

BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON DC 20268-0001

RECEIVED
OCT 29 4 04 PM '01

Complaint on First-Class Mail
Service Standards

POSTAL RATE COMMISSION
DOCKET NO. C2001-3
SECRETARY

MOTION TO COMPEL RESPONSE TO INTERROGATORIES [BOTH THOSE THAT
HAVE BEEN OBJECTED TO AS WELL AS THOSE THAT HAVE NOT BEEN FULLY
RESPONDED TO]

October 29, 2001

On October 22, 2001, the United States Postal Service filed Objections of the United States Postal Service to Interrogatories of David Popkin ["Objections"]. On the same date, the Postal Service filed Revised Responses of the United States Postal Service to Interrogatories of David Popkin [DBP/USPS-5[a] & [b-partial], 6[b-partial], 7[a,b], 8[d], 10[d1], 11[b,c], 16[a], 17[a,b], 18[a], 19[a], 24[b-d], 26[a-f] and 28] ["Revised Responses"].

Respectfully submitted,

October 29, 2001 David B. Popkin, PO Box 528, Englewood, NJ 07631-0528

DBP/USPS-5 and -6 To the extent that an additional Motion to Compel is required for provision of the data requested in subparts b of both interrogatories, I so move based on the information provided in my Motion to Compel filed on October 15, 2001.

DBP/USPS-7 The Revised Responses to the interrogatory only replies to one part. It responds to only the Critical Entry Time ["CET"] for incoming mail at an ADC facility. It does not reply to Clearance Times ["CT"] and all types of facilities and to CET at facilities types other than an ADC. It does not respond to the specific example in the interrogatory.

DBP/USPS-16 The Revised Responses still do not respond to the original interrogatory as explained in my Motion to Compel filed October 15, 2001.

DBP/USPS-17 subpart b The interrogatory asks for a listing of those pairs where air transportation is utilized. This listing was not provided and is desired. The interrogatory also asks whether any pairs that utilize air transportation to achieve 2-Day service would be 3-day service if surface transportation would be used.

DBP/USPS-18 The Revised Responses still fail to discuss the conditions that existed at the time of Docket N89-1 and, if appropriate, the differences between those conditions and current policy. The Revised Responses state that there is "no policy of mandatory reciprocity." The interrogatory asks for the extent that reciprocity was considered or utilized, not whether it was a **mandatory policy**.

DBP/USPS-19 The Revised Responses still fail to discuss the conditions that existed at the time of Docket N89-1 and, if appropriate, the differences between those conditions and current policy.

DBP/USPS-26 subpart a to f. The interrogatory asks for the information. The Revised Responses state that there are general projections available. They have not been provided.

DBP/USPS-39 As stated, this interrogatory attempts to compare the reliability of the computer program in determining the travel time between two facilities. In accordance with the provisions of Rule 25[b], I was available for informal discussion to identify portions of this discovery request considered burdensome. Rather than contacting me to discuss what information could be provided to meet my needs, the Postal Service just filed an objection complaining of an incalculably overwhelming burden. This comparison is relevant since the distinction between 2-day and 3-day service standards pretty much hinges on the travel time calculated by the computer. The determination of 2-day vs. 3-day service standards is the main thrust of the entire

Docket. Nothing could be more relevant and the Postal Service should be able to provide some comparison that will allow me and the Commission to evaluate the reliability of this computer program. We should not be forced to accept this data as gospel.

DBP/USPS-50 and 51 While there may be no "future test year in Docket No. C2001-3" as claimed by the Postal Service, the FedEx Express shared air transportation network that became effective August 27th and the Postal Service's plans to consolidate or close processing facilities do relate to a determination that the existing delivery standards meet all of the statutory requirements of the Act for adequacy, non-discrimination, etc. As such, they are completely relevant.

For the reasons given, the Postal Service should be compelled to provide the answers to those interrogatories that have either been objected to or have not provided a responsive answer.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon the required participants of record in accordance with Rule 12.

October 29, 2001

David B. Popkin