

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-158(B, D, J), 162, 170, 176, 182(B-C), 183(E),
186(G-K), 187(B-C), 190, and 191)
(April 24, 2000)

The Postal Service hereby objects to interrogatories DBP/USPS-158(b, d, j), 162, 170, 176, 182(b-c), 183(e), 186(g-k), 187(b-c), 190, and 191, filed by Mr. Popkin on April 12, 2000, and directed to the Postal Service.

Interrogatory DBP/USPS-158(b) asks what information the Postal Service would need before it could determine if 12 return receipts described generally, but not furnished, by Mr. Popkin, provided the proper level of service. The Postal Service objects on grounds of vagueness, materiality, and burden. The Postal Service has been given very limited information about the return receipts, and would probably need the original return receipts, copies of any related correspondence, or summaries of discussions, between Mr. Popkin and postal employees, in order for the proper postal officials to respond. But this is not a matter for the rate case; the Postal Service should not act as a personal consumer advocate to Mr. Popkin in this rate proceeding. The Postal Service's views on 12 particular return receipts is not material to the value of service for return receipt service in general. Checking into the circumstances of each return receipt would be burdensome, moreover, consuming about 30 hours to identify the postal employees involved in preparing the return receipt, trying to determine

exactly how the return receipt was completed, and why it was so completed. If Mr. Popkin wishes to argue that he does not receive the service he wishes, he can present the facts in testimony and/or his arguments on brief.

Interrogatory DBP/USPS-158(d) asks for confirmation that a cancellation or "round dater" would show the year in addition to the month and date. This operational detail lacks relevance to any matter that should be at issue in this proceeding. Mr. Popkin has a history of trying to show that the postmarking of return receipts should be restored to use, notwithstanding that the Postal Service responded in Docket No. R97-1 that it terminated postmarking in order to provide better service to customers. See Docket No. R97-1 response to DBP/USPS-33(f-l), filed November 10, 1997. Mr. Popkin likely knows as well as the Postal Service what a cancellation or "round dater" shows.

Interrogatory DBP/USPS-158(j) asks for a new response to interrogatory DBP/USPS-45(z), which asked for the procedure, in detail, that a mailer must follow to obtain a duplicate return receipt. The Postal Service believes that the Postal Service's original response, referencing the DMM section on duplicate return receipts, provides a full response. Mr. Popkin seems to have his own knowledge of this procedure, as described in his new interrogatory, but he can use that knowledge in his own testimony. This interrogatory is cumulative and lacks relevance to any material issue in this proceeding.

Interrogatory DBP/USPS-162 asks how the Postal Service identifies the terms federal and state agency for purposes of its rule on the use of rubber stamps for signing return receipts. This operational detail concerning one limited type of return receipt is not relevant to this proceeding. Mr. Popkin instead seems interested in using the rate

case to obtain information to help his personal experience with the Postal Service, perhaps by claiming that a particular institution does not qualify to use a rubber stamp based on whatever response is provided by the Postal Service's rate case personnel.

Interrogatory DBP/USPS-170 purports to be a follow-up interrogatory to DBP/USPS-75, on the general topic of "requirements" governing the timing of processing of mail pieces entered into the system by various methods. Subparts a. and b. of 170 at least refer to the original question and response, and the Postal Service intends to respond to those subparts, even though the relevance of the entire subject matter is questionable. Subparts c.-e., on the other hand, do not follow up on the response to number 75. Those subparts could have been independently posed at any time, before the March 23rd deadline for discovery and before the response to number 75 was filed. None of the information sought would clarify the response to question 75. Instead, those subparts address subjects apparently overlooked in developing the original questions, and have now being tacked on despite the lack of nexus between them and the response to 75. The Postal Service objects to subparts c.-e. of 170 as inappropriate follow-up, and therefore untimely. Moreover, there is no clear relevance of those questions to the issues in this proceeding.

Interrogatory DBP/USPS-176 argues with witness Mayo about whether or not an explanation of her testimony is "correction of an error." This argument is not a proper matter for an omnibus rate proceeding. As witness Mayo has noted, her testimony is correct, and she has already clarified her testimony in response to Mr. Popkin's interrogatory DBP/USPS-82.

Interrogatory DBP/USPS-182(b-c) asks for details on the number of facilities that have had their post office box service improved over the past five years, the types of improvements that have been made, the total cost of providing all of those improvements, and the total additional revenue that has been received over the past five years as a result of the rate increases as compared to not having raised the box rents at all. Mr. Popkin's interest at first seemed to be to judge the accuracy of any past Postal Service claims that an improvement in post office box service would result from a granted post office box rate increase. However, after witness Mayo responded in response to interrogatory DBP/USPS-105(a) that the Postal Service has not made such a claim, Mr. Popkin now wants comprehensive details on improvements in post office box service if the Postal Service "implied" that increased fees "might" improve service, or even if there has not even been an implication. The burden of compiling this information is not justified by any relevance that the information would provide. Moreover, the Postal Service is unlikely to have such information, and any identification of service improvements could not be linked directly to costs or related revenues. Compiling such information would take hundreds of hours of contacts with the over 30,000 postal facilities providing post office box service.

Interrogatory DBP/USPS-183(e) asks witness Mayo to provide a better response to parts m, n, s, and t of interrogatory DBP/USPS-107, which asks about a knowledgeable mailer's choice of either registered Priority Mail or insured Package Services mail. This interrogatory is cumulative. Witness Mayo has provide an appropriate response already, and Mr. Popkin can provide additional speculation about a knowledgeable mailer as well as the Postal Service.

Interrogatories DBP/USPS-186(g-k) and 187(b-c) ask detailed questions trying to establish that customers might overpay postage, and that therefore postal employees may not be able to figure out the value of an insured article just by looking at it. *Witness Mayo has already responded to Mr. Popkin's questions on this matter (see her responses to interrogatories DBP/USPS-15(c), 117(f-g) and 118(c-e)), but Mr. Popkin now appears to want to show that the employee cannot determine the insured value "with absolute certainty". This trivial point is not relevant to any issue that should be raised in this proceeding, and these interrogatories are cumulative.*

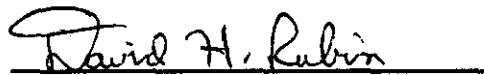
Interrogatories DBP/USPS-190 and 191 ask follow-up questions about new special services labels issued recently by the Postal Service. The Postal Service objects on the grounds of relevance and burden. The Postal Service has already provided pages of detailed information about these labels, in response to interrogatories DBP/USPS-1, 2, and 124, and believes that additional information is not needed to litigate legitimate issues in this proceeding.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

Daniel J. Foucheaux, Jr.
Chief Counsel, Ratemaking

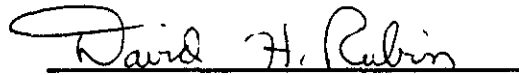


David H. Rubin

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April 24, 2000

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.

A handwritten signature in cursive script that reads "David H. Rubin". The signature is written in black ink and is positioned above a solid horizontal line.

David H. Rubin

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