

BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON DC 20268-0001

Postal Rate Commission
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EVOLUTIONARY NETWORK DEVELOPMENT]
SERVICE CHANGES, 2006]

DOCKET NO. N2006-1

DAVID B. POPKIN MOTION TO COMPEL RESPONSE TO INTERROGATORY
DBP/USPS-100 AND MOTION TO REQUIRE THE POSTAL SERVICE TO FILE MOTIONS
FOR LATE ACCEPTANCE OF INTERROGATORY RESPONSES

I move to compel a response to the interrogatory submitted to the United States Postal Service which has not been properly answered by them.

September 5, 2006

Respectfully submitted,

N20061MTC6A100

DAVID B. POPKIN, POST OFFICE BOX 528, ENGLEWOOD, NJ 07631-0528

On February 15, 2006, I submitted Interrogatory DBP/USPS-14 to the Postal Service in an effort to obtain a listing of mail processing facilities. On February 22, 2006, the Postal Service provided a response with a listing of some facilities.

DBP/USPS-14

Please provide a listing of all mail processing facilities including the following information as a minimum: [1] Type of facility [2] Name of the facility [3] City and state in which it is located [4] ZIP Code range of the mail that is processed at the facility.

RESPONSE

See the attached list.

Based on an evaluation of the listing that was provided, it did not appear that the listing was a full and accurate listing of this information that was requested. As noted in my follow-up Interrogatory DBP/USPS-32 [filed on February 27, 2006, and responded to on March 3, 2006] pointing out three discrepancies that I was aware of, namely, Aberdeen SD and Fairbanks and Ketchikan AK.

DBP/USPS-32 Please refer to your response to DBP/USPS-14. Please confirm that the response provides a listing of ALL facilities where mail processing takes place. For example, Aberdeen SD as referenced in DBP/USPS-33 does not appear to be on the list. In addition, is mail processed at the Fairbanks and Ketchikan AK post offices that also do not appear to be on the list? Please provide a complete response to the original interrogatory.

RESPONSE

The list was intended to reflect all mail processing plants (Processing & Distribution Centers/Facilities) subject to the Area Mail Processing review procedures. It is not a complete list of all facilities at which mail processing takes place. Some form of mail processing can take place in locations subordinate to a plant, such as a post office that houses one or more pieces of equipment used to perform processing that usually takes place upstream, or a plant annex which houses operations that would otherwise be under the same roof as the plant, but for space constraints.

As noted in my follow-up Interrogatory DBP/USPS-54 [filed on March 3, 2006, and responded to on March 24, 2006] pointing out a discrepancy that I was aware of, namely, Fairbanks AK [which had previously been pointed out].

DBP/USPS-54

Please refer to your response to DBP/USPS-32. Please provide a complete listing of all facilities that process mail for a collection of post offices. For example, the listing shows Eureka CA and does not show Fairbanks AK even though they appear to be similar in nature.

RESPONSE

Attached is a list of facilities that house mail processing equipment and, therefore process mail originating and/or destinating throughout the postal system. The facilities included in this list process approximately 98 percent of mail volume (which includes the collection volumes generated at individual post offices) that is distributed through the postal mail processing network.

In response to Interrogatory DBP/USPS-54, the Postal Service now provided a listing of some 1900+ facilities which appeared to contain facilities that should not be included on the listing such as my local Englewood NJ post office. Interrogatory DBP/USPS-60 was filed on March 24, 2006, and responded to on July 13, 2006, over three months and Presiding Officer's Ruling No. N2006-1/27 later.

DBP/USPS-60. Please refer to your response to Interrogatory DBP/USPS-54 which refers to your response to Interrogatory DBP/USPS-32 which refers to your response to Interrogatory DBP/USPS-14. [a] Please provide the information that was requested in DBP/USPS-14 with the list of facilities that were provided in response to your Interrogatory DBP/USPS-54. [b] Your response to Interrogatory DBP/USPS-54 provides a listing of some 1900+ facilities. Please advise the order in which these 1900+ facilities have been shown in your response. [c] If there is no logical order for the 1900+ facilities, please provide the listing in order of ZIP Codes of the facility. Please also either number each facility or number the pages of the listing or both. [d] I notice that my local post office, Englewood NJ 07631 is shown on the listing. Englewood has not had mail processing equipment in some time now. Please advise why Englewood NJ is shown on the listing. [e] Please advise the date of issuance of this listing. [f] If this listing is more than six months old, please provide a listing which is less than six months old. [g] Please provide an explanation of any of the abbreviations that appear in the listing other than those that have already been provided in response to Interrogatory DBP/USPS-48.

