

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 THE UNITED STATES POSTAL SERVICE
TO APMU MOTION TO COMPEL RESPONSE TO
KINGSLEY INTERROGATORY APMU/USPS-T10-2
(April 27, 2000)

The United States Postal Service hereby opposes the AMPU motion to compel filed on April 20th regarding the above interrogatory. The Postal Service on April 10th objected to the APMU/USPS-T10-2, which was filed on March 31, 2000, and directed to witness Kingsley as a follow-up to AMPU/USPS-T10-1(d). The interrogatory sought information on the service performance difference between Priority Mail which is handled within the PMPC system, and Priority Mail which is not.

The substance of this motion has been effectively resolved by Presiding Officer's Ruling No. R2000-1/51, issued yesterday, April 26th. In denying a motion to compel a response to interrogatories to witness Robinson seeking essentially the same information now sought from witness Kingsley, the Presiding Officer found that "[i]nformation distinguishing between Priority Mail delivery performance within and outside the PMPC network would have little if any bearing on overall value-of-service considerations." He also concluded that "the putative relationship between different (presumably inferior) delivery performance results involving the PMPC network and specific Priority Mail cost levels appears to be too tenuous to warrant compelling the production of this detailed information." Ruling 51 at 5. In reaching this determination, the Presiding Officer was clearly aware of the incidental portion of witness Kingsley's

interrogatory response to which APMU has directed the instant follow-up effort. See Ruling 51 at 4.¹

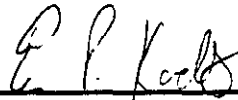
For the above reasons, the motion to compel a response to APMU/USPS-T10-2 should either be treated as moot, or denied.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

Daniel J. Foucheaux, Jr.
Chief Counsel, Ratemaking



Eric P. Koetting

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.



Eric P. Koetting

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^{1/} The Postal Service's April 10th objection fully explains why the remark about PMPC service performance is incidental to the substance of witness Kingsley's original response.