

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, 2001

Docket No. R2001-1

RESPONSE OF THE UNITED STATES POSTAL SERVICE TO  
OFFICE OF THE CONSUMER ADVOCATE MOTION FOR (1) PRODUCTION OF  
DOCUMENTS RELIED ON IN THE POSTAL SERVICE'S OPPOSITION TO OCA  
MOTION TO COMPEL PRODUCTION OF DOCUMENTS  
REQUESTED IN OCA/USPS-T36-1(A) AND  
(2) LEAVE TO FILE A REPLY TO OPPOSITION OF THE POSTAL SERVICE  
(December 5, 2001)

*In accordance with Rules 25 and 26 of the Commission's Rules of Practice and Procedure, the Postal Service hereby responds to the Office of the Consumer Advocate Motion for (1) Production Of Documents Relied on in the Postal Service's Opposition To OCA Motion to Compel Production of Documents Requested in OCA/USPS-T36-1(a) and (2) Leave To File A Reply To Opposition Of The Postal Service (Motion). This Motion was filed by the Office of the Consumer Advocate on November 28, 2001.*

In its Opposition, the Postal Service reiterated an argument made in its Objection, that an Office of the Inspector General (OIG) audit report requested by interrogatory OCA/USPS-T36-1(a) is not relevant to issues in this docket because the report is not representative of the Delivery Confirmation program.<sup>1</sup> In the Opposition,

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<sup>1</sup> Opposition Of United States Postal Service to Motion of the Office of the Consumer Advocate to Compel Production of Documents Requested in OCA/USPS-T36-1(a), at 1-2 (filed November 13, 2001). Partial Objection of the United States Postal Service to Interrogatory OCA/USPS-T36-1(A) of the Office of the Consumer Advocate, at 1-2 (filed October 22, 2001).

the Postal Service quoted the Postal Service's Vice President for Delivery making the same argument, and asking that the report title and content reflect the limited nature of the audit. The Opposition also stated that the OIG "recognizes that its study was not designed to be representative of Delivery Confirmation practices nationwide."

Opposition at 2.

In its Motion, the OCA requests any documents characterized as "alleged proof of the irrelevance of the report at issue." Motion at 1-2. The arguments in the Postal Service's Opposition do not rely on any such documents. The quoted letter, which is part of the audit report, simply reiterates arguments made in the Postal Service Objection. The letter also respond to several specific findings in the draft of the audit report, and thus is covered by the Postal Service's original objection. The OIG's recognition that the study was not designed to be representative is mentioned in the report, but is also clear from the report's title, which specifies that the review is limited to "Selected Facilities."

If the Commission nonetheless believes that the quote from the letter requires its production, the Postal Service would prefer that its Opposition be considered without the quote. The relevant part of the Opposition could be rewritten as follows:

The Postal Service is not objecting to the OCA's general request for audits, studies, or updates on special services, but instead objects to providing one report that focuses on practices during 1999 and 2000 at five delivery units, chosen specifically because postal employees at those facilities had reported problems. As explained in the Postal Service's objection, the audit report analyzes practices at five small facilities that were not selected to be representative of the Delivery Confirmation program as a whole. Objection at 1-2. By titling its report, "Review of the Postal Service Delivery Confirmation Program at Selected Facilities," the OIG recognizes that its study was not designed to be representative of Delivery Confirmation practices nationwide.

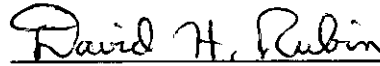
Therefore, the Postal Service opposes the OCA's motion for production of documents, as well as for leave to file a reply to the Postal Service's Opposition.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:


Daniel J. Foucheaux, Jr.  
Chief Counsel, Ratemaking



David H. Rubin  
David H. Rubin

### 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.



David H. Rubin  
David H. Rubin

475 L'Enfant Plaza West, S.W.  
Washington, D.C. 20260-1137  
(202) 268-2986, Fax -6187  
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