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POSTAL SATE AND ADDRESS OFFICE OF THE COLUMN A

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

POSTAL RATE AND FEE CHANGES, 2001

Docket No. R2001-1

RESPONSE OF UNITED STATES POSTAL SERVICE WITNESS MAYO TO INTERROGATORIES OF DAVID B. POPKIN, REDIRECTED FORM THE POSTAL SERVICE (DBP/USPS-3, 18, 19(A-C), 20-25(A-D), 26-27, 29, 37, 45(A, D, F, H, J, K, M-P, R), 61, 70, 72, AND 75-79)

The United States Postal Service hereby provides the responses of witness Mayo to the following interrogatories of David B. Popkin: DBP/USPS-3, 18, 19(a-c), 20-25(a-d), 26-27, 29, 37, 45(a, d, f, h, j, k, m-p, r), 61, 70, 72, and 75 to 79, filed on November 26, 2001, and redirected from the Postal Service.

Each interrogatory is stated verbatim and is followed by the response.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

Daniel J. Foucheaux, Jr. Chief Counsel, Ratemaking

David H. Rubin

475 L'Enfant Plaza West, S.W. Washington, D.C. 20260-1137 (202) 268-2986; Fax -6187 December 11, 2001

DBP/USPS-3.

- [a] Confirm that Insured Mail does not receive any special security from the time that the mail is accepted until it arrives at the delivery office, namely, it is transported in a similar manner to the same type of mail without insurance.
- [b] Confirm that mail insured for \$50 or less does not receive any special security at the delivery office.
- [c] Confirm that it will not be possible to determine, with absolute certainty, the amount of insurance that has been purchased [any value from \$50.01 to \$5000] by examination of the article.
- [d] Explain and discuss any subparts you are not able to confirm.

RESPONSE:

a. - d. See my response to DBP/USPS-15 in Docket No. R2000-1.

DBP/USPS-18. With respect to the proper completion of PS Form 3811, Return Receipt,

- [a] Confirm that the name of the person signing the receipt should be printed in Part A.
- [b] Confirm that the date of delivery should be entered in Part B.
- [c] Confirm that the date of the month alone is not a satisfactory entry for the Date of Delivery.
- [d] Confirm that the month and the date of the month alone is not a satisfactory entry for the Date of Delivery.
- [e] Confirm that the Date of Delivery must include a month, date, and year to be correct.
- [f] Please confirm that one of the two boxes in Part C, namely Agent or Addressee, must be checked in all instances.
- [g] Please confirm that one of the two boxes in Part D, namely Yes or No, must be checked in all instances.
- [h] Confirm that a mailer, such as myself, would be required to pay \$1.50 to obtain a return receipt service on each Certified Mail letter that was mailed.
- [i] Confirm that the printed name box may add to the value of the return receipt service depending on the needs and requirements of the mailer.
- [j] Confirm that the Date of Delivery information may add to the value of the return receipt service depending on the needs and requirements of the mailer.
- [k] What is the period of time that the Postal Service will maintain delivery records for accountable mail?
- [I] Confirm that once the period of time provided in response to Subpart [k] has passed, it will not be possible for the Postal Service to advise whether a return receipt card with the Date of Delivery shown as 2-I 1 was February 1 I, 1997, 1998, or for that matter any given year [other than the dates that fall within the times shown in response to Subpart [k] assuming that the delivery receipts and the appropriate search have been properly completed].
- [m] Confirm that having an accurate date of delivery shown on the return receipt may add to the value of the return receipt service depending on the needs and requirements of the mailer.
- [n] Confirm that the status of the signer, Agent or Addressee, information may add to the value of the return receipt service depending on the needs and requirements of the mailer.
- [o] Confirm that the checking of the Yes or No box in Part D may add to the value of the return receipt service depending on the needs and requirements of the mailer.

