

**BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON, DC 20268-0001**

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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

**Complaint on First-Class Mail
Service Standards**

Docket No. C2001-3

**DOUGLAS F. CARLSON
MOTION TO COMPEL THE UNITED STATES POSTAL SERVICE
TO RESPOND TO INTERROGATORY DFC/USPS-GAN-31**

November 2, 2001

On October 25, 2001, my interrogatory DFC/USPS-GAN-31 was filed.¹

This interrogatory consisted of two parts:

- a. Are commercial passenger airlines currently transporting First-Class flats? If not, please describe the transportation arrangements for First-Class flats that, after September 11, 2001, are not being transported on commercial passenger airlines.
- b. Are commercial passenger airlines currently transporting First-Class SPR's? If not, please describe the transportation arrangements for First-Class SPR's that, after September 11, 2001, are not being transported on commercial passenger airlines.

On November 1, 2001, the Postal Service filed an objection to this interrogatory.² The Postal Service asserts that this interrogatory is irrelevant. Objection at 1. The Postal Service is mistaken.

In 2000 and 2001, the Postal Service changed the service standard from two days to three days for a significant portion of First-Class Mail originating in

¹ Douglas F. Carlson Interrogatories to United States Postal Service Declarant Charles M. Gannon (DFC/USPS-3-31), filed October 25, 2001.

² Objection of the United States Postal Service to Interrogatory of Douglas Carlson, filed November 1, 2001 ("Objection").

and destined to several western states. These changes in service standards resulted from a fundamental change in the definition of two-day First-Class Mail in the years since the Commission reviewed First-Class Mail service standards in Docket No. N89-1. Under the new definition that Mr. Charles M. Gannon described in his declaration,³ the Postal Service has virtually abandoned the use of commercial passenger airlines to transport two-day First-Class Mail, choosing instead to slow mail delivery by one day and transport it by truck. This new definition of First-Class Mail, implemented nationwide in 2000 and 2001, has raised serious questions about the adequacy of First-Class Mail service. The issue of the adequacy of First-Class Mail service is specifically included in the scope of issues under review in this proceeding. See Order No. 1320 at 8 and 10. This proceeding also is considering whether the Postal Service has complied with 39 U.S.C. § 101(f), which requires the Postal Service to give highest consideration to the prompt and economical delivery of all mail.

The evidence may show that the new three-day service standards do not provide some customers with adequate First-Class Mail service. In issuing its public report, the Commission may appropriately recommend that the Postal Service return some service standards to two days and restore the use of air transportation to transport this mail. In anticipation of this possibility, my outstanding discovery requests explore the availability and reliability of air transportation. See, e.g., DFC/USPS-GAN-12--16, 23--25, 27, and 28 and DFC/USPS-2 for evidence of my comprehensive discovery effort.

Interrogatories DFC/USPS-GAN-6 and 15 demonstrate my discovery effort concerning prompt and economical delivery of mail.

I understand from reading published press reports since September 11, 2001, that security concerns have caused the Postal Service to alter some aspects of the air transportation of First-Class Mail, possibly excluding certain types of mail from commercial passenger airlines. Before I may urge the

³ Declaration of Charles M. Gannon, filed July 30, 2001.

Commission to recommend that the Postal Service restore some two-day First-Class Mail service standards by returning to the use of air transportation, I must understand whether the resumption of the use of various types of air transportation would be possible and economical. Specifically, is the Postal Service still able to transport First-Class flats and First-Class small parcels and rolls (SPR's) on commercial passenger airplanes? Interrogatory DFC/USPS-GAN-31 seeks an answer to this question. An answer now will prevent the Postal Service from possibly rebutting my recommendation later in this case with a surprise revelation that some First-Class Mail is not eligible for transportation on commercial passenger airlines. Unfortunately, in objecting to my interrogatory, the Postal Service seeks to block my ability to discover this relevant information.

For the reasons explained herein, I submit that the information that DFC/USPS-GAN-31 requests is both relevant and important to resolution of issues in this proceeding. Therefore, I move to compel the Postal Service to respond to DFC/USPS-GAN-31.

Respectfully submitted,

Dated: November 2, 2001

DOUGLAS F. CARLSON

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon the required parties in accordance with section 12 of the *Rules of Practice*.

DOUGLAS F. CARLSON

November 2, 2001
Santa Cruz, California