

BEFORE THE  
POSTAL RATE COMMISSION  
WASHINGTON DC 20268-0001

RECEIVED

Nov 21 2 21 PM '01

POSTAL RATE COMMISSION  
OFFICE OF THE SECRETARY  
Docket No. C2001-3

Complaint on First-Class Mail  
Service Standards

MOTION TO COMPEL RESPONSE TO INTERROGATORIES THAT HAVE NOT BEEN  
FULLY RESPONDED TO

November 21, 2001

On November 13 and 19, 2001, the Postal Service filed Responses of the United States Postal Service to Interrogatories of David Popkin.<sup>1</sup> The responses provided do not respond to the questions as asked.

Respectfully submitted,

November 21, 2001 David B. Popkin, PO Box 528, Englewood, NJ 07631-0528

---

DBP/USPS-38 Subpart a asks for a confirmation that the contracts with organizations that transport the mail between facilities contains a minimum speed at which the vehicles are to be operated at. A response was not provided to this subpart. Subpart b asks for confirmation of the 19% difference as provided in the response to DBP/USPS-11[c]. The 19% was already provided in that response and I am attempting to clarify the original response. Furthermore, if the response would require analysis of all contracts to provide, then the Postal Service should have objected on the basis of burden. It did not.

DBP/USPS-43 This interrogatory attempts to both confirm that public input was solicited and why it was discontinued. The records of Docket N89-1 will at least show that it was conducted. Whether it was a practice or a policy is not the key question. Furthermore, in addition to the apparent lack of records, it is noted that at least one of the Docket N89-1 Postal Service witnesses is still employed by the Postal Service [PMG Potter]. I also find it somewhat interesting that the Postal Service has no records for

---

<sup>1</sup> DBP/USPS-38, 43, and 47 filed November 13, 2001 \ DBP/USPS-56 and 79 filed November 19, 2001.

Phase One of Docket N89-1 when their original claim was that the changes were Phase Two of the same Docket.

DBP/USPS-47 This interrogatory asks for a listing of those origin-destination pairs where air transportation is not utilized to advance the delivery time for First-Class Mail by one or two days over that which may be obtained utilizing surface transportation in whole or in part. No listing was provided. In place of the listing, all that was received was a discussion of how things might be accomplished in a hypothetical situation. The elimination of air transportation in favor of surface transportation is the very thrust of this Docket and the information as to the extent of the switch is needed for a full evaluation.

DBP/USPS-56 subpart j The changes that have been made, and particularly the reasons for making those changes, are relevant to the resolution of this Docket. Failing to file the information as requested, and offering only to provide the data in one joint inspection is inappropriate and an effort to avoid producing the information. It should be filed as a Library Reference and then made available as required.

DBP/USPS-79 In the original response to DBP/USPS-28, the Postal Service stated "No." and gave an example where mail placed into the system on a given day will not be processed on that same day. I restated the question in DBP/USPS-79 to remove the one example that they had provided. They have not provided an answer to the interrogatory. This information is relevant since "processed on that same day" is equivalent to establishing Day-0 for the start of the service standard results.

For the reasons given, the Postal Service should be compelled to provide the answers to those interrogatories where they 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.

November 21, 2001

David B. Popkin