

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, 1997

Docket No. R97-1

OBJECTION OF THE UNITED STATES POSTAL SERVICE TO  
UNITED PARCEL SERVICE INTERROGATORY UPS/USPS-T29-11  
(August 14, 1997)

The United States Postal Service hereby objects to United Parcel Service interrogatory UPS/USPS-T29-11. The information requested is irrelevant, proprietary and would involve revealing pre-decisional matters upon which postal management has not acted.

UPS/USPS-T29-11 states, "Please provided the results to date (costs, revenues, volumes, etc.) of the Priority Mail pre-barcoding experiment that is the subject of Docket No. MC96-1."

The requested information is completely irrelevant. The Postal Service has not made any proposals in this case which relate in any way to the Docket No. MC96-1 experiment. As indicated in the Postal Service's proposed rate schedules and in the testimony of witness Fronk, the experiment currently is set to expire on April 28, 1998. *See Request, Attachment B, at 6 and 10; USPS-T-32, at 4.* The Commission is thus not being asked, in this docket, to make any recommendations regarding the experimental classifications and discounts resulting from Docket No. MC96-1.

Further, the Commission's experimental rules do not establish any affirmative requirement that the results of experiments be reported or filed with the Commission

or otherwise made public. See 39 CFR §3001.67. In its recommended decision in Docket No. MC96-1, the Commission recognized that the Postal Service should have flexibility in conducting the experiment. The Commission stated, "Actual experience in the field may indicate the necessity for changes. Accordingly, the Commission encourages the Service to adjust its practices and amend its data collection forms if experimental conditions warrant." *PRC Op., MC96-1, at 28*. The Commission did not impose any conditions or prerequisites concerning reporting of any data gathered or generated during the course of the experiment. Forcing the Postal Service to reveal information concerning ongoing experiments, in other proceedings where such information is not relevant, would have a chilling effect on the Postal Service's willingness to test new product offerings, to the detriment of the mailing public.

Also, postal management has not decided what the future course of the experiment will be. No decision has been made to either request that the classifications and discounts be made permanent, that the experiment be changed, or that the experiment be discontinued. Revealing the results of the experiment thus would reveal information that is proprietary and pre-decisional. To the extent that the Postal Service decides to request that the subject classifications and discounts be made permanent, the results of the experiment would be available at that point through the Postal Service's filing and through appropriate discovery. To the extent that the Postal Service decides not to go forward, then the data collected during the experiment would remain proprietary. Finally, to the degree that revealing specific volumes by site

would reveal volumes associated with a particular mailer or mailers, the Postal Service considers that information to be commercially sensitive.

The proprietary nature and commercial sensitivity of the information are of special concern given that it is being requested by UPS, the Postal Service's primary competitor for the business that is the subject of the experiment. UPS's motives further must be questioned given the obvious lack of relevance to the issues in this docket.

Respectfully submitted,

UNITED STATES POSTAL SERVICE


By its attorneys:

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#### 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.

  
Susan M. Duchek

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