

BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

RECEIVED

MAY 26 4 40 PM '00

POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

POSTAL RATE AND FEE CHANGES, 2000

Docket No. R2000-1

OBJECTION OF UNITED STATES POSTAL SERVICE TO
INTERROGATORY DFC/USPS-97 OF DOUGLAS F. CARLSON
(May 26, 2000)

The United States Postal Service hereby objects to interrogatory DFC/USPS-97, filed by Douglas F. Carlson on May 16, 2000.¹ This interrogatory follows-up on the Postal Service's revised response to interrogatory DFC/USPS-T39-36(d), filed May 8, 2000. That response was compelled by Presiding Officer's Ruling No. R2000-1/33, which requested, at page 6, that the Postal Service

provide for the record some basic information about the architecture of the Oakland station Mr. Carlson refers, for background. If the Service cannot confirm that the architecture precludes access, it may simply say so.

The Postal Service has worked with Mr. Carlson in the context of Presiding Officer's Ruling No. R2000-1/33 to provide responsive information. Based on information obtained from field personnel, the initial response to the interrogatory indicated the Station is located "inside a federal facility that is completely locked on weekends for security reasons." Mr. Carlson contacted counsel to express his understanding that this response was "very misleading," because he believed Saturday

^{1/} Similar issues are addressed in the Opposition of the United States Postal Service To Douglas F. Carlson Motion to Compel Responsive Answers to Interrogatories DFC/USPS-T39-36(b) and 71, filed May 23, 2000.

post office box service could readily be accommodated just by unlocking some outside doors.

"Facility" can reasonably have several meanings, including "part of a building", "building" or "complex of buildings." The field personnel provided accurate information using at least the latter definition. But Mr. Carlson apparently read the response to mean "wholly enclosed within a federal building."

The Byron Rumford Station's box lobby is part of a building which itself is part of a federal complex; it is physically attached and connected to a part of a building that is under the control of the federal government but not the Postal Service. The overall facility is owned by the federal government, and security is not solely under the control of the Postal Service. The Postal Service does not have the discretion to simply unlock the doors to the box lobby in order to accommodate Mr. Carlson's interest in forcing Saturday box access at this facility. Whether the changes needed to provide Saturday access to boxes while meeting security requirements would constitute a change in architecture is difficult to determine.

In light of these ambiguities, the Postal Service revised its initial response to a more equivocal:

The Postal Service cannot confirm that the architecture at the Byron Rumford Station absolutely precludes access to the box section. That architecture provides access from the box lobby to the elevators of a federal facility that is otherwise completely locked on weekends for security reasons.

Mr. Carlson now seeks to further some unspecified interest by filing a follow-up interrogatory to the revised response. Interrogatory DFC/USPS-97 asks for confirmation that the "door that provides access from the public area of the Byron

Rumford Station to an elevator lobby is marked for emergency exit only and is equipped with an alarm designed to sound if the door is opened." The interrogatory then asks for confirmation that this door, assuming it is an architectural obstacle to providing customers access to this facility's post office boxes on Saturday, is "the only existing architectural obstacle to providing box service on Saturdays."

These questions go well beyond the "basic information" requested by Presiding Officer's Ruling No. R2000-1/33.² The Postal Service objects because this interrogatory is cumulative, lacks relevance to any issue in this proceeding, and is unduly burdensome. The Postal Service has already provided the basic information about building architecture requested by Ruling No. 33. Further discussions about the architectural issues for this particular facility would not affect the post office box classifications and fees, or any other issue, addressed in this proceeding.³

In order to prepare a response that would withstand scrutiny by Mr. Carlson, given his personal knowledge about this facility, a response might require a Headquarters employee to travel to this facility and investigate the relationship between the facility and the connected federal building, which would require several days. Attempts to obtain even the basic information requested in Presiding Officer's Ruling No. R2000-1/33 have already taken several hours, involving discussions among several

² Mr. Carlson did not move for reconsideration of this ruling.

³ No intervenor, including Mr. Carlson, has proposed any alternative proposal for post office box service classifications or fees. The Postal Service's proposal does not base classifications or fees on the extent of architectural barriers to Saturday access at particular facilities.


field and Headquarters personnel, as well as two rounds of e-mail messages about the architecture of Byron Rumford Station between Mr. Carlson and undersigned counsel.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

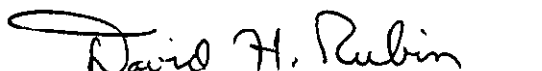
By its attorneys:

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.


David H. Rubin

475 L'Enfant Plaza West, S.W.
Washington, D.C. 20260-1137
(202) 268-2986; FAX -6187
May 26, 2000