DBP/USPS-18. (CONTINUED)

- [p] Confirm that the Yes or No box in Part D was established so that a mailer would have a positive notation that the delivery address was or was not the same as the address the article was addressed to, namely, without the Yes/No box, no new address shown could either mean that the article was delivered as addressed or the new address was not shown as required.
- [q] Confirm that a mailer utilizing return receipt service would normally have to assume, unless there was contradictory evidence such as the card showing a date of delivery before the date of mailing or showing a date of delivery after the card was received back, that the date of delivery as shown on the return receipt card was correct.
- [r] Is a mailer who receives an improperly completed card entitled to a refund of the return receipt fee? If not, why not?
- [s] What action should a mailer take if the return receipt is returned without being properly completed?
- [t] Confirm that a mailer may obtain a Duplicate Return Receipt when a return receipt is either not received or is received without being properly completed.
- [u] Please explain the procedure, in detail, that a mailer must follow to obtain a duplicate.
- [v] Confirm that a mailer has the option of either mailing a Certified Mail letter at a post office for postmarking the receipt or just mailing the letter without obtaining a mailing receipt.
- [w] Confirm that once the latter has been mailed, either with or without getting the receipt postmarked, the letter is processed and delivered the same way.
- [x] Confirm that a mailer who requests a Duplicate Return Receipt will be able to obtain it without payment if he is able to present a postmarked receipt that shows that a return receipt was paid for at the time of mailing.
- [y] Confirm that a mailer who requests a Duplicate Return Receipt will be able to obtain it by making a payment if he is unable to present a postmarked receipt that shows that a return receipt was paid for at the time of mailing.
- [z] Confirm that many mailers may not realize the importance of having the mailing receipt postmarked to save the potential cost of a duplicate return receipt.
- [aa] Confirm that the necessity of obtaining a duplicate return receipt will reduce the value of service to most mailers.
- [bb] Are return receipts checked by a postal employee before they are returned to the mailer?
- [cc] If so, please advise the items which are checked?
- [dd] Would proper checking of return receipts eliminate the problems with return receipts? If not, why not?

DBP/USPS-18. (CONTINUED)

[ee] What percentage of all return receipts receive this post delivery checking? [ff] Please explain and discuss any subparts you are not able to confirm.

RESPONSE:

a. - ff. See my response to DBP/USPS-45 in Docket No. R2000-1.

DBP/USPS-19.

- [a] Confirm, or explain if you are unable to do so, that when delivering a Certified Mail article, that the delivery employee must obtain a single signature from the addressee on the Postal Service delivery record [irrespective of whether there is a single article to deliver this way or multiple articles for delivery on some form of manifest].
- [b] Confirm, or explain if you are unable to do so, that when delivering a Certified Mail article which contains a Return Receipt, that the delivery employee must obtain two separate signatures from the addressee, one on the Postal Service delivery record [irrespective of whether there is a single article to deliver this way or multiple articles for delivery on some form of manifest] and the second on the Return Receipt card PS Form 3811.
- [c] Confirm, or explain if you are unable to do so, that when delivering a Return Receipt for Merchandise article, that the delivery employee must obtain two separate signatures from the addressee, one on the Postal Service delivery record [irrespective of whether there is a single article to deliver this way or multiple articles for delivery on some form of manifest] and the second on the Return Receipt card PS Form 3811.

RESPONSE:

a. - c. See witness Davis' response to DBP/USPS-46 in Docket No. R2000-1.

DBP/USPS-20.

- [a] Confirm, or explain if you are unable to do so, that effective June 8, 1997, the service for return receipts changed requiring the delivery employee to indicate the address of delivery if different from the address on the mailpiece.
- [b] Confirm, or explain if you are unable to do so, that the service available on June 8th represents a difference in the service that was provided at the basic fee on June 7th.
- [c] Other than the mention on Page 9 of the May 22, 1997 Postal Bulletin, provide references and copies of all directives issued by Headquarters notifying the field of this change.
- [d] Has the Postal Service conducted any tests to determine the level to which the field is complying with the requirements to provide an updated address when appropriate? [e] If so, provide details and results of the tests.
- [f] If not, explain why not including reasons why one would consider Return Receipt service to be a quality service, particularly with respect to providing customers with updated addresses.

- a e. See my response to DBP/USPS-47 in Docket No. R2000-1.
- f. See my response to DBP/USPS-47 in Docket No. R2000-1, and my testimony at pages 56 and 99-101 in this rate proceeding. Also see the Postal Service's responses to OCA/USPS-237 and 238(g).

