

BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON DC 20268-0001

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POSTAL RATE COMMISSION

POSTAL RATE AND FEE CHANGES, 2000)
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Docket No. R2000-1

**MOTION OF MAGAZINE PUBLISHERS OF AMERICA, INC.
TO COMPEL ANSWERS TO INTERROGATORIES
MPA/USPS-T13-6, 7, 10, 12, 14, 17, 19, 45-47, 50 AND 56
TO WITNESS RAYMOND**

(MARCH 10, 2000)

Pursuant to Rules 26 and 27 of the Commission's Rules of Practice, the Magazine Publishers of America (MPA) hereby moves for an order to compel the United States Postal Service to respond to MPA/USPS-T13-6, 7, 10, 12, 14, 17, 19, 45-47, 50 and 56 addressed to USPS Witness Raymond. The Postal Service filed objections to these interrogatories on February 28, 2000. A copy of these interrogatories is attached hereto as Exhibit A.

THE SIGNIFICANCE OF THE DELIVERY CARRIER SURVEY

The Postal Service, through witness Raymond's testimony, proffers the results of a city delivery carrier survey ("Survey"), originally designed for non-costing purposes, as its justification for a huge increase in attributable load time costs. Based on this Survey as applied by witnesses

Raymond and Baron, total load time costs are 60 percent higher than in Docket R97-1. Conversely, access costs (foot plus curblines) are 30 percent lower, and collection costs are 69 percent lower than in Docket R97-1. Load time as a proportion of total street time increases from 25.7 percent to 38.1 percent - a 48 percent change. For residential park and loop routes (the largest route type), load time as a proportion of total street time increases from 20.3 percent in Docket R97-1 to 35.3 percent - a staggering 74 percent increase. Conversely, access time (foot plus curblines access) decreases from 56.8 percent to 35.4 percent - a 38 percent reduction.¹ This implies that residential park and loop carriers now spend as much time loading mail into receptacles as they do moving between delivery points.

It is hard to exaggerate the importance of such a sea change in the attribution of carrier street costs, the impact on mailers - including members of MPA - adversely affected by it, or, as a result, the necessity for affording all the parties and the Commission an adequate and fair opportunity to understand, test and challenge the Survey in an on-the-record proceeding.

Nevertheless, the Postal Service objected to roughly one fifth of all the initial interrogatories and requests for production of documents sought

¹ / The comparisons are based on the USPS base year cost workpapers for Witness Alexandrovich in Docket R97-1 (USPS-T5) and Witness Meehan in Docket R2000-1 (USPS-T11), Workpaper B, Worksheet 7.0.4.1.

by MPA which were related to the Survey,² and absent provision of this information, which is now the subject of this motion, that opportunity will be denied. (Informal discussions with the Postal Service have been unsuccessful in resolving these matter.)

THE CREDIBILITY OF THE SURVEY

This new Survey is atypical of the kinds of data collection normally presented by the Postal Service in rate cases, and, in addition to the far-reaching conclusions reached by witnesses Raymond and Baron after reviewing its murky results, there are many reasons to be concerned about its reliability. Among other things:

- The Survey was not designed to collect costing data.
- It was not designed with statistically valid sampling frames or confidence limits.³
- Documentation for the Survey's design and methodology is virtually non-existent. There were not even written instructions or training manuals for data collectors on how to identify and record specific activities, or on how to operate the Videx Timewand II data collection instrument.

² / Though the Postal Service's Objection to MPA's Interrogatories is dated February 18, it was, in fact, not filed until after close of business on February 28. A subsequently filed erratum clarified this error. MPA's motion to compel is thus timely filed.

³ / Compare Rule 31(k)(2)(ii)(a) (requiring statistical studies offered in evidence or relied upon as support for other evidence to include "(a) clear description of the survey design, including the definition of the universe under study, the sampling frame and units, and the validity and confidence limits that can be placed on major estimates").

