

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

RECEIVED  
JUN 2 4 44 PM '00  
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 MOTION TO COMPEL RESPONSE TO INTERROGATORY DFC/USPS-93

The United States Postal Service hereby files this opposition to the May 16, 2000, Motion of Mr. Carlson seeking to compel a response to DFC/USPS-93. The Postal Service filed an objection to this interrogatory on May 12, 2000.

This interrogatory refers to an unspecified version of the USPS Service Standards CD-ROM<sup>1</sup> and asks the Postal Service to clarify whether the service commitments reflected on that CD-ROM for First-Class Mail originating in the Bangor, Maine 3-digit ZIP Code area (046) and destinating in four 3-digit ZIP Code areas in New Jersey represent data base errors.

In support of his motion, Mr. Carlson argues that service standard information provided earlier in response to two of his interrogatories (DFC/USPS-53 and DFC/USPS-T34-13) revealed database errors. He claims that in preparing his initial brief, he is conducting an analysis of service standards and the Postal Service's representations to customers of those service standards. He argues that if he can establish that the information described in DFC/USPS-93 reflect data base errors in addition to those described in footnotes 3 and 4 of his Motion, "the Commission will have **yet another** example of the Postal Service providing misleading information to *mailers on service standards.*" *Motion to Compel at 2. (Emphasis added.)*

More than anything, this argument crystalizes the basis for the Postal Service's objection. Having established a foundation for arguing that some database errors exist

---

<sup>1</sup> The FY 2000, Q3 Service Standards CD-ROM was filed on May 22, 2000, as USPS-LR-I-336.

in the existing representation of the approximately 836,000 different First-Class Mail 3-digit Zip Code origin-destination pairs, Mr. Carlson already has the foundation for arguing that there are small, but unknown number of customers somewhere choosing between First-Class Mail and Priority Mail, who might be doing so on the basis of erroneous information on the CD-ROM. Therefore, it is unnecessary to the argument he claims to want to make whether any such database errors also specifically apply, for instance, to the Bangor, Maine - Patterson, New Jersey origin-destination pair. His request for this level of minutia is objectionable in an omnibus ratemaking docket. It is patently immaterial and irrelevant which of the specific origin-destination pairs might be at issue, if -- as Mr. Carlson argues -- it has already been established that a number of errors exist. Moreover, the information requested in DFC/USPS-93 will have no material bearing on whatever conclusions the Commission will reach regarding rates to recommend to the Governors in this proceeding. Accordingly, in the context of postal rate litigation, Mr. Carlson's request is cumulative, frivolous, and wasteful of the Postal Service's limited litigation resources. For the foregoing reasons, the Motion to Compel should be denied.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorney:



Michael T. Tidwell

475 L'Enfant Plaza West, S.W.  
Washington, D.C. 20260-1137  
(202) 268-2998, Fax -5402  
June 2, 2000

#### 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.

June 2, 2000



Michael T. Tidwell