DBP/USPS-21

- [a] Confirm, or explain if you are unable to do so, that Section 822.111 of the Postal Operations Manual [POM] requires that the delivering carrier or window clerk will obtain the signature or authorized signature stamp of the recipient of an article utilizing the Return Receipt Service.
- [b] Confirm, or explain if you are unable to do so, that POM Section 822.111 also requires the delivery employee must complete the date of delivery if the addressee has not already done so.
- [c] Would it be reasonable to expect the delivery employee to check to ensure that the Return Receipt has been properly signed?
- [d] Would it be reasonable to expect the delivery employee to check to ensure that the Return Receipt has the name of the addressee printed in addition to the signature?
- [e] Would it be reasonable to expect the delivery employee to check to ensure that the Return Receipt has the correct date of delivery entered on it?
- [fl Would it be reasonable to expect the delivery employee to check to ensure that the Return Receipt has been properly completed?
- [g] Would it be reasonable to expect the delivery employee to make any necessary corrections to the information provided on the return receipt?
- [h] Explain any negative answers to subparts c through g.
- [i] Will the delivery employee referenced in POM Section 822.111 always be an employee of the United States Postal Service?
- [i] If your response to subpart h is not an unqualified yes, list all examples and instances in which the delivery employee will not be a USPS employee.
- [k] Do the requirements of POM Section 822.111 apply to the necessity of having the delivery employee ensure that the Return Receipt is completed at the time of delivery [the time at which the custody of the mail is transferred from the control of the United States Postal Service to the control of the addressee]?
- [I] If not, explain any instances in which it is not required.
- [m] Do the requirements of POM Section 822.111 apply to the necessity of having the delivery employee ensure that the Return Receipt is completed at the time of delivery with respect to all agencies, departments, or organizations of the federal government?
- [n] Same as subpart [m] except with respect to those of any state or local government.
- [o] Same as subpart [m] except with respect to delivery to any non-government addressee.

DBP/USPS-21 (CONTINUED)

- [p] Do the requirements of POM Section 822.111 apply to the necessity of having the delivery employee ensure that the Return Receipt is completed at the time of delivery regardless of the number of return receipts that are involved in the delivery?
- [q] Explain and list any instances with respect to any negative answers to subparts [m] through [o].
- [r] Confirm, or explain if you are unable to do so, that the delivering employee will be required in all instances to determine if the delivery address differs from the original address shown on the article and if so to provide the new address on the Return Receipt card.
- [s] Confirm, or explain if you are unable to do so, that the delivering employee will be required in all instances to determine if the delivery address differs from the original address shown on the article and if not to check the box on the return receipt card to indicate that the article was delivered to the same address as originally addressed.
- [t] Confirm, or explain if you are unable to do so, that the requirements specified in subparts r and s will apply to all types of addressees including, but not limited to, those types mentioned in subparts m through o.
- [u] Confirm, or explain if you are unable to do so, that the delivering employee will be required in all instances to give all return receipts to the clearing clerk daily.
- [v] Confirm, or explain if you are unable to do so, that subpart u means that for all return receipts which are being requested for mail which is delivered on a given day will be turned over to the clearing clerk that same day.
- [w] Confirm, or explain if you are unable to do so, that the requirements specified in subpart u will apply to all types of addressees including, but not limited to, those types mentioned in subparts m through o.

RESPONSE:

a. - w. See my response to DBP/USPS-48 in Docket No. R2000-1.

DBP/USPS-22.