- The decision to transmute the Survey data for costing purposes was made **after** the data collection was completed, requiring the Postal Service witnesses to attempt to force Survey data into ill-fitting postal delivery carrier costing categories and definitions.
- The Survey database is thick with anomalous entries that cast doubt on what the data collectors were actually observing, their understanding of what they were observing, and how they recorded what they saw. For example: (1) there are 492 apparent duplicate entries that have identical recorded times and activities; (2) there are numerous strings of identical "activity" entries for individual carriers; (3) there are 16 strings of tallies with no date; (4) there are route-days which appear to have either no beginning Street Support time, no ending Street Support time, or both (5) roughly 22.4 percent of the routes in the survey have four or fewer hours of recorded street activity, suggesting that the entire route was not sampled; and (6) there are many instances of both long time gaps between entries and of multiple entries within a single, six-minute interval,⁴ in contradiction to the Survey's alleged

⁴ There are 20 tallies listing an identical time with different information, 28 tallies listing an interval of less than one minute between recorded activities, and 1,297 tallies listing intervals of between one and five minutes between recorded activities.

procedure of recording activity at precise, six-minute intervals.

These inconsistencies and failure of documentation underscore the *necessity* of providing the parties – and the Commission – with a full opportunity to review the design, methodology, procedures, data collected, conclusions, and subsequent reliance or failure to rely on those conclusions of the Survey, as sought by MPA.

THE POSTAL SERVICE'S "HARM FROM DISCLOSURE" ARGUMENT

The Postal Service's specific objections to each MPA Interrogatory, and the reasons why the Postal Service should be compelled to respond, are addressed in the next section. We demonstrate that the interrogatories seek relevant information essential to any evaluation of the reliability and validity of the Survey for the unintended use to which the Postal Service now seeks to put it.

The Postal Service does not credibly challenge the relevance of the information sought by MPA. Rather, its principal, incantatory objection is that disclosure of the information "could harm not only the commercial interests of the Postal Service, but could also compromise its position in future labor negotiations." USPS Objection at pages 2, 3, 4 and 5. If this is a legitimate problem, it is one that the Postal Service has brought upon itself by its decision to concoct a justification for a major change in cost attribution with serious consequences for several categories of mailers out

of scavenged ingredients of a survey never used for its intended purpose. (Indeed, these data are used by the Postal Service as support for one of the bedrock cost analyses upon which the rest of the Postal Service's filing rests - an analysis that would produce large changes in relative subclass attributable costs.) Proprietaryness is certainly not a valid basis on which to prevent the parties from evaluating and testing a study so central to the Postal Service's case *on the record*. Proprietaryness is a factor to be weighed in assessing due process, not a blanket exemption from it. Having made the decision to introduce the Survey into these proceedings, the Postal Service cannot now insulate it and its conclusions from scrutiny and challenge by hiding behind a "harm from disclosure" claim. *Indeed, if the Postal Service is unwilling to allow the parties and the Commission a full opportunity to understand, test, and rebut its analysis, then due process requires that the Service withdraw the testimony.*

RESPONSE TO POSTAL SERVICE'S OBJECTIONS

The primary purpose of rate regulation is to provide protection to ratepayers - such as MPA - from exploitation of a regulated industry's monopoly power. *Shalala v. Guernsey Memorial Hospital*, 115 S. Ct. 1232, 1239 (1995). For this reason, objections made by the Postal Service to MPA's attempt to garner sufficient information to evaluate and rebut

Service cost analyses having potentially severe consequences to the magazine industry deserve the Commission's attention. ⁵

Interrogatories 6 and 7

MPA/USPS-T13-6 asked Witness Raymond whether all the methods and time standards developed by the Engineered Standards study were based solely on the activity sampling exercises performed, and, if not, to describe other techniques used. MPA/USPS-T13-7 asked Witness Raymond to provide a copy of the methods analysis and time values for standards developed during the Engineered Standards study (and described in his Testimony), and to indicate which methods were used to determine them.

These questions arose from scrutiny of Testimony offered by Witness Raymond in which he stated that the objective of the study "was to collect actual activities of the city letter carrier and to develop engineered methods and time standards to establish a workload managing system," and noted that the data collected "support in-depth analysis and validation of work methods."

⁵ / This motion makes extensive reference to the Commission's Rules of Practice. The evolution of those Rules has been a history of increasingly refined measures to protect the due process rights of the participants by requiring that the Postal Service's initial filing in a rate case be sufficiently detailed and documented to allow a *reasonable* opportunity for cross-examination, development of alternatives and rebuttal. Indeed, in Docket No. RM85-2, in a discussion of rulemaking concerning evidentiary rules for computer-generated evidence, the Commission explained that the object of the Rule was "to achieve authentication, replication, and validation of computer programs early enough in the discovery period so that sufficient time remains to analyze, test, and evaluate such programs before witnesses sponsoring such computer-based evidence are scheduled for cross-examination." 50 Fed. Reg. 43389-90 (Oct. 21, 1985). Clearly, participants cannot perform any of these tasks absent provision of *sufficient* documentation to render "authentication, replication and validation" possible.

