

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

**UNITED STATES POSTAL SERVICE OBJECTION  
TO INTERROGATORY DBP/USPS—101**

The Postal Service hereby objects to interrogatory DBP/USPS—101, filed on March 23, 2000. Interrogatory 101 asks for: the definition and composition of philatelic products, confirmation that some philatelic products can serve as postage, and information on how prices for philatelic products are determined.

The Postal Service objects to all subparts of this interrogatory on grounds of relevance. The information sought in interrogatory 101 is plainly immaterial to the issues before the Commission. While information about the definition, composition, utility, and pricing of philatelic products may be of interest to philatelists or hobbyists, it simply has no bearing on the Commission's evaluation of the classification and pricing criteria of 39 U.S.C. §§ 3622 and 3623. Further, it is abundantly clear that these questions are aimed at relitigating issues that Mr. Popkin raised in his unsuccessful complaint in Docket No. C95-1. In that proceeding, Mr. Popkin challenged, *inter alia*, pricing for collectible cards on grounds that prices for such items violated 18 U.S.C. § 1721. The Commission dismissed the complaint. See PRC Order Nos. 1075 (issued September 11, 1995) and 1088 (issued November 15, 1995). As this issue was clearly settled by the Commission, Order Nos. 1075 and 1088 operate to estop Mr. Popkin from raising this issue again here.

The Postal Service also objects to subpart (a) on grounds that it requests a legal conclusion, in that it requests a definition of a term used in 39 U.S.C. § 404(a)(5). Such discovery is clearly outside the scope of permissible discovery as provided by Commission precedent. See P.O. Ruling No. R97-1/39.

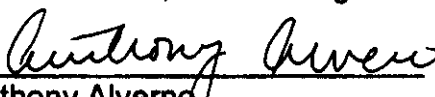
The Postal Service further objects to subpart (d) on grounds of commercial sensitivity. This interrogatory requests information about pricing of philatelic products. Philatelic markets are competitive. Both private resellers and foreign postal administrations compete for business in this market. Disclosure of pricing strategies for these nonpostal products would reveal market strategies, thereby resulting in commercial harm.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

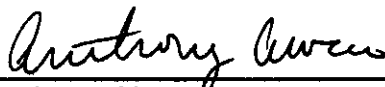
By its attorneys:

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### 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 Alverno

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March 31, 2000