

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

POSTAL RATE AND FEE CHANGES, 2006

Docket No. R2006-1

OBJECTION OF THE UNITED STATES POSTAL SERVICE TO
INTERROGATORIES OF DAVID B. POPKIN (DBP/USPS-151 and 157)
(July 13, 2006)

The United States Postal Service hereby objects to the following interrogatory of David Popkin, filed on July 3, 2006: DBP/USPS-151 and DBP/USPS-157.

DBP/USPS-151

The question reads:

DBP/USPS-151 [a] Please provide me a listing of the percentage of the retail service windows that are open on Saturday countrywide as well as a separate listing broken out by District.

[b] Please provide me a listing of the percentage of the post office box lobbies that are open on Saturday countrywide as well as a separate listing broken out by District.

[c] Please provide the criteria that are considered for the establishment of Saturday post office lobby hours at a particular facility.

[d] Please provide the criteria that are considered for the establishment of Saturday retail window service hours at a particular facility.

The Postal Service partially objects to subparts (a) and (b) on the grounds of relevance and burden. The request for separate listings broken out by District seeks information at a level of operational detail that is irrelevant and immaterial to the issues presented in an omnibus rate proceeding. Additionally, it would take several days of continuous work to produce such disaggregated listings. Given the irrelevance of the information, the effort to produce the information would certainly be undue. Therefore, the Postal Service will attempt to provide the percentage of retail service windows and post office box lobbies open on Saturday countrywide, but will not provide separate listings broken out by District.

DBP/USPS-157

The question reads:

DBP/USPS-157 This interrogatory relates to the ability of a postal customer to claim mail for which a notice has been left, such as accountable mail, on a non-holiday Saturday at a facility that does not have retail window service available on that Saturday. If there is a different pick-up rule for a carrier customer vs. a post office box customer, please explain.

[a] Is it mandated that this ability exist?

[b] If not mandated, is it the normal custom to provide such service?

[c] If not, why not?

The Postal Service objects on the grounds of relevance. Similar questions were asked as DBP/USPS-23 in R2000-1, as DBP/USPS-8 in R2001-1, and as DBP/USPS-20 and 198 in R2005-1. DBP/USPS-157 and its antecedent versions seek minutiae about delivery and retail services at post offices without Saturday window services. The standards governing the level of detail that may reasonably be requested are quite clear. In Docket No. R2000-1, the Presiding Officer denied Mr. Popkin's motion to compel a response to the first of these interrogatories, DBP/USPS-23, which sought details on Saturday service at post offices without retail window service on that day. See P.O. Ruling No. R2000-1/56. In that case, the Presiding Officer ruled:

The nature of these questions [DBP/USPS-22 and 23] and the level of detail requested place these interrogatories outside the realm of appropriate discovery in this proceeding. Therefore, the Service will not be required to provide a response.

P.O. Ruling No. R2000-1/56 at 5-6.

In addition, the Presiding Officer's Ruling on DBP/USPS-19/R2000-1 (which was structurally similar to DBP/USPS-23 in that same docket, as noted by

P.O. Ruling No. R2000-1/56 at 5-6) stated:

[M]atters of purely personal interest or concerning purely local conditions are often not relevant in an omnibus proceeding, and are therefore objectionable on that basis. Mr. Popkin has not shown sufficient nexus between the detail he requests, and the development of relevant evidence to warrant compelling answers.

P.O. Ruling No. R2000-1/56 at 5. The same relevance concerns identified by the Presiding Officer in Docket No. R2000-1 are equally applicable today with respect to DBP/USPS-157.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

Daniel J. Foucheaux, Jr.
Chief Counsel, Ratemaking

Sheela A. Portonovo

475 L'Enfant Plaza West, S.W.
Washington, D.C. 20260-1137
(202) 268-3012, FAX -6187