The Postal Service objected to MPA/USPS-T13-6 on grounds that “the data relied upon by witnesses Raymond and Baron in support of their testimonies has already been provided in their library references” and that “(a)ny other information gathered for the internal purposes of the Postal Service is not within the scope of their testimony, nor directly relevant to it.” The Service’s objections to MPA/USPS-T13-7 are virtually identical.

The claim that the Engineered Time Standards are “not relevant” to the data provided by Witness Raymond to Witness Baron is meritless. Witness Raymond, in response to Advo Interrogatory ADVO/USPS-T13-1, stated that the data presented in his testimony were one of the components “used to develop the engineered methods and time standards, and workload managing system.” Thus, the Postal Service cannot now claim that the resulting standards are “not relevant” to Raymond’s data. The methods by which those standards were developed, and the degree to which they are consistent or inconsistent with the data and analysis presented by Raymond, may be of central relevance to a determination of the reliability and weight to be attached to his results. This is particularly critical given the sparsity of the documentation for Raymond’s data collection, questions about the representativeness and quality of the data collection, and the dramatically different results it produces compared to reasonable expectations and the results used by the Postal Service in past cases.

For these reasons, the information requested in MPA/USPS-T13-6 and MPA/USPS-T13-7 is abundantly relevant in this case. Indeed, MPA's questions were designed to determine the extent to which the specific data were *actually* used to develop the "time standards" and "management approaches" to which Witness Raymond refers, the ways those data and standards were developed, and how those standards compare with the data and conclusions from Raymond's testimony -- all legitimate inquiries given his conclusions.⁶ Indeed, without the standards requested, or the methods used to gather data, MPA, other parties and the Commission cannot validate (or even thoroughly examine) the time proportions that form a basis for the conclusions arising from the Survey.

The Postal Service further objects to MPA/USPS-T13-6 and MPA/USPS-T13-7 on the basis that any "collateral" studies or methods "performed or used by witness Raymond concern proprietary, commercially sensitive information, which, if disclosed, could harm not only the commercial interests of the Postal Service, but could also compromise its position in future labor negotiations." The Postal Service offers no support for this argument.

⁶ / To suggest, as the Postal Service nevertheless does in its Objection, that the information requested in MPA/USPS-T13-6 is "tangential" and does not "underlie the Postal Service's cost and revenue testimony in this case" is to miss the point of the inquiry entirely. Because the conclusions reached by Postal Service witnesses on the basis of the data are so dramatically different from those presented just three years ago, MPA, other affected parties, and the Commission should have the opportunity to examine whether the uses that were made of the data were the uses for which it was intended to be collected. This is hardly a "tangential" issue.

Yet, as a matter of settled precedent, where a claim of “commercial sensitivity” - or privilege based on loss of bargaining power in future labor negotiations - is made, “the burden of establishing the applicability of an evidentiary privilege is on the party asserting it,” Ruling No. R97-1/62, at 8, and the Presiding Officer “must balance the potential competitive harm of disclosure against the strong public interest in favor or empowering each participant to obtain all the evidence needed to prove its case.” *Id. quoting* Commission Order No. 1025 (August 17, 1994) at 14.

The Postal Service cannot have it both ways. Having made the Survey a part of the record of this proceeding, and having relied on it to make cost analyses having a critical impact on MPA, the Postal Service cannot now legitimately claim that crucial aspects of the Survey are off-limits.⁷

Interrogatory 10

In MPA/USPS-T12-10, MPA asked Witness Raymond to describe “the activities performed by each member of the two-person data collection team during a complete shift” during the Survey. The purpose of the question was simply to allow MPA to acquire as much information as

^{7/} See Rule 31(b), Commission’s Rules of Practice (emphasis added) (“Where relevant and material matter offered in evidence is embraced in a document containing other matter not material or relevant or *not intended to be put in evidence*, the participant offering the same shall plainly designate the matter offered excluding the immaterial or irrelevant parts.”)

possible as to how the data collection was actually conducted - an inquiry directly relevant to the collection of data that ultimately went into L 1-163.

