

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

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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

POSTAL RATE AND FEE CHANGES, 2000

Docket No. R2000-1

OBJECTION OF THE UNITED STATES POSTAL SERVICE
TO INTERROGATORIES OF DAVID B. POPKIN
(DPB/USPS-42, 43, 62, 67(D-E), 70(A-K), 71, 72(F-I), 73(G), 74(B-E), 75, 76 and 80)
while the question may be interesting in and of itself, it will not lead to discovery of any
admissible evidence.(March 30, 2000)

In accordance with Rule 26 of the Commission's Rules of Practice and Procedure, the United States Postal Service hereby objects, in whole or in part, to the interrogatories DBP/USPS-42, 43, 62, 67(d-e), 70(a-k), 71, 72(f-i), 73(g), 74(b-e), 75, 76 and 80 filed by Mr. Popkin on March 20, 2000, and directed to the Postal Service.

Interrogatory DBP/USPS-42 asks a series of questions on "the proper handling that would be required for the completion of the Return Receipt with respect to accountable mail sent to a state tax office addressed to the state capital post office but actually delivered to a lockbox operation in another city some 60 miles away and under the jurisdiction of another post office." The questions focus on what a rubber stamp used to sign for such mail should indicate as the address, and the role of change of address orders in having such mail properly delivered. These are operational details that are beyond the scope of this proceeding. The Postal Service objects on the grounds of materiality and relevance.

The Postal Service objects to DBP/USPS-43 on the grounds of materiality and relevance. Mr. Popkin is eliciting detailed operational information concerning the recent Census Bureau mailings. There is no nexus between these questions and the issues which must be addressed in this rate case.

The Postal Service objects to DBP/USPS-62 and DBP/USPS-80(a-g) on the grounds that these detailed questions concerning Express Mail operational procedures are not reasonably calculated to lead to the production of admissible evidence, are not relevant to the issues of this proceeding, and would be unduly burdensome to answer. The operational details of a service are beyond the scope of material issues in a rate proceeding and contribute little to the record in this case. The Postal Service also objects to DBP/USPS-80(h-j) on the basis of relevance. These subparts asks the Postal Service for a legal conclusion, and are not calculated to lead to the discovery of any admissible evidence.

The Postal Service objects to DBP/USPS-67(d-e) which asks the Postal Service to list any and all exceptions to particular statements made in the Domestic Mail Manual and Postal Operations Manual. The Postal Service believes it is not required to neither confirm statements made in these documents, nor list exceptions, as the documents speak for themselves. Furthermore, the requested materials are not relevant to ratemaking, and potentially burdensome to produce.

The Postal Service objects to interrogatory DBP/USPS-70(a-k) on the basis of relevance and undue burden. This interrogatory asks for dated information about operational matters with little or no relevance to this proceeding; specifically, these questions seek an explanation of the realignment and any analyses of the impact of the realignment. These exact same questions have been asked and objected to in the previous rate case. The Presiding Officer ruled that questions (a-k) were too attenuated, and the Postal Service was not required to respond. See POR R97-1/53 at 4. Therefore, the Postal Service again objects to these questions as irrelevant and as imposing an undue burden which greatly outweighs any probative value of any responsive information to issues in the instant proceeding.

The Postal Service likewise objects to DBP/USPS-71, regarding delivery standards and commitments for First Class Mail. The questions inquire into operational matters which are irrelevant to this proceeding. These questions are also unduly burdensome. Such a burden greatly outweighs any probative value the responsive information could possibly have for any issue properly before the Commission in the instant proceeding. The questions are not calculated to lead to the discovery of any admissible evidence; therefore, the Postal Service objects on this basis.

Interrogatory DBP/USPS-72 has also been asked in the previous ratemaking proceeding. See Docket No. R97-1 DBP/USPS-8. The Postal Service's responses and objections to this interrogatory remain the same. The Postal Service still objects to subparts (f-i) requesting documents relating to the use of air transportation and First Class Mail. Furthermore, the Presiding Officer has previously ruled the Postal Service did not have to respond to subparts (f-i) because the questions were irrelevant and burdensome. See POR R97-1/53 at 4 and 5.

Interrogatory DBP/USPS-73(g) requests the Postal Service to provide the EXFC sub-scores by different characteristics of First Class Mail. The Postal Service objects to this question because the responsive information to the question is immaterial and irrelevant to the issues before the Commission. Responding to this question would also require revealing information that is not part of the publicly disclosed EXFC results. Publicly released EXFC results are restricted to on-time performance by destination cluster and service commitment. Furthermore, section 3622(b)(2) "value of service" considerations are relevant only at the subclass level in postal ratemaking. To the extent that EXFC scores are relevant, only national aggregate for First-Class Mail as a whole are relevant. Data disaggregated by type of First-Class Mail piece (flat, letter, handwritten prebarcoded, etc.) are immaterial and irrelevant to postal ratemaking.

While the question may be interesting in and of itself, it will not lead to discovery of any admissible evidence.

Interrogatory DBP/USPS-74(b-e) provides yet another example of irrelevant questions. The Postal Service objects because these interrogatories inquire into matters which are irrelevant to this ratemaking proceeding. Any studies (should they even exist) or methods relating to EXFC have no bearing on the issues relevant to this proceeding, nor are the questions calculated to lead to the discovery of any admissible evidence.

The Postal Service partially objects to interrogatories DBP/USPS-75-76 . These interrogatories seek information about Postal Service operational policies. The information is irrelevant to postal ratemaking. Without waiving its relevance objection, the Postal Service will endeavor to respond.


The above-referenced interrogatories are not within the bounds of appropriate discovery. The information sought is of little relevance and is not reasonably calculated to lead to the production of admissible evidence, and responding to them would impose an undue burden on the Postal Service. Therefore, the Postal Service objects.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

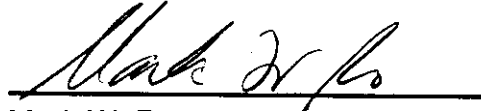
Daniel J. Foucheaux, Jr.
Chief Counsel, Ratemaking



Mark W. Ro

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.



Mark W. Ro

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March 21, 2000