- [a] Confirm, or explain if you are unable to do so, that Section 822.112 of the Postal Operations Manual requires that the clearing clerk must evaluate all return receipts that have been turned in to ensure that they are properly completed.
- [b] Would it be reasonable to expect the clearing clerk to check to ensure that the Return Receipt has been properly signed?
- [c] Would it be reasonable to expect the clearing clerk to check to ensure that the Return Receipt has the name of the addressee printed in addition to the signature?
- [d] Would it be reasonable to expect the clearing clerk to check to ensure that the Return Receipt has the correct date of delivery entered on it?
- [e] If there are any instances where the return receipt is not given to the clearing clerk on the date of delivery, explain how the clearing clerk would be aware of the date of delivery?
- [f] Would it be reasonable to expect the clearing clerk to check to ensure that any requirements for restricted delivery have been complied with?
- [g] Would it be reasonable to expect the clearing clerk to check to ensure that any requirements for notifying the sender of a new address have been complied with?
- [h] Would it be reasonable to expect the clearing clerk to check to ensure that any requirements for notifying the sender that there is no new address [namely, the box has been checked to show this] have been complied with?
- [i] What corrective action should the clearing clerk take if in evaluating a return receipt it is noticed that 1. the card is not properly signed, 2. the name of the person signing has not been properly printed, 3. the correct date of delivery has not been shown, 4. the restricted delivery requirements have not been complied with, 5. a new address has not been provided when there is one, or 6. the box has not been checked when there is no new address.
- [j] Confirm, or explain if you are unable to do so, that all return receipts must be mailed [namely, placed into the mail stream for processing and transporting and delivery to the sender] no later than the first workday after delivery.
- [k] Explain why POM Section 822.112 does not require that the clearing clerk mail the return receipt card on the date of delivery rather than allowing it to be held until the next workday.
- [I] Confirm, or explain if you are unable to do so, that the requirements specified in subparts b through j will apply in all instances regardless of the type of addressee or the number of return receipts involved.
- [m] Confirm, or explain if you are unable to do so, that the clearing clerk referenced in POM Section 822.112 is an employee of the United States Postal Service.

RESPONSE:

a - m. See my response to DBP/USPS-49 in Docket No. R2000-1.

DBP/USPS-23. With respect to the utilization of other than a signature by hand on the return receipt card, confirm or explain if you are unable to do so, that POM Section 822.2 requires that,

- [a] In those cases where the article is addressed to a federal or state official or agency, a rubber stamp showing the name of the agency or organization may be utilized.
- [b] This rubber stamp must show the name of the agency or organization and not just the name of an individual.
- [c] The ability to utilize a printed rubber stamp or other automated means [as opposed to one which has a facsimile of a written signature of an individual] may only be used by a federal or state agency.
- [d] A federal agency is one in which the employees of the agency are employees of the United States Government.
- [e] A state agency is one in which the employees of the agency are employees of one of the 50 states of the United States of America.
- [f] This provision does not apply to other governmental agencies such as, multi-state agencies, counties, municipalities, school districts.
- [g] This provision does not apply to companies or other non-governmental agencies.
- [h] For all addressees other than federal and state agencies, the rubber stamp or other automated means must include a facsimile, hand-written signature of the individual who is authorized to accept accountable mail.
- [i] The type of addressee noted in subpart h may not utilize a rubber stamp or other automated means which contains printed information only [such as the name of the agency].
- [i] Explain any non-confirmations.

RESPONSE:

a. -j. See my response to DBP/USPS-50 in Docket No. R2000-1.

DBP/USPS-24.

- [a] Confirm that on August 1, 1996, Sandra D. Curran, Acting Manager, Delivery, sent a letter to all District Managers Subject: Failure to Obtain Signature on PS Form 3811 Domestic Return Receipt.
- [b] Confirm, or explain if you are unable to do so, that this letter indicates that all District Managers are to take a proactive approach with all of their delivery offices to ensure that return receipts are not being signed for at a "later", more convenient time and therefore this would require that the return receipt be signed for at the time of delivery.
- [c] Confirm, or explain if you are unable to do so, that this letter indicates that any long standing, unofficial arrangements that promote or provide for exceptions to the state procedures for "convenience" should be voided if they exist.
- [d] Confirm, or explain if you are unable to do so, that this letter indicates that a lack of realization by some employees that the customer has paid for this service and any arrangement that makes it easier for the addressee at the expense of that service should not be tolerated.
- [e] Is this letter still in force?
- [f] If not, provide a copy of the letter which superseded or modified it.
- [g] Provide copies and references of any directives that have been issued since August 2, 1996 which relate to the provision of return receipt service.

- a. f. See my response to DBP/USPS-51 in Docket No. R2000-1.
- g. See my response to DBP/USPS-51 in Docket No. R2000-1, and my response to DBP/USPS-76 in this rate proceeding.