Interrogatories 12 and 17

MPA/USPS-T13-12 asked Witness Raymond to provide a copy of a report described by him as showing the percentage breakdown of the various activities based on the Pilot Study work sampling. MPA/USPS-T13-17 asked him to provide all "work plans, data collection sheets, approach/methods, and process review documents or reports prepared for, or in connection with, both Phase 1 and Phase 2" of the Survey. Provision of these documents is required by the Commission's Rules. See Rule 31(k)(2) (emphasis added) ("*all* statistical studies offered in evidence in hearing proceedings or relied upon as support for other evidence shall include a comprehensive description of the assumptions made, the study plan utilized and the procedures undertaken").

The Postal Service also objected to these requests on grounds that the documents concern proprietary, commercially sensitive information, and, in the case of MPA/USPS-T13-17, that it is overbroad and would impose an undue burden. The only basis for the claim of "undue burden" is the Service's claim that "over 200 linear feet of documents would need to be searched to provide the information requested." MPA is not unsympathetic to the Postal Service's claim of burden. However, it was

the Postal Service that introduced and relied upon the Survey, and the Postal Service's blanket assertion of "undue burden" based solely on the existence of 200 linear feet of documents is insufficient under the Rules of the Commission. See Rule 27 (emphasis added) ("A participant claiming undue burden shall state with *particularity* the effort which would be required to answer the request, providing estimates of cost and work hours required, to the extent possible.") Moreover, we find it hard to believe that important documents such as workplans would be strewn randomly among 200 linear feet of documents.

The provision of these documents is integral to MPA's ability to analyze and assess the conclusions drawn on the basis of the Survey. At present, there is no way for MPA to independently verify either the Survey itself, or its results - or to develop an independent proposal in response.

Interrogatory 14

MPA/USPS-T13-14 asks Witness Raymond to identify any data used by him that was "not collected by a full-time employee of Resource & Process Metrics." The Postal Service objects to this interrogatory on the basis of overbreadth, claiming that it seeks irrelevant information. The argument is specious. The intent of the question is to identify data collectors and data processors who, as a result of not being full-time employees, might lack sufficient training to perform accurate work, and whose work, as a result, might compromise the quality of the data. MPA

has a right to verify that a study forming the basis for a huge increase in attributable load time costs was performed with diligence and due care - and at the very least performed by qualified, trained personnel.

Interrogatory 19

MPA/USPS-T13-19 asks Witness Raymond to describe the selection of Phase 2 sites, and to provide copies of all requests and other materials provided to the regions, with respect to site selection for both Phase 1 and Phase 2. This information is required by the Rules. See Rule 31(k)(2)(ii)(b) (requiring proponents of statistical studies to explain “the method of selecting the sample and the characteristics measured or counted”). The Postal Service filed no response whatsoever to the first clause of the request, and objected to the second clause on grounds that the request is “overbroad, and would impose an undue burden to unearth all such requested materials.” (No basis for the Service’s claim of undue burden was offered; a blanket assertion of this kind is insufficient under the rules). Instead, it suggests a “redacted, representative sampling” of the documents.

Given the fact that the Postal Service failed to include any demonstration of how representative its data are of the Postal System, the information requested in this interrogatory is essential to MPA’s ability to determine whether the Survey, in fact, included a representative sample.

and is thus valid. A redacted sampling, chosen by the Postal Service, is inadequate. This information is required by the Rules. See 31(k)(2)(ii)(b).

Interrogatories 45-47 and 50

MPA/USPS-T13-45-47 and 50 ask Witness Raymond to state whether records were maintained as to changes in data that were made or requested to be made, as to changes to data that were made as a result of review or oversight, as to changes to data that were made as a result of identification of illogical sequences, and/or as to changes to the data set that were requested but not made. The request also calls for the provision of any such records to MPA. The questions were designed to elicit how much data correction was required, what types of data were corrected, and the level of diligence exercised by those conducting the Survey in maintaining accuracy and consistency at both the data collection and processing levels - all clearly relevant inquiries if MPA is to be able to perform an independent assessment of the Survey and its validity.