RESPONSE:

- a. As close as the Postal Service can come to answering this question is to refer you to the information provided in response to APWU/USPS-T1-9(a), which contains responsive information for mail processing plants likely to be subject to the AMP process.
- b. The order of the facilities is the way the data was ordered in end of run on the date the facility list was pulled.
- c. In order to list the facilities by ZIP code, one need highlight the columns associated with the data, within excel, click on data, pull down to sort, within the sort by window, select the column in which is of interest to be sorted. The number can be done by putting a "1" next to the first facility, then on subsequent cells, put a formula equal to 1 + the proceeding cell. A native format copy of the file will be e-mailed to any party interested in performing such a sortation upon request.
- d. This listing was based on all facilities within the end of run system. Englewood NJ would show up on the listing if it was ever mapped into the end of run system.
- e. The date of issuance of this listing was March 21, 2006.
- f. N/A
- g. Post Office (PO), Station (STA), Mail Processing Center (MPC), Customer Service Bar Code Sorter (CSBCS),

PRESIDING OFFICER'S RULING N2006-1/27 ON
DAVID B. POPKIN MOTION TO COMPEL
RESPONSE TO INTERROGATORY
DBP/USPS-60
(Issued July 14, 2006)

RULING

The David B. Popkin Motion to Compel Response to Interrogatory DBP/USPS-

60, filed July 5, 2006, is granted, as specified in the body of this ruling.

In an effort to determine why Englewood NJ and other similarly situated offices were shown on this listing, I filed Interrogatory DBP/USPS-94 on July 19, 2006, and received a response on August 2, 2006.

DBP/USPS-94 Please refer to the response to Interrogatory DBP/USPS-60 subparts b and d.

[a] Please discuss and explain exactly what the list represents and the types of facilities that are on the list.

[b] Please define the term "end of run".

[c] Does this listing represent a snapshot of what facilities were in operation on March 21, 2006, or does it also include facilities that terminated activity prior to that date?

[d] Please provide a listing of those facilities that were active on March 21, 2006, or at any other date after March 21, 2006.

[e] Please explain and discuss what the term "if it was ever mapped into the end of run system." means in the response to subpart d.

[f] Please confirm, or explain if you are unable to confirm, that Englewood NJ 07631 should not be listed on a current listing of facilities.

RESPONSE

(a) It is a list of facilities thought to contain one or more pieces of automated mail sortation equipment.

(b) "End of run" is a reference to the completion of a particular use of a piece of automated mail sorting equipment to perform a particular sort scheme or operation.

(c) There is always the possibility that the list is imperfect, but all of the facilities listed are presumed to have been active on March 21, 2006.

(d) You have been provided with the former.

(e) A facility is mapped into the EOR system when it has a piece of automated mail processing equipment that produces EOR reports.

(f) If a facility is currently operating or presumed to be, it stands to reason that it should be listed on a current listing of facilities.

Interrogatory DBP/USPS-96 was filed on August 9, 2006, and responded to on August 16, 2006, to attempt to obtain the type of data that was requested on the original Interrogatory DBP/USPS-14.

DBP/USPS-96 Please refer to the response to Interrogatory DBP/USPS-93. Please provide the specific data that was originally requested and provided in response to Interrogatory DBP/USPS-14 for the listing of the 1900+ facilities that was provided to correct that listing. The following is the data that was originally requested:

DBP/USPS-14

Please provide a listing of all mail processing facilities including the following information as a minimum: [1] Type of facility [2] Name of the facility [3] City and state in which it is located [4] ZIP Code range of the mail that is processed at the facility.

The only data that was provided on the listing of 1900+ facilities was the site and the ZIP Code. The type of facility, City and State in which the facility is located, and the ZIP Code range of the mail that is processed at that facility were not provided.

RESPONSE

You have been provided with a name or designation for each of the mail processing facilities. The Postal Service does not have a centralized list of the ZIP Code ranges attached to each facility. For city and state designations, see the attached.

Interrogatory DBP/USPS-99 was filed on August 9, 2006, and responded to on August 16, 2006, to attempt to obtain the specific reason why Englewood NJ was on the listing and I was advised that none of the equipment was in use.

DBP/USPS-99 Please refer to your response to Interrogatory DBP/USPS-94 subpart f. Please advise the specific piece or pieces of automated mail sortation equipment that are in use at the Englewood NJ 07631 facility.

RESPONSE

None is presently in use.

If Englewood NJ did not have any of the required equipment, I filed Interrogatory DBP/USPS-100 on August 15, 2006, to find out why it [as well as other similarly situated offices] was on the list. On August 30, 2006, the Postal Service responded stating that they were not going to provide a revised list.

DBP/USPS-100 Please refer to the response to Interrogatory DBP/USPS-99. Since you have indicated that the Englewood, New Jersey 07631 facility does not have any automated mail sortation equipment in use, please explain why it, and all other similarly situated facilities, appears on the list of facilities provided in response to Interrogatory DBP/USPS-96 and other previously provided lists. If necessary, please provide a revised listing of facilities that is responsive to my request.

RESPONSE

As explained at least several times now, the list reflects facilities thought to have automated equipment. Accordingly, it is not necessary to revise the list.

This series of Interrogatories raises the question as to why a proponent of an Interrogatory must be aware of the nature of the response received so that some question will arise which warrants a follow-up to achieve a proper response and the effort made by the Postal Service to investigate those requests and to provide responses which are accurate.

I also move to require the United States Postal Service to file Motions for Late Acceptance of Interrogatory Responses. It is noted that the responses to Interrogatories DBP/USPS-60 and 100 above were filed after the 14-day response period and no contemporaneously filed Motion for Late Acceptance was filed. An evaluation of this condition for other than the Interrogatories in this filing was not made.

For the reasons stated, I move to compel a response to the referenced interrogatory.

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.

David B. Popkin September 5, 2006
