

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

RESPONSE OF UNITED STATES POSTAL SERVICE
TO DAVID B. POPKIN MOTION TO COMPEL REPONSES
TO INTERROGATORIES DBP/USPS-197-202
(May 17, 2000)

The United States Postal Service hereby opposes David B. Popkin's motion to compel responses to DBP/USPS-197-202, which was filed on May 10, 2000. Each interrogatory is discussed in turn.

DBP/USPS-197

Mr. Popkin once again tries to argue that interrogatories which the Presiding Officer already has ruled need not generally be answered (DBP/USPS-29-36) are somehow magically transformed by a wave of his hand into proper questions. See Presiding Officer's Ruling No. R2000-1/56. His argument is completely frivolous.

DBP/USPS-198

Mr. Popkin argues that information regarding exceptional transportation at isolated offices is relevant to value of service because of the overall number of late Express Mail articles. Mr. Popkin's argument, however, confuses all late articles with articles that are late because of limited transportation at isolated offices. It is only the latter situation that his questions actually address. As the Postal Service has noted before, where transportation into and out of isolated offices is limited, it affects all classes of mail, not just Express Mail. Accordingly, this line of inquiry also sheds no

light on either the absolute or relative value of Express Mail. Consistent with Presiding Officer's Ruling No. R2000-1/56 and the many previous rulings on which it is based, answering questions seeking operational details such as those sought here is not required.

DBP/USPS-199

This interrogatory purports to follow up on an earlier interrogatory to which the Postal Service responded: "This is possible; however, the Postal Service has no responsive information concerning customer expectations in this regard." The question previously asked has been answered. Mr. Popkin's motion mistates the answer, states his contrary contention and apparently is insisting that the Postal Service address his strawman. Mr. Popkin can pursue his theories in his testimony or in his briefs. No further answer from the Postal Service is required at this time.

DBP/USPS-200

This interrogatory follows up on an earlier answer in which the Postal Service stated that it "has no basis on which to make such an approximation." Once again, the question has been answered, but Mr. Popkin simply does not like the answer. Mr. Popkin argues that the Postal Service has provided other answers that are in the nature of an approximation. Presumably, those approximations are based on information allowing the approximation to be made. In this instance, as the Postal Service stated, it has no basis for an approximation and no further answer could be forthcoming, even if compelled.

DBP/USPS-201

Mr. Popkin's motion to compel on interrogatory DBP/USPS-201 argues that witness Mayo should be required to clarify a misleading statement in her response to interrogatory DBP/USPS-137. Mr. Popkin disagrees with witness Mayo's claim that customers receiving box mail after it is delivered are "similar" to customers receiving mail at their residence after it is delivered. This claim is not misleading since both customers might have mail delivered to them before they are at the delivery site to receive the mail. Mr. Popkin has not shown that the two groups of customers are not "similar," and if he wishes to dispute this claim he can do so in testimony or on brief. Witness Mayo has nothing to correct in her response, and any clarification, even if needed, would not add to the record in this proceeding.

DBP/USPS-202

With respect to interrogatory DBP/USPS-202, the Postal Service raised several grounds for objection, and did not rely on the fact that Shipping Online is not at issue in this proceeding. Mr. Popkin argues in his motion that Shipping Online's underlying services are at issue in this rate case.^{1/} While some of the services for which Shipping Online provides a channel, such as Priority Mail and Express Mail, are very much at issue in this proceeding, third-party insurance to which Shipping Online provides a link is not at issue. In this regard, postal insurance is not comparable to this third-party

^{1/} In response to Presiding Officer's Ruling No. R2000-1/56, the Postal Service provided a description of Shipping Online, including a listing of its underlying features, and explained that Shipping Online is not a special service. Response of United States Postal Service to Interrogatory DBP/USPS-24(b-c), as Compelled by Presiding Officer's Ruling No. R2000-1/56, filed May 9, 2000.

insurance because postal insurance is not available over the Internet, and its fees must recover window service costs. In any case, as explained in its objection, the Postal Service does not have responsive information to this interrogatory that would assist in resolving any issues in this proceeding.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

Daniel J. Foucheaux, Jr.
Chief Counsel, Ratemaking



Scott L. Reiter

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.



Scott L. Reiter

475 L'Enfant Plaza West, S.W.
Washington, D.C. 20260-1137
(202) 268-2999; Fax -5402
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