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

PERIODIC REPORTING (PROPOSAL FOUR)	))	Docket No. RM2016-12

REVISED MOTION OF
AMAZON FULFILLMENT SERVICES, INC.,
FOR ACCESS TO LIBRARY REFERENCE
USPS-RM2016-12/NP1

(September 21, 2016)

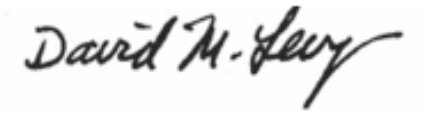
Pursuant to 39 C.F.R. § 3007.40, Amazon Fulfillment Services, Inc. ("AFSI"), respectfully requests access to nonpublic library reference USPS-RM2016-12/NP1, which the Postal Service filed under seal on August 22, 2016. AFSI is authorized to state that the Postal Service does not object to this motion.[1]

The four reviewing representatives proposed by AFSI are Lawrence G. Buc and Sander Glick, president and vice-president, respectively, of SLS Consulting, Inc.; David M. Levy, a partner at Venable LLP; and T. Scott Thompson, a partner at Bates White Economic Consulting. Attached are executed declarations by the four individuals committing to their compliance with the terms of the protective

[1] AFSI is filing this revised motion to comply with the requests of Commission staff that the motion include the full text of Appendix A to 39 C.F.R. Part 3007, and that the certifications of the reviewing representatives identify the particular library reference covered by the motion.

conditions established by the Commission to limit the disclosure and use of the sealed material.

Respectfully submitted,



David M. Levy
VENABLE LLP
575 7th Street, N.W.
Washington, DC 20004
(202) 344-4732

Counsel for Amazon Fulfillment Services, Inc.

September 21, 2016

STATEMENT OF COMPLIANCE WITH PROTECTIVE CONDITIONS

This Statement of Compliance concerns non-public documents filed by the United States Postal Service as **Library Reference USPS-RM2016-12/NP1** in Commission Docket No. RM2016-12, *Periodic Reporting (Proposal Four)*. 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. 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 No. RM2016-2, *Periodic Reporting (Proposal Four)*. 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 rule 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 Docket No. RM2016-2, *Periodic Reporting (Proposal Four)*.

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.

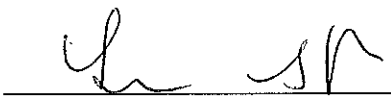
9. Any written materials that quote or contain materials protected under these protective conditions are also covered by the same protective conditions and certification requirements, and shall be filed with the Commission only under seal. Documents submitted to the Commission as confidential shall remain 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:

Access to these materials provided by the Postal Service as **Library Reference USPS-RM2016-12/NP1** in the matter identified as Docket No. RM2016-12, *Periodic Reporting (Proposal Four)*, 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 Docket No. RM2016-12, *Periodic Reporting (Proposal Four)*. 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.

Signature: 

Lawrence G. Buc
President, SLS Consulting, Inc.
(representing Amazon Fulfillment Services, Inc.)

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Signature:

Sander Glick
Vice President, SLS Consulting, Inc.
(representing Amazon Fulfillment Services, Inc.)

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Signature: David M. Levy

David M. Levy
Partner, Venable LLP
(representing Amazon Fulfillment Services, Inc.)

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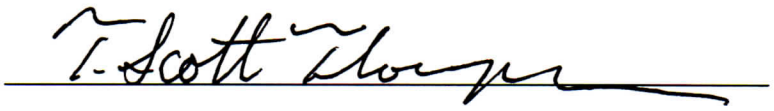
Signature: 

T. Scott Thompson
Partner, Bates White Economic Consulting
(representing Amazon Fulfillment Services, Inc.)