DBP/USPS-25.

[a] Bottom line, is it a requirement of the United States Postal Service that all accountable mail, including any return receipts that are associated with the mail piece. be signed [this includes the use of a signature stamp under the provisions of POM Section 822.21 for by the addressee at the time of delivery [namely, when the control of the mail piece transfers from the United States Postal Service to that of the addressee] and that the requirements for the completion of the return receipt also be completed at the time of delivery in accordance with the provisions of POM Section 822 and that this applies to any and all addressees throughout the United States who might receive accountable mail and also applies regardless of the quantity of mail involved. [b] If your response to subpart a is not an unqualified yes, provide a complete listing of all exceptions to the requirement and the authority authorizing that exception. [c] Confirm, or explain if you are unable to do so, that the cost for a return receipt is

presently \$1.50 and that this charge will apply for each separate accountable mail piece for which return receipt service is desired.

[d] Confirm, or explain if you are unable to do so, that should there be 10.000 accountable mail pieces requesting return receipt service being delivered to a single addressee on a given day that each of the senders paid a fee of \$1.50 for the return receipt and that the total revenue received by the Postal Service for processing all ten thousand return receipts will be \$15,000.

- a b. See my response to DBP/USPS-52 (a-b) in Docket No. R2000-1.
- c. Confirmed only that the **price** for a return receipt is presently \$1.50 for nonmerchandise, non-after-mailing service, and this fee would apply for each separate accountable mailpiece for which this return receipt service is requested .:
- d. See my response to DBP/USPS-52 (d) in Docket No. R2000-1.

DBP/USPS-26. In order to determine that the Return Receipt service provides a value to the mailer,

- [a] Enumerate and provide details of all studies and tests that have been performed or conducted by the Postal Service in the past eleven years [since Docket R90-I] to determine the mailing public's needs and desires for return receipt service.
- [b] Same as subpart a except to determine the quality of service being received by return receipt users.
- [c] Same as subpart a except to determine the extent to which the return receipt service is being provided as mandated in the regulations.
- [d] Explain why the responses to subparts a through c indicate that the Postal Service is making a concerted effort to provide a quality service.
- [e] Confirm, or explain if you are unable to do so, that one of the purposes of the return receipt is to provide evidence of delivery to the sender and that this evidence is being provided by an independent third party, namely the Postal Service.
- [f] Confirm, or explain if you are unable to do so, that the Postal Service used to apply the red validating stamp to return receipts and that this procedure was terminated.
- [g] When and why was the use of this procedure terminated and provide copies of the directive doing so?
- [h] Wouldn't the date on the red validating stamp be more likely to be correct than a date that was handwritten?
- [i] Wouldn't the presence of the red validating stamp on the return receipt provide a greater level of authenticity of the return receipt than one without it?
- [i] Explain any negative responses to subparts h and i particularly in light of the desire to provide a quality product.
- [k] Confirm, or explain if you are unable to do so, that the application of a red validation stamp impression on a return receipt by other than an authorized Postal Service employee would be a violation of the law.
- [I] Are there any plans to resume the use of the red validating stamp?
- [m] Confirm, or explain if you are unable to do so, that there are times when the actual date of delivery is significant to the mailer utilizing return receipt service.
- [n] Confirm, or explain if you are unable to do so, that there are times when name of the recipient is significant to the mailer utilizing return receipt service.
- [o] Confirm, or explain if you are unable to do so, that there are times when prompt notification of delivery is significant to the mailer utilizing return receipt service.

DBP/USPS-26. (CONTINUED)

[p] Confirm, or explain if you are unable to do so, that provision of the return receipt as proof of delivery and proof of delivery date having been furnished by an independent, disinterested third party, such as the Postal Service, is significant to the mailer at times. [q] Confirm or explain if you are unable to do so, that failure of the Postal Service to process return receipts in the manner specified in the regulations may increase the likelihood of a decrease in value to the mailer who is expecting one of the services noted in subparts m through p.

RESPONSE:

a. - q. See my response to DBP/USPS-53 in Docket No. R2000-1.

