

UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, DC 20268-0001

Postal Rate and Fee Changes

Docket No. R2005-1

PRESIDING OFFICER'S RULING
DENYING DOUGLAS F. CARLSON MOTION TO COMPEL
RESPONSE TO INTERROGATORY DFC/USPS-54

(Issued June 29, 2005)

Douglas F. Carlson filed interrogatory DFC/USPS-54 which requests that the Postal Service provide EXFC scores for mail not destined to post office boxes:¹

Please refer to the response to DFC/USPS-28. For each quarter in FY 2002, FY 2003, and FY 2004, please provide the overall overnight, two-day, and three-day EXFC scores and the overnight, two-day, and three-day EXFC scores for mail not destined to post-office boxes.

The Postal Service responded to this interrogatory by providing a summary of overall EXFC data.² In a response to the referenced interrogatory, DFC/USPS-28, which in part also requests data for mail not destined to post office boxes, the Postal Service responded by providing EXFC data for mail destined to post office boxes.³ Neither answer is responsive to Mr. Carlson's question in regard to data for mail not destined to post office boxes.

¹ Douglas F. Carlson Interrogatories to the United States Postal Service (DFC/USPS-54-60), May 19, 2005.

² Responses of the United States Postal Service to Interrogatories of Douglas F. Carlson (DFC/USPS-54-60), June 2, 2005.

³ Responses of the United States Postal Service to Interrogatories of Douglas Carlson [DFC/USPS-28-29], May 18, 2005.

On June 16, 2005, Mr. Carlson filed a motion to compel a response to interrogatory DFC/USPS-54.⁴ Mr. Carlson asserts that the purpose of this line of inquiry is to confirm that customers who rent post office boxes actually receive worse delivery service than customers who receive mail at their street address. If proven, this fact could indicate a lower value of service for post office boxes.

In its opposition to Mr. Carlson's Motion, the Postal Service argues that Mr. Carlson's quest to confirm different levels of delivery service for customers who rent post office boxes versus those receiving mail at street addresses is based on a flawed assumption.⁵ It asserts that EXFC data cannot be aggregated in this fashion to provide a statistically reliable result. The Postal Service states that it can compile the data for all non-post office box delivery modes within two to three weeks, but the data would be of no use in assessing the value of service. Furthermore, the cost and burden of its production would greatly outweigh any value it would have in this proceeding.

The Postal Service's opinion, that the data is not statistically reliable for the purpose in which they believe Mr. Carlson will use it, is not persuasive in resolving this matter. The Postal Service's argument essentially goes to the weight that the Commission should afford to possible arguments Mr. Carlson might make based on this data. This does not provide justification to deny Mr. Carlson access to the data. He should be allowed to independently evaluate the data and come to his own conclusion of whether or not it is of value in supporting any potential arguments.

However, the Commission also considers the burden of producing this data in relation to its possible value in developing further evidence. From a cursory review of the responses to interrogatories DFC/USPS-28 and 54 already provided, it is evident that the EXFC scores for post office boxes are lower than the overall scores.⁶ If non-

⁴ Douglas F. Carlson Motion to Compel the United States Postal Service to Respond to Interrogatory DFC/USPS-54, June 16, 2005 (Motion).

⁵ Opposition of the United States Postal Service to Motion to Compel of Douglas F. Carlson Regarding DFC/USPS-54, June 24, 2005.

⁶ The Commission recognizes that further arguments can be made on the statistical relevance of the data.

post office box scores were isolated from the overall scores, the difference between post office box scores and non-post office box scores should be even greater. Thus, with the available responses, Mr. Carlson can already allege that customers who rent post office boxes actually receive worse delivery service than customers who receive mail at their street address. What Mr. Carlson cannot accomplish without further information in regard to non-post office box scores, is to refine or quantify just how much worse delivery service might be for post office box customers.

The level of delivery service is only one of many factors that the Commission could consider when evaluating the value of service for post office boxes. Given that Mr. Carlson can support his original argument, and the level of delivery service is only one of many factors to be considered in evaluating the value of post office box service, continuing inquiries onto this area is of limited value in developing further meaningful evidence in the context of this case. The limited benefit of continuing this line of inquiry does not outweigh the cost and burden of developing the data. Thus, the Motion is denied.

RULING

Douglas F. Carlson Motion to Compel the United States Postal Service to Respond to Interrogatory DFC/USPS-54, June 16, 2005, is denied.

George Omas
Presiding Officer