

**BEFORE THE
POSTAL RATE COMMISSION**

POSTAL RATE AND FEE CHANGES, 2001

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DOCKET NO. R2001-1

**MOTION OF UNITED PARCEL SERVICE TO COMPEL
RESPONSES TO INTERROGATORY UPS/USPS-13
(December 7, 2001)**

Pursuant to the Commission's Rules of Practice, United Parcel Service ("UPS") hereby moves that the Presiding Officer order the Postal Service to answer interrogatory UPS/USPS-13, filed on November 5, 2001. A copy of the interrogatory is attached hereto as Exhibit A.

Answers to these interrogatories were due November 19, 2001. Since no answer was filed as of November 27, 2001 – one week after the deadline -- counsel for UPS contacted the Postal Service on that date in an attempt to obtain a response without the Commission's involvement. However, to date, the Postal Service has neither responded to the interrogatories nor filed an objection thereto. Therefore, the Postal Service has waived its right to object and should be required to answer.

WHEREFORE, United Parcel Service respectfully requests that the Presiding Officer order the United States Postal Service to answer interrogatory UPS/USPS-13.

Respectfully submitted,

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INTERROGATORIES OF UNITED PARCEL SERVICE TO
THE UNITED STATES POSTAL SERVICE

UPS/USPS-13. Refer to the Postal Service's response to Interrogatory OCA/USPS-60(c) and (d).

(a) Are the legal costs of defending the Postal Service's Priority Mail advertisements caused by the provision of Priority Mail? If not, what product or group of products caused these costs to be incurred?

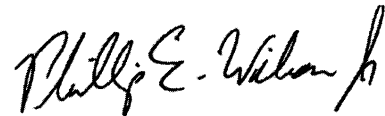
(b) If the legal costs of defendant the Postal Service's Priority Mail advertisements were caused by the provision of Priority Mail, explain the discrepancy between this and the statement that there is "no appropriate accounting or economic basis for attributing these costs to Priority Mail."

(c) Has the Postal Service studied the costs of defending the Postal Service's Priority Mail advertisements? If so, has the Postal Service made the determination based on such studies not to attribute them to Priority Mail? If the Postal Service has not studied these costs, explain what is meant by "the judgement of the Postal Service."

EXHIBIT "A"

CERTIFICATE OF SERVICE

I hereby certify that I have this date served the foregoing document by first class mail, postage prepaid, in accordance with Section 12 of the Commission's Rules of Practice.



Phillip E. Wilson, Jr.
Attorney for United Parcel Service

Dated: December 7, 2001
Philadelphia, PA

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