

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-207(A-J), 208(D), AND 212(A))
(May 15, 2000)

The Postal Service hereby objects to interrogatories DBP/USPS-207(a-j), 208(d), and 212(a), filed under seal by David B. Popkin on May 3, 2000, and directed to the Postal Service.

Parts (a-c) of interrogatory DBP/USPS-207 ask for background on the establishment of current post office box fee groups A and B, which occurred in Docket No. R90-1. Parts (d-e) of interrogatory DBP/USPS-207 ask for background on the reassignment of selected "transition sites" for movement among fee groups A, B, and C, which occurred more than a year before this docket was initiated. Witness Kaneer addresses both in his testimony, the former as part of a background discussion at pages 2-3 and the latter as a test of location based fees at pages 10-11. Mr. Popkin previously inquired regarding these matters and witness Kaneer responded. Tr. 14/5731, 5737. Parts (a-e) are cumulative, untimely and not proper follow-up to the response to interrogatory DBP/USPS-145.

In responding to the most relevant (to this discussion) response, interrogatory DBP/USPS-145, part (f), witness Kaneer did not confirm Mr. Popkin's sweeping generalization that the distinction between the "present" Fee Groups A, B, and C is

based on costs of providing box service, noting that newer locations could not have been considered back in Docket No. R90-1.^{1/} Parts (a-c) were the subject of Docket No. R90-1, rather than this proceeding and re-characterizing 10 year old events in no way informs the Commission's consideration of the proposals in this docket. In no sense do the responses to DBP/USPS-145 uncover for further discovery matters that Mr. Popkin could not have asked during the discovery period – indeed, these matters were raised during the discovery period.

Parts (f-i) of interrogatory DBP/USPS-207 do, in some sense, follow upon the response to DBP/USPS-145(f), by asking about those Group C locations that were not considered for inclusion in Groups A and B. However, parts (f-g) are burdensome asking for a complete listing of such locations. The Postal Service does not have a database that will tell it, for over 30,000 locations, when they were added as a Postal Service location. The design and conduct of a census to determine the answer is completely unsupported as a means for explaining to a single customer why his sweeping generalization is too broad and, in any event, would not lead to the discovery of admissible evidence. Parts (h-i) seek a more complete explanation of why some Group C offices were not considered for inclusion in Groups A and B – the very substance of the response to DBP/USPS-145(f). The Postal Service submits that the

^{1/} Witness Larson's testimony in Docket No. R90-1 provides an additional reason why Mr. Popkin's generalization should not be confirmed. She makes it clear that groups A and B were established without a comprehensive cost analysis for all locations: "market values for a subset of the post office retail sites were gathered" Docket No. R90-1, USPS-T-22 at 10.

previous response together with footnote 1 above provide sufficient information to understand why some Group C offices have been excluded.

Interrogatory DBP/USPS-207(j) asks why Englewood Cliffs was chosen for inclusion in Group B. Mr. Popkin has asked about this several times, and the Postal Service has provided much responsive information. Tr. 14/5731, 5734, 5737; witness Yezer's response to DBP/USPS-146, filed April 25, 2000. Part (j) thus is cumulative, and the Postal Service has nothing to add to its previous responses.

Interrogatory DBP/USPS-208(d) asks for a copy of the contract for the Englewood Cliffs facility. The Postal Service objects on the basis of burden, relevance, and redundancy. This contract was not used by the Postal Service. The numbers used by the Postal Service have already been provided to Mr. Popkin. Witness Yezer's response to DBP/USPS-146, filed April 25, 2000. The contract is not readily available at Postal Service headquarters, as such contracts are kept only at the local level.

Interrogatory DBP/USPS-212(a) attempts to seek a different response to interrogatory DBP/USPS-149(d), in which witness Kaneer identifies and explains where he presents information on Group E boxes. Mr. Popkin argues that the response should be directed at an individual evaluating the data in the zplist4 file. The Postal Service believes that witness Kaneer's response to DBP/USPS-149 identifies the information that has been developed on Group E boxes, and thus is helpful for individuals who are evaluating the data in the zplist4 file. Witness Kaneer's response also explained that there are no "Group E" facilities, and provided a Postal Bulletin notice explaining the standards for Group E box service. Thus, the Postal Service has provided a helpful

response to the interrogatory, and the different response requested by Mr. Popkin would be meaningless. This interrogatory is cumulative, and not relevant to any issue in this

proceeding. The Postal Service will respond to part (b) of this interrogatory, which asks about whether proper fees are being charged.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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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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