

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

POSTAL RATE AND FEE CHANGES

Docket No. R2006-1

OPPOSITION OF THE UNITED STATES POSTAL SERVICE TO  
DAVID B. POPKIN MOTION TO COMPEL RESPONSE TO INTERROGATORY  
DBP/USPS-268 (August 14, 2006)

The United States Postal Service hereby opposes David B. Popkin's motion to compel a response to interrogatory DBP/USPS-268, filed by Mr. Popkin on July 12, 2006, and objected to by the Postal Service on July 24, 2006. The interrogatory reads as follows:

DBP/USPS-268 Please furnish the most recent First-Class Mail EXFC results for a minimum of four quarterly reports. The left side of the charts should show the Nation followed by each of the 80-some EXFC reporting areas and along the top of the chart showing Percent on Time / Margin of Error / Average Days to Deliver / Margin of Error for the following four categories: Overnight Mail / Two-Day Mail / Three-Day Mail / Nation. Please show all entries to two decimal places.

In its objections, the Postal Service argued that while data at the EXFC system-wide level are relevant to the issue of the value of service for First-Class Mail as a whole, within the meaning of 39 U.S.C. § 3622(b), the requested data, broken down by performance cluster, are irrelevant to the issues presented in this omnibus rate and classification proceeding. Objections at 1-2.

As it did in its objection, the Postal Service acknowledges Presiding Officer's Ruling No. R2005-1/10 (May 16, 2005), and requests that the Presiding Officer reconsider that ruling.

In his motion to compel, Mr. Popkin points to the Postal Service's compelled response to DBP/USPS-5 in Docket No. R2005-1, citing, for quarter 3 of FY 2004, (1) overnight variations by performance cluster in the continental 48 states between 93.88% and 97.61%, while the overall score was 95.61%; (2) two-day variations in the continental states 48 states between 86.94% and 95.79 %, while the overnight score was 91.99%; and (3) three-day variations in the continental 48 states between 84.95% and 95.63%, while the score was 90.97% nationally. Motion to Compel at 3.

The Postal Service respectfully submits that variations of this nature do not significantly impact the value of service for First-Class Mail. The national average, of course, is impacted by both the highest and the lowest scoring performance clusters. For every variance from the national average caused by lower performing clusters, there will be variances in the other direction. The effect of EXFC scores on the value of service is best represented by the national average figure.

For the reasons discussed above, the Postal Service requests that the Commission deny Mr. Popkin's request to compel a response to DBP/USPS-268.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

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## CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon all participants of record in this proceeding in accordance with section 12 of the Rules of Practice.

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