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PRESIDING OFFICER'S
RULING NO. R2000-1/43

POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

Postal Rate and Fee Changes

Docket No. R2000-1

PRESIDING OFFICER'S RULING
GRANTING, IN PART, CARLSON
MOTION TO COMPEL

(Issued April 17, 2000)

A Douglas F. Carlson Motion to Compel the United States Postal Service to Respond to Interrogatory DFC/USPS-53 (Motion) was filed with the Commission of March 31, 2000. An Opposition of United States Postal Service to Carlson Motion to Compel Response to Interrogatory DFC/USPS-53 (Opposition) was submitted April 10, 2000.

The Motion follows-up on the response to DFC/USPS-T34-13, which indicated there are 649,106 valid 3-digit ZIP-Code pairs, in 49 of which First-Class Mail provides overnight service and Priority Mail does not; and in 151 of which Priority Mail provides overnight service and First-Class Mail does not. The Motion seeks the identity of the 49 and 151 city pairs referenced.

The Opposition refers to a recently filed Postal Service response to Presiding Officer Information Request No.6, question 10, also filed on April 10, 2000, that states that there are no instances where First-Class Mail provides overnight service and Priority Mail does not. In this circumstance, the identity of the 49 pairs erroneously referred to in the response to DFC/USPS-T34-13 has no relevance to issues before the Commission and the Motion is denied.

The answer to Presiding Officer Information Request No.6, question 10, also reports that Priority Mail provides overnight service in 286 more 3-digit ZIP-Codes pairs than First-Class Mail (9030 – 8744 = 286).

The Opposition, at 2, continues to refer to 151 ZIP-Code pairs for which Priority Mail provides overnight service while First-Class Mail does not. The Postal Service makes an unsupported claim that it will suffer commercial harm from competitors if the identity of these pairs is released. However, it presents no plausible explanation of how such harm might occur if it becomes known where Priority Mail has an overnight service standard while the monopoly product, First-Class Mail, does not. Furthermore, in light of the confusion over the number of ZIP-Code pairs involved, the Postal Service's suggestions that Mr. Carlson might have the relevant information are also unpersuasive. Therefore, this portion of the Motion to Compel will be granted.

RULING

The Postal Service shall respond to DFC/USPS-53 by identifying the 3-digit ZIP-Code pairs where Priority Mail has an overnight service standard while First-Class Mail does not.



Edward J. Gleiman
Presiding Officer