

BEFORE THE
POSTAL RATE COMMISSION

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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

POSTAL RATE AND FEE CHANGES, 2000

DOCKET NO. R2000-1

MOTION OF UNITED PARCEL SERVICE TO COMPEL
PRODUCTION OF INFORMATION REQUESTED
IN INTERROGATORIES
UPS/USPS-T1-18, 22, 25, 26, AND 27 TO WITNESS XIE
(March 22, 2000)

Pursuant to Sections 26(d) and 27(d) of the Commission's Rules of Practice, United Parcel Service ("UPS") hereby moves that the Presiding Officer order the United States Postal Service ("Postal Service") to provide fully responsive answers to interrogatories UPS/USPS-T1-18, 22, 25, 26, and 27, filed on February 28, 2000. Copies of these interrogatories are attached hereto as Attachment A. The Postal Service filed incomplete answers to these interrogatories on March 13, 2000 ("Answer").

UPS submits that the requested information is potentially relevant to the accuracy of the Postal Service's determination and distribution of purchased transportation costs. Since the Postal Service has not objected to these interrogatories, it ought to be ordered to respond to them in full.

THE DISCOVERY REQUESTS

Interrogatories UPS/USPS-T1-18, 22, 25, 26, and 27 request the Postal Service (1) to provide a list of all variables from the Air Contract Support System, the National Air and Surface System ("NASS"), the Highway Payment Master File, and the Highway Contract Support System beyond those variables contained in library references USPS-

LR-I-49, 51, and 52, and (2) to describe those additional variables. On March 13, 2000, the Postal Service filed answers to these interrogatories in which witness Xie stated that she had not “looked into [the] other variables” in those files and that the variables in the library references were the only ones she used in 1998, in previous years, and in the R97-1 rate case.

ARGUMENT

1. The Requested Information Is Reasonably Calculated to Lead to the Discovery of Admissible Evidence Concerning Transportation Costs.

Witness Xie did not answer these questions. Nor did the Postal Service provide any justification for not answering them.

The Postal Service cannot unilaterally decide whether certain information it has collected as part of the data files it uses in its transportation system is or is not useful in assessing the accuracy of the Postal Service's transportation cost estimates. The Commission and the parties should have the opportunity to make that judgment themselves (and, of course, to give reasons supporting any judgments they make). While certain information may in fact have not been used by the Postal Service, perhaps it should have been used. After all, the data were recorded or collected for a reason.

The Postal Service selects certain variables from these data files in arriving at its estimates of purchased transportation costs by class and subclass. The characteristics of all variables that exist could lead to the discovery of admissible evidence.

Without answers to these interrogatories, UPS does not know what these “undescribed” variables represent. Knowledge of the omitted variables may allow the Commission to better understand the development of estimated purchased

transportation costs. If it does not, then at least the Commission and the parties will know that other helpful data do not exist. The determination whether the data contained in the omitted variables may be useful cannot be made without a description of the variables themselves.

The Postal Service did not object on the ground of undue burden (or on any other basis, for that matter). Indeed, it could not. UPS has not even asked for the data. We have asked only for a list of the variables and a description of what each variable represents.

In short, the information in the omitted variables could well provide invaluable insights into the accuracy of the Postal Service's transportation cost estimates. One cannot know without knowing what the variables are. Moreover, the absence of variables that could have been in a sampling system generated from a data file can be nearly as important as the inclusion of certain variables in the sampling system. Because the Air Contract Support System, NASS, Highway Payment Master File, and Highway Contract Support System data set are part and parcel of the transportation cost estimating process, the structure and composition of the full data set is potentially important relevant information.

Accordingly, the Postal Service should be required to file more responsive answers to these interrogatories.

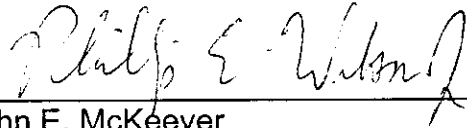
2. The Requested Information Is Not Commercially Sensitive.

As noted, the Postal Service has not objected to these interrogatories. The Postal Service can undoubtedly provide the requested lists of variables and their descriptions without disclosing commercially sensitive information such as facility specific information, or origin-destination pair information. Because UPS is not at this

time requesting the data itself, but rather only descriptions of the data, the requested information cannot possibly be commercially sensitive.

WHEREFORE, United Parcel Service respectfully requests that the Postal Service be directed to provide fully responsive answers to Interrogatories UPS/USPS-T1-18, 22, 25, 26, and 27 to Postal Service witness Xie.

Respectfully submitted,



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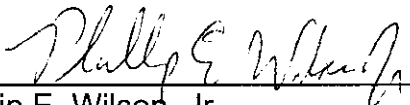
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Of Counsel.

CERTIFICATE OF SERVICE

I hereby certify that I have this date served the foregoing document by first class mail, postage prepaid, in accordance with Section 12 of the Commission's Rules of Practice.



Phillip E. Wilson, Jr.
Attorney for United Parcel Service

Dated: March 22, 2000
Philadelphia, Pa.

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