the Postal Service filed, under seal, both (1) a Model Contract, and (2) proposed price ranges that may be charged under the Model Contract.

Pursuant to 39 C.F.R. § 3007.31 the Public Representative requests that the Model Contract, currently filed under seal, be made publicly available.<sup>2</sup>

The Postal Service has not justified filing the Model Contract under seal in its Application of the United States Postal Service for Non-Public Treatment of Materials. Notice, Attachment 1. Filing the Model Contract under seal also hinders public review of the proposed market test. Furthermore, filing the Model Contract under seal does not provide potential customers with sufficient information as to whether or not they might have an interest in participating in the market test.

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<sup>1</sup> Notice of the United States Postal Service of Market Test of Experimental Product-Global Ecommerce Marketplace (GeM) Merchant Solution and Notice of Filing Gem Merchant Model Contract and Application For Non-Public Treatment of Materials Filed Under Seal, March 16, 2016 (Notice).

<sup>2</sup> This request does not include a request to unseal the separately filed "Expedited and Deferred Price Ranges for GeM Merchant" information.

The Postal Service's application for non-public treatment focuses on the sensitivity of: (1) customer specific information; (2) proposed prices applicable to the contract; and (3) the collection and reporting of cost, volume, and revenue data from the market test. None of this information can be found in the Model Contract.<sup>3</sup> The Postal Service has provided no explanation for why any individual paragraph of the Model Contract should be (or remain) under seal.<sup>4</sup>

Furthermore, filing the Model Contract under seal is inconsistent with the transparency and accountability that the public deserves from its Postal Service. Filing documents under seal, when not warranted, both hinders public review of proposed postal services, and does not provide sufficient information for potential customers to evaluate participation in the market test.

Therefore, the Public Representative requests that the Model Contract be made publicly available.

Respectfully submitted,

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Public Representative

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<sup>3</sup> The Public Representative infers that the intent of the application for non-public treatment was focused towards use with actual completed contracts that do contain customer specific information, and to protect pricing information.

<sup>4</sup> At a minimum, the Commission should require the Postal Service to comply with the Commission's regulations and justify why the Model Contract should remain under seal.