

BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

POSTAL RATE AND FEE CHANGES, 2001

Docket No. R2001-1

OBJECTION OF THE UNITED STATES POSTAL SERVICE TO
DAVID B. POPKIN INTERROGATORIES
DBP/USPS-9, 62(a)-(g), and 67
(December 6, 2001)

In accordance with Rules 25 and 26 of the Commission's Rules of Practice and Procedure, the Postal Service hereby objects to interrogatories DBP/USPS-9, 62(a)-(g), and 67, filed by the David B. Popkin on November 26, 2001, on the grounds of relevance, burden, and materiality.

DBP/USPS-9:

Interrogatory 9 seeks to ascertain if the conditions for refunding Express Mail postage apply the same to Express Mail Second Day as it does to Express Mail Next Day. The Postal Service fails to see how its refund policy is relevant to the determination of Express Mail rates. Clearly, this Interrogatory lacks probative value and any response is highly unlikely to aid the Commission in proposing a fair and appropriate rate for Express Mail. Therefore, the requested information is beyond the scope of this docket, and lacks relevance and materiality to any issues in this proceeding.

DBP/USPS-62(a)-(g):

The objection to subparts (h)-(v) of interrogatory 62 was previously filed, and is incorporated herein by reference.¹ Subparts (a)-(g) seek information concerning exceptional transportation used to meet Express Mail service times. According to the Federal Rules of Evidence, if evidence is sought to prove a proposition which is not a matter in issue, the evidence is said to be immaterial. Matters related to the use of exceptional transportation to meet Express Mail service standards are not at issue in this proceeding. Nor would the release of such information aid in determining appropriate rates for Express Mail. Consequently, the Postal Service objects to this request on the grounds of materiality.

DBP/USPS-67:

Interrogatory 67 requests information related to weekend and holiday delivery of Express Mail. If the Postal Service had separate rates for weekends and holidays, an argument could be made that the information sought is relevant. The Postal Service, however, does not make rate distinctions based on the day of the week, weekend versus weekday, nor holiday versus non-holiday. The information requested simply is not germane to the determination of Express Mail rates. Further, to fully respond to this interrogatory would require the Postal Service to devote many manhours to gather this irrelevant information. The

¹ Objection of United States Postal Service to Interrogatory of David B. Popkin, DBP/USPS-62(h) through (v), December 2, 2001.

probative value of this information (if any) does not outweigh the tremendous burden that would be placed on the limited resources of the Postal Service.

Therefore, for the above stated reasons, the Postal Service objects to the release of the information sought in interrogatories DBP/USPS-9, 62(a)-(g), and 67.

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.

Joseph K. Moore

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