

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  
INTERROGATORY OF DOUGLAS CARLSON (DFC/USPS-77)  
(September 1, 2006)

The United States Postal Service hereby objects to the following interrogatory of Douglas Carlson, filed on August 22, 2006: DFC/USPS-77. The question reads:

**DFC/USPS-77.** Please refer to the responses to DBP/USPS-91, DFC/USPS-35, and DFC/USPS-75.

- a. Please confirm that the final weekday collection times listed below for collection boxes at the following stations of the post office in New York, New York, are not consistent with POM sections 321 to 326 and, in particular, section 322. If you do not confirm, please provide the POM sections that may justify an exception and the reasons in support thereof:

<b>Location ID</b>	<b>Station</b>	<b>Street Address</b>	<b>Time</b>
1000200016	Pitt	185 Clinton Street	Noon
1000200081	Knickerbocker	128 E Broadway	Noon
1000900005	Peter Stuyvesant	432 E 14th St	1 PM
1000300036	Cooper	93 4th Ave	1 PM

- b. Please confirm that the final weekday collection times prior to 5:00 PM at all stations of the post office in Bronx, New York, except the Co-op Station at 3300 Conner Street are not consistent with POM sections 321 to 326 and, in particular, section 322. If you do not confirm, please provide the POM sections that may justify an exception and the reasons in support thereof.

The Postal Service objects to DFC/USPS-77 on the grounds of relevance, materiality, and undue burden. The question poses inquiries about consistency between the last pickup times for specified collection boxes in two New York City boroughs and various provisions of the POM. These questions are not relevant to any

material issues in this omnibus rate proceeding. Postal rates are set on a nationwide basis. Different rates are not set for mail entered into specific collection boxes, or even for mail originating in specific boroughs of New York City. Moreover, no conclusion relevant to ratemaking can be drawn from the ability or inability to establish that collection times on individual collection boxes are not in accord with POM guidelines.

Additionally, there would be an undue burden associated with addressing the inquiry posed in these questions. Before the Postal Service could respond to issues regarding individual collection boxes, it would need to consult with local officials to determine the factual circumstances relating to those individual boxes. It is difficult to estimate the burden associated with such inquiries, because they could involve either officials at the District level, or officials at local facilities, or both. From the question itself, for example, it is not even possible to determine the number of boxes in the Bronx to which the question relates, and about which specific factual circumstances might need to be investigated. The nature of the inquiry also complicates the potential burden associated with conducting the exercise. It will be necessary to determine “why” a particular time has been established, as opposed to a simple “what” is the collection time. Tracking down someone willing to respond to a “why” inquiry is notoriously more difficult than finding someone able to state an objective “what.” Therefore, while the exact burden cannot be specified without actually attempting to conduct the exercise, it is nonetheless clear that there would be some material burden associated with responding to these questions, despite the fact, as noted above, that these questions lack relevance to the material issues in this proceeding and cannot lead to the discovery of admissible evidence.

Therefore, the Postal Service objects to DFC/USPS-77 on the grounds of relevance, materiality, and undue burden.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

Daniel J. Foucheaux, Jr.  
Chief Counsel, Ratemaking

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Eric P. Koetting

475 L'Enfant Plaza West, S.W.  
Washington, D.C. 20260-1137  
(202) 268-2992, FAX -5402  
September 1, 2006

### **CERTIFICATE OF SERVICE**

I hereby certify that I have this date served the foregoing document in accordance with Section 12 of the Rules of Practice and Procedure.

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Eric P. Koetting

475 L'Enfant Plaza West, S.W.  
Washington, D.C. 20260-1137  
(202) 268-2992, FAX: -5402  
September 1, 2006