

**BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON, DC 20268-0001**

RECEIVED
APR 21 3 28 PM '00
POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

POSTAL RATE AND FEE CHANGES, 2000

Docket No. R2000-1

**DOUGLAS F. CARLSON
MOTION TO DESIGNATE EVIDENCE FROM A PRIOR DOCKET**

April 18, 2000

Pursuant to Rule 31(e)(2), I move to designate the following evidence from Docket No. R97-1 as evidence in this proceeding:

1. Response to DFC/USPS-T40-1: Tr. 3/848–50;
2. Response to DFC/USPS-T40-15: Tr. 3/865;
3. Rebuttal Testimony of Witness Plunkett (USPS-RT-20): Tr. 32/17121, line 14 through Tr. 32/17123, line 2 (through “DMM § D042.1.7”);
4. Oral Cross-Examination of Witness Plunkett: Tr. 32/17170, lines 8–10.

The responses to DFC/USPS-T40-1 and 15 describe distinguishing characteristics of return-receipt service that constitute the essence of the service. The procedures specified in DMM § D042.1.7 require the delivery employee to obtain the recipient’s signature and printed name on the return receipt. If the Postal Service follows these procedures, the Postal Service also acts as a disinterested third party in providing the true and correct date of delivery, and the Postal Service mails the return receipt back to the customer promptly. As these interrogatory responses confirm, these characteristics comprise the value of return-receipt service.

Evidence received in Docket No. R97-1, combined with the recent Inspection Service audit report confirming widespread problems with delivery of accountable mail,¹

¹ See Response to DFC/USPS-T39-3.

proves that, in many instances, the Postal Service turns over accountable mail to recipients and allows them to sign, date, and mail back the return receipts on their own, out of the view and supervision of Postal Service employees. The Postal Service does not, as the sender expects, act as a disinterested third party in ensuring that return receipts are completed properly and mailed back promptly, if at all. Based on new evidence revealed in this case, I plan to argue that the cost coverage of return receipt should be lowered even further. The responses to DFC/USPS-T40-1 and 15 will lay the foundation for my argument by establishing the special characteristics of return-receipt service that comprise the value of the service.

The rebuttal testimony of witness Plunkett identified in (3), above, identifies specific locations where the Postal Service mishandles return-receipt mail.

Finally, the oral cross-examination identified in (4) confirms that customers have a right to receive services that they purchase, regardless of whether they need them. This confirmation is necessary to rebut possible Postal Service arguments that the date of delivery of mail sent to the Internal Revenue Service is not important.

The evidence identified above from Docket No. R97-1 is relevant to the Postal Service's request in this proceeding to raise the fee for return receipt. Therefore, this evidence should be designated as evidence in the current proceeding.

Respectfully submitted,



DOUGLAS F. CARLSON

Dated: April 18, 2000

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon the required participants of record in accordance with section 12 of the *Rules of Practice*.



DOUGLAS F. CARLSON

April 18, 2000
Palm Springs, California