

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

Complaint on First-Class Mail
Service Standards

Docket No. C2001-3

OPPOSITION OF THE UNITED STATES POSTAL SERVICE
TO MOTION OF DAVID POPKIN
TO COMPEL A RESPONSE TO DBP/USPS-88
(December 6, 2001)

In accordance with Rule 26 of the Commission's Rules of Practice and Procedure, the United States Postal Service hereby files this opposition to the November 28, 2001, motion of David Popkin seeking to compel a response to DBP/USPS-88.

The interrogatory generally seeks operational minutiae pertaining to the outgoing mail at the 17 Originating Outlier offices identified in USPS Library Reference C2001-3/7. These are the offices for which no 2-day or 3-day service standard changes have yet to be made for originating mail, for the reasons explained in response to DBP/USPS-11(b), DBP/USPS-37, OCA/USPS-14 and DBP/USPS-89.

If the information sought in this interrogatory is relevant to anything, it might be relevant to the issues raised in Docket No. C2001-1. The more one reads the questions asked as part of DBP/USPS-88, the clearer it becomes that the interrogatory seeks information related to Docket No. C2001-1. Subparts (a), (b) and (e) inquire about pick-up times posted on collection boxes. However, the service standard changes at issue in Docket No. C2001-3 were made without regard to collection box pick-up times. And the application of sections 3661 and 3662 to those service standard changes at issue in the instant proceeding can be made without regard to what pick-up times are posted on collection boxes in

Ainesworth or Valentine, Nebraska (or anyplace else, for that matter), and whether those pick-up times comply with the policies of the Postal Operations Manual.

Subpart (c) requests the 1-day, 3-day surface and 3-day air Clearance Times for the 17 Outlier offices. With respect to the 2-day and 3-day service standard changes that actually occurred and are at issue in this proceeding, Clearance Times had no influence in determining whether the service standard was 2-days or 3-days. Accordingly, it was determined that the Postal Service did not have to provide the list of Clearance Times requested in DBP/USPS-2.

Presiding Officer's Ruling No. C2001-3/3 at 2. (November 14, 2001).

Accordingly, it is mystifying that Mr. Popkin would insist on a list of 3-day Clearance Times for the 17 Outlier facilities for which no originating 3-day service standard changes have been made. And it is absolutely puzzling why he would insist on asking for overnight Clearance Times for these facilities, since overnight service standard changes are not at issue in this proceeding.

In subpart (d), Mr. Popkin requests an even more irrelevant level of minutiae that has no bearing on the issues in Docket No. C2001-3. For purposes of Docket No. C2001-3, it is not necessary to know each 5-digit ZIP Code served by each Outlier office, the name of each associate post office, whether the office provides city delivery service, what the final weekday and Saturday collection box pick-up times are at the main post office, or whether mail collected on delivery routes is postmarked and processed on the day of pick-up. These questions reek of Docket No. C2001-1.

Finally, in subpart (f), Mr. Popkin requests that the Postal Service confirm that each Outlier office "will be able to meet the Clearance Time for its parent Originating P&DC." The question is flawed by the fact that facility operating

plans are designed so that a facility meets its own Clearance Time, not the Clearance Time of another facility. The most that can be extracted from the debris of DBP/USPS-88(f) is a request that the Postal Service confirm that the Outlier facilities “will be able” to meet an objective, the description of which is wanting. Putting aside whatever that objective may be, the Postal Service considers it pointless to request confirmation that any such objective always “will be met.”

In support of his motion to compel, Mr. Popkin argues that he is attempting to determine the extent to which the Outlier facilities are able to meet the requirements of the Postal Operations Manual regarding the processing of collection mail and mesh their operations with those of other facilities.

In response to this first point, the Postal Service emphasizes that Mr. Popkin is pursuing his quest for collection box mail pick-up and processing minutiae in the wrong docket. Perhaps, he is merely trying to circumvent a Docket No. C2001-1 discovery deadline.

In response to the second point, Mr. Popkin fails to provide any basis for concluding that there is a nexus between the requested information and the resolution of the issues raised by Mr. Carlson’s complaint.

Accordingly, his motion should be denied.

– 4 –

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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CERTIFICATE OF SERVICE

I hereby certify that, in accordance with section 12 of the Rules of Practice, I have this day served the foregoing document upon all parties of record in this proceeding.

Michael T. Tidwell

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