

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

OPPOSITION OF UNITED STATES POSTAL SERVICE TO
DOUGLAS F. CARLSON MOTION TO COMPEL THE UNITED STATES
POSTAL SERVICE TO RESPOND TO INTERROGATORY DFC/USPS-72
(April 24, 2000)

The United States Postal Service hereby opposes Douglas F. Carlson's motion to compel a response to interrogatory DFC/USPS-72, filed on March 23, 2000. That interrogatory asks the Postal Service to "provide all policies that explain and govern the Postal Service's obligation, if any, to provide every American mail delivery six days per week." The Postal Service objected, on April 3, 2000, because Mr. Carlson could identify these policies himself by doing his own legal research, and the Postal Service should not be required to do it for him. Moreover, any nexus between his request and the issues in this proceeding was not apparent.

The Postal Service believes that intervenors should do their own legal research, including statutory analysis.

Moreover, the Postal Service does not believe that Mr. Carlson has demonstrated a nexus between any policies on 6-day-a-week delivery with issues in this proceeding. Mr. Carlson claims that such policies should be a factor in determining the classifications and fees for post office box service. Mr. Carlson argues that "customers should not pay fees based solely on costs of providing service if they receive a level of service that departs substantially from the national norm." Motion at

1. First of all, the fees are not based solely on costs, but rather reflect all the pricing criteria, including value of service. See USPS-T-39 at 109-113. In any case, the relevance of a policy to deliver mail six days a week is absent. As defined in the DMCS, post office box service does not provide delivery, but rather "provides the customer with a private, locked receptacle for the receipt of mail . . ." DMCS § 921.21. The only possible relevance of delivery policy to the value of service for post office box service would be if there were policies that differentiate between carrier delivery and post office box delivery.¹ Mr. Carlson's interrogatory is thus at best overbroad if his concern is with post office box service.

Second, if Mr. Carlson believes that separate post office box service classifications should be established based on the frequency of delivery, the distinction would need to be between post office boxes that provide 6-day-a-week delivery, and other boxes that provide less. Again, most policies on the frequency of mail delivery would not be relevant, since they would pertain to carrier delivery, or would not distinguish among types of boxes. Only policies differentiating between groups of box customers might be relevant, and the Postal Service has not identified any such policies in response to other interrogatories.

Thus, Mr. Carlson's Motion fails to establish the relevance and materiality of "all policies that explain and govern the Postal Service's obligation, if any, to provide every

^{1/} Even such policies would not necessarily distinguish between carrier delivery customers and post office box service customers, since post office box customers can obtain carrier delivery at the same time, if a greater frequency of delivery is desired.

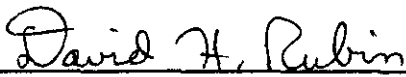
American mail delivery six days per week." The motion therefore should be denied.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

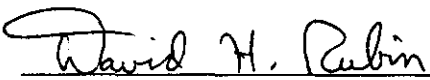
Daniel J. Foucheaux, Jr.
Chief Counsel, Ratemaking



David H. Rubin

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.



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