The Postal Service objected to all four of these requests on grounds that provision of this information would "require a detailed search of over 200 linear feet of documentation and copying of approximately 8,000 pages," and, additionally, because the information "could include proprietary, commercially sensitive information" - a claim it makes in this instance without even attempting to explain how or why. It did not claim

that the requested information was irrelevant. As described more thoroughly above, MPA's preliminary review of the Survey revealed many anomalous entries that raised doubts as to what the data collectors were actually observing, how they recorded what they saw, and, in general, how reliable their collection efforts were. MPA believes that the information sought in this series of interrogatories is critical to an independent assessment of both the Survey itself, and the methods by which it was completed. A redacted sampling - proposed as an alternative by the Postal Service - will not suffice, as it would necessarily involve choice, editing and determinations made by the Postal Service, rather than permitting independent review and verification of raw data by MPA, as required by the Rules.

Interrogatory 56

MPA/USPS-T13-56 requests the provision, for each route/day, the total time and total tallies collected. The purpose of this question is to determine whether, for each route/day, a total day's worth of out-of-office activity was covered, and what proportion of total carrier time is represented by Witness Raymond's data set.

The Postal Service objects to this interrogatory, without explanation, on grounds that it is "not relevant to the data at issue," and that the information sought "includes proprietary, commercially sensitive information, which, if disclosed, could harm not only the commercial

interests of the Postal Service, its contractors and subcontractors, but could also compromise the position of the Postal Service in future labor negotiations.”

The information via this interrogatory is both relevant and material to MPA’s independent assessment of this critical study. Because carriers perform different activities at different times of the day, if activities are not sampled over entire days, then the activity time proportions could easily be skewed, casting a gloss of bias over both the Survey itself and the conclusions that were based on its results. Moreover, the information may be relevant and useful in assessing whether there are any unusual or anomalous route observations.

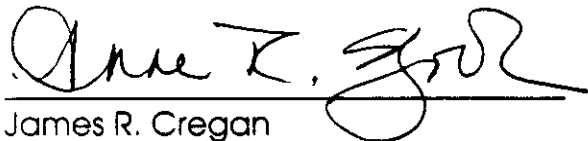
CONCLUSION

From the outset, the Postal Service has an affirmative obligation to provide in any request for a change of rates and fees all information relevant and necessary to the Commission and the parties to allow them to make independent assessments of the nature and scope of the request, as well as to determine whether the request is in the public interest. Where, as here, a significant portion of a requested rate hike having severe consequences to an entire industry is based on information to which MPA, the Commission and all the parties have been denied access, no such independent assessment can be made - and all are thus denied a meaningful opportunity (or, indeed, any opportunity at all) to

make any independent review at all. Indeed, the choice we have at this juncture is simply to guess - a choice that effectively denies MPA and others due process.

For this and all the other reasons previously stated, MPA respectfully requests that the Commission direct the Postal Service to answer Interrogatories MPA/USPS-T13-6, 7, 10, 12, 14, 17, 19, 45-47, 50 and 56, and to provide the documents requested therein within 10 (ten) days of the date of the Order granting the Motion.


Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that I have this date served the foregoing document upon all participants of record in this proceeding in accordance with the Commission's Rules of Practice.



Anne R. Noble

Washington, D.C.
March 10, 2000

BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON DC 20268-0001

POSTAL RATE AND FEE CHANGES, 2000

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) Docket No. R2000-1
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MOTION OF MAGAZINE PUBLISHERS OF AMERICA, INC.
TO COMPEL ANSWERS TO INTERROGATORIES
MPA/USPS-T13-6, 7, 10, 12, 14, 17, 19, 45-47, 50 AND 56
TO WITNESS RAYMOND

(MARCH 10, 2000)

EXHIBIT A

Before The
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

Postal Rate and Fee Changes, 2000

Docket No. R2000-1

OBJECTION OF UNITED STATES POSTAL SERVICE
TO MPA INTERROGATORIES MPA/USPS-T13-6, 7, 10, 12, 14, 17, 19, 45-47, 50
AND 56 TO WITNESS RAYMOND
(February 18, 2000)
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The United States Postal Service hereby objects to interrogatories UPS/
USPS-T13-6, 7, 10, 12, 14, 17, 19, 45-47, 50 and 56, filed on February 17, 2000.

Interrogatory 6 for a description of all techniques used to develop methods and time studies mentioned tangentially in witness Raymond's testimony. The Postal Service objects to provision of this information. The data relied upon by witnesses Raymond and Baron in support of their testimonies has already been provided in their library references. Any other information gathered for the internal purposes of the Postal Service is not within the scope of their testimony, nor directly relevant to it. The time studies, and methods mentioned in passing in witness Raymond's testimony are not relevant to the data provided to witness Baron by witness Raymond, and do not underlie the Postal Service's cost and revenue testimony in this case. Furthermore, any collateral studies or methods performed or used by witness Raymond concern proprietary, commercially sensitive information, which, if disclosed, could harm not only the commercial interests of the Postal Service, but could also compromise its position in future labor negotiations.

