

BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON DC 20268-0001

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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

POSTAL RATE AND FEE CHANGES, 2000 DOCKET NO. R2000-1
MOTION TO COMPEL RESPONSES TO DBP/USPS INTERROGATORIES
DBP/USPS-5[i], 7, 10[c], 11[b-m], and 13

March 27, 2000

Respectfully submitted,



DAVID B. POPKIN, POST OFFICE BOX 528, ENGLEWOOD, NJ 07631-0528

1. I wish to file a Motion to Compel with a number of interrogatories that have either been objected to by the Postal Service or have not been answered by the Postal Service. The interrogatories were mailed by me on February 29, 2000 and received by the Commission on March 3, 2000.

2. In the response to DBP/USPS-5 / subpart i / subsubparts 7 and 8, the Postal Service did not provide a proper response. The #7 part of the interrogatory asked for information regarding the various Priority Mail and Express Mail containers, "The weight of the container without contents." and the #8 part asked, "The cost to the Postal Service to purchase the container from the supplier [Please show the price for 1000 containers so that rounding errors will be less significant.]" The Postal Service responses were, #7 "I am informed that this information is not available." and #8 "I am unaware of any report that contains the requested information."

3. Regarding #7, the weight of the container. Obviously, the Postal Service has access to each of the containers [box, envelope, tube, etc.] and they also have a scale and can provide the information. The information requested in #7 and #8 will be utilized by me to help challenge the Postal Service's proposal to charge the \$3.85 rate for users of flat rate envelopes, even if the weight is under one pound and would only result in a \$3.45 rate if other than a flat rate envelope was used. I want to be able to show the comparison of the weight of the flat rate envelope vs. the weight of other

containers and also be able to compare the cost to the Postal Service to provide non-flat rate containers to the mailing public who were savvy enough to realize they could save 40 cents postage on Priority Mail under one pound. Furthermore, if all interrogatories required an existing report to provide an answer, there would be considerably less paper [and discovery] around.

4. On March 13, 2000, the Postal Service filed a partial objection to responding to interrogatory DBP/USPS-7 by not providing me with site specific data for Englewood Cliffs, NJ. I have asked to see library reference related in Presiding Officer's Ruling No. R2000-1/11 under protective conditions. If this reference does not contain the site specific data, then I move to compel the Postal Service to provide the data either directly or under protective conditions. This data is desired so that I may evaluate the precise way that the Postal Service uses to calculate post office box rates.

5. The Postal Service has objected to responding to DBP/USPS-10[c]. I move to compel a response. This information is needed to evaluate the methods by which the value of service for Priority Mail is determined. I am also interested in evaluating the appropriateness of proposing that Priority Mail be changed to a non-zoned rating system for either the entire weight range or for a greater weights than the present five pounds. The more that a hub and spoke transportation system is utilized, the less effect a zoned rate has on costs. The level of disaggregation that the Post Office claims I am asking for is not correct. I am utilizing the four possible scenarios that exist. Furthermore, the Postal Service responded to APMU/USPS-T34-25 which relates to the processing of Priority Mail.

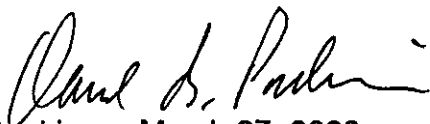
6. The Postal Service objects to responding to DBP/USPS-11[b]-[m] as not being reasonably calculated to elicit information having a bearing on any issue in this proceeding. I have been led to believe that the Postal Store type of facility has a very high "shrinkage" factor when compared to a regular facility. This would affect the revenue of the Postal Service since more and more facilities are converting over to

Postal Stores. This would require that the Postal Service overestimate its costs to cover the increasing level of theft/shrinkage and therefore this would apply to all classes of mail.

7. Regarding the Postal Service's objection to DBP/USPS-13, I will accept the response contained in lines 6, 7, and 8 of the first paragraph of the objection as a response to my interrogatory.

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 section 12 of the rules of practice.


David B. Popkin March 27, 2000