

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

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

Docket No. MT2016-1

RESPONSE OF PITNEY BOWES INC.
TO NOTICE OF INQUIRY NO. 1
(May 12, 2016)

Pitney Bowes Inc. (Pitney Bowes) hereby provides its Response to Notice of Inquiry No. 1, issued on April 29, 2016. Each question is stated verbatim and followed by the response. The responses contain commercially-sensitive information and are filed under seal. Pitney Bowes hereby incorporates by reference the application for non-public treatment that is being filed in conjunction with this Response.

Pitney Bowes is voluntarily providing this Response to aid the Commission's review of the Postal Service's notice to conduct a market test of an experimental competitive product.¹ Pitney Bowes takes no position at this time as to whether the proposed market test satisfies all of the relevant statutory requirements.²

¹ See 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 (Mar. 16, 2016).

² Several parties have raised concerns and a number of other issues have not yet been resolved, including: whether the proposed experimental competitive product is a "significantly different product" as required by 39 U.S.C. § 3641(b)(1); whether the product qualifies as a postal "product" within the meaning of 39 U.S.C. § 102(5); whether the Postal Service has met its burden to show that the introduction of the product will not create an "unfair or otherwise competitive advantage for the Postal Service" in violation of 39 U.S.C. § 3641(b)(2); and whether the Postal Service has met its burden to show that the offering does not seek to "establish the terms of competition" and "create an unfair competitive advantage for [the Postal Service] or any entity funded (in whole or in part) by the Postal Service" in violation of 39 U.S.C. § 404a(1). Pitney Bowes reserves its right to raise these or other issues if the Postal Service later requests that the Commission approve the experimental product as a permanent product.

1. Annual revenues of competing products for each of the last 3 years.

Response filed under seal.

2. Annual volumes of competing products for each of the last 3 years.

Response filed under seal.

3. Estimates of the annual volume and revenue of the related market as a whole.

Response filed under seal.

Respectfully submitted:

/s/

James Pierce Myers
Attorney at Law
320 South West Street, Suite 110
Alexandria, Virginia 22314
Telephone: (703) 627-5112
E-Mail: jpm@piercemyers.com

Michael F. Scanlon
K&L GATES LLP
1601 K Street, NW
Washington, DC 20006
Telephone: (202) 661-3764
E-Mail: michael.scanlon@klgates.com

Counsel to PITNEY BOWES INC.