Similarly, the Postal Service objects to interrogatory 7, which requests a copy of the methods analysis and time values for standard developed during the Raymond study and an indication of methods used. The data relied upon by witnesses Raymond and Baron in support of their testimonies has already been provided in their library references. Any other information gathered or developed for the internal purposes of the Postal Service is not within the scope of their testimony, nor directly relevant to it. The time studies, and methods mentioned in passing in witness Raymond's testimony are not relevant to the data provided to witness Baron by witness Raymond, and do not underlie the Postal Service's cost and revenue testimony in this case. Furthermore, any collateral studies or methods performed or used by witness Raymond concern proprietary, commercially sensitive information, which, if disclosed, could harm not only the commercial interests of the Postal Service, but could also compromise its position in future labor negotiations.

The Postal Service also objects to interrogatory 10, insofar as it requests information on data collection team activities not relevant to the data produced by witness Raymond for use by witness Baron. The grounds for objection are the same as those stated above with respect to collateral study information requested in interrogatories 6 and 7.

Interrogatory 12, which requests a copy of a pilot study report, is similarly objectionable, insofar as the pilot study was not the subject of witness Raymond's testimony, and is in not connected to the data relied upon by witness Baron. Furthermore, this report concerns proprietary, commercially sensitive information, which, if disclosed, could harm not only the commercial interests of the Postal Service, but could also compromise its position in future labor negotiations.

Interrogatory 14 requests the witness to identify any data used by him during the

preparation of his testimony that was not collected by a full-time employee of Resource & Process Metrics, Inc., the identity of the individuals who performed the collection, and the company or organization that such individuals are affiliated with. The Postal Service objects to this interrogatory as overbroad, in that it seeks irrelevant personal names and other information of no relevance to this proceeding. The relevance of whether individuals were full-time employees of Resource & Process Metrics, Inc. also has not been established.

Interrogatory 17 requests all work plans, data collection sheets, approach/methods, and process review documents or reports prepared for, or in connection with, both Phase 1 and Phase 2 of witness Raymond's study. The Postal Service objects to this interrogatory as overbroad, in that it seeks information not related to the data produced by witness Raymond for use by witness Baron in this proceeding. Furthermore, this information includes proprietary, commercially sensitive information, which, if disclosed, could harm not only the commercial interests of the Postal Service, its contractors and subcontractors, but could also compromise the position of the Postal Service in future labor negotiations. Moreover, since over 200 linear feet of documents would need to be searched to provide the information requested, the interrogatory would also impose an undue burden.

The Postal Service also objects to interrogatory 19, which requests copies of all requests and other materials provided to the regions, with respect to site selection for both Phase 1 and Phase 2. This interrogatory is overbroad, and would impose an *undue burden to unearth all such requested materials*. Furthermore, this information could include proprietary, commercially sensitive information, which, if disclosed, could harm not only the commercial interests of the Postal Service, its contractors and subcontractors, but could also compromise the position of the Postal Service in future

labor negotiations. The Postal Service suggests that a redacted, representative sampling would suffice to demonstrate the site selection process.

The Postal Service also objects to interrogatories 45, 46, 47 and 50 which request any records relating to changes in data that were made or requested, or requested but not made, in the course of witness Raymond's study. To provide this information would require a detailed search of over 200 linear feet of documentation and copying of approximately 8,000 pages, an undue burden. Furthermore, this information could include proprietary, commercially sensitive information, which, if disclosed, could harm not only the commercial interests of the Postal Service, its contractors and subcontractors, but could also compromise the position of the Postal Service in future labor negotiations. The Postal Service again suggests that a redacted representative sampling would be a more reasonable request.

Finally, the Postal Service objects to interrogatory 56, which requests, as to each route/day, the total time and total tallies collected. This information is not relevant to the data at issue in the testimonies of witnesses Raymond and Baron. Furthermore, this information includes proprietary, commercially sensitive information, which, if disclosed, could harm not only the commercial interests of the Postal Service, its

contractors and subcontractors, but could also compromise the position of the Postal Service in future labor negotiations.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

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February 18, 2000

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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February 18, 2000