

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

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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

Docket No. MC96-3

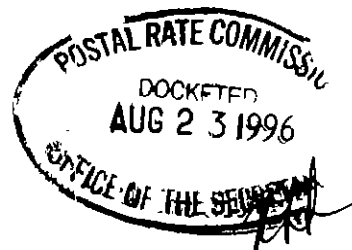
SPECIAL SERVICES REFORM, 1996

PARTIAL OBJECTION OF UNITED STATES POSTAL SERVICE
TO INTERROGATORY OF THE AMERICAN POSTAL WORKERS UNION
(APWU/USPS-T8-6(A)(3))

The Postal Service hereby objects in part to interrogatory APWU/USPS-T8-6(a)(3), filed August 13, 1996. Interrogatory 6(a)(3) asks, in part:

3. Why would a USPS employee make deliveries "during off-duty time i.e., time not officially on the clock"? Are these employees paid for the time spent on the special delivery run? Is this consistent with the Fair Labor Standards Act (FLSA)? Is this fee in addition to the pay these employees receive for the time spent on the special delivery run?

The Postal Service will provide a response to the first question in the above-quoted subpart, but objects to the remainder of the interrogatory. The interrogatory is objectionable on the grounds that it seeks a legal conclusion, as it requires the application of labor laws to a hypothetical fact scenario. The interrogatory does not seek evidence but rather legal conclusions that are well beyond the scope of witness Needham's expertise and testimony in this proceeding. The subject matter of the interrogatory is, moreover, irrelevant and immaterial to the scope of the Postal



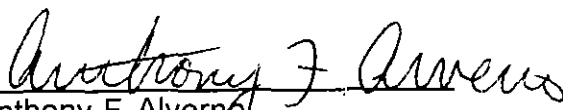
Service's proposal to eliminate special delivery service.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

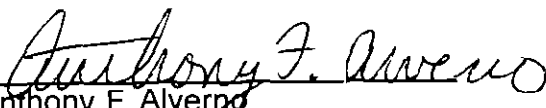
By its attorneys:

Daniel J. Foucheaux, Jr.
Chief Counsel, Ratemaking


Anthony F. Alverno

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.


Anthony F. Alverno

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August 23, 1996