DBP/USPS-27. DMM Section S915.1.6 states, Return receipt fees are refunded only if the USPS fails to furnish a return receipt. May a refund be claimed for the following:

- [a] The return receipt which is received back is not signed.
- [b] The return receipt which is received back does not have the printed name of the recipient.
- [c] The return receipt which is received back does not show a date of delivery.
- [d] The return receipt which is received back shows an incorrect date of delivery.
- [e] The return receipt which is received back does not show a new address where delivered when there is one.
- [f] The return receipt which is received back does not have the box checked to show that there was no change of delivery address.
- [g] The return receipt which is received back was mailed by the delivery office later than the next business day following delivery.
- [h] The return receipt which was received back utilizes a rubber stamp or other automated signature which does not meet the requirements of POM Section 822.2.
- [i] There is evidence that the accountable mail was delivered to the addressee to complete the return receipt at a later, more convenient time and therefore the return receipt was not obtained by the Postal Service at the time of delivery.
- [i] The return receipt is not received.
- [k] A duplicate return receipt indicates that the article was not delivered.
- [I] The article is returned by the Postal Service without delivery.
- [m] Confirm, and explain if you are unable to do so, that the referenced DMM section also implies that the return receipt which is furnished meets the requirements of the Postal Service.
- [n] Explain any of the items for which a refund of the return receipt fee would not be authorized.
- [o] Confirm, or explain if you are unable to do so, that the necessity of a sender to request a duplicate return receipt just to fix a problem caused by the improper completion of the original return receipt will reduce the value of the service to the mailer.

RESPONSE:

a. - o. See my response to DBP/USPS-54 in Docket No. R2000-1.

DBP/USPS-29.

- [a] Confirm, or explain if you are unable to do so, that when accountable mail is delivered, the addressee will be required to sign for the receipt of the mail utilizing either a single receipt form, manifest delivery form, or other computerized listing of the type and number of each accountable mail article.
- [b] Confirm, or explain if you are unable to do so, that this signature will always be a hand signature.
- [c] If not, provide the authority [and furnish a copy] which authorizes the delivery without a hand signature.
- [d] Confirm, or explain if you are unable to do so, that this record of delivery will be maintained in the post office of delivery.
- [e] Confirm, or explain if you are unable to do so, that these records will be discarded after a period of time.
- [f] What is the authorized time after which these records may be discarded?
- [g] Confirm, or explain if you are unable to do so, that a mailer who has a return receipt may receive confirmation of its validity by having the delivery office utilize the delivery record and provide this confirmation.
- [h] How would such confirmation be accomplished?
- [i] Confirm, or explain if you are unable to do so, that once the delivery records have been discarded, there will be no record of delivery maintained in the Postal Service.
- [j] Confirm, or explain if you are unable to do so, that once the delivery record retention period has passed and the records discarded, the mailer may no longer obtain confirmation of the validity of the return receipt.
- [k] Confirm, or explain if you are unable to do so, that the inability of a mailer to obtain confirmation of the validity of the return receipt could potentially reduce the value of the service to the mailer.
- [I] Confirm, or explain if you are unable to do so, that the use of the red validating stamp on the return receipt could mitigate or eliminate this potential loss of the value of the service.

RESPONSE:

a. – I. See my response to DBP/USPS-56 in Docket No. R2000-1.

DBP/USPS-37. Please advise whether the Internal Revenue Service will accept as proof of mailing and/or delivery letters that are sent to them with each of the following services:

- [a] Certificate of Mailing
- [b] Certified Mail
- [c] Certified Mail I Return Receipt
- [d] Delivery Confirmation
- [e] Signature Confirmation
- [f] Express Mail.
- [g] Please provide any instructions or posters, in the past three years, which relate to the use of special services with respect to mail sent to the IRS.

- a. f. See my response to DBP/USPS-69 in Docket No. R2000-1.
- g. See my response to DBP/USPS-69 in Docket No. R2000-1, my response to DBP/USPS-76 in this rate proceeding, and the attachment to this interrogatory response that provides copies of posters for the April 2001 tax season.

Attachment to response to DBP/USPS-37(g)
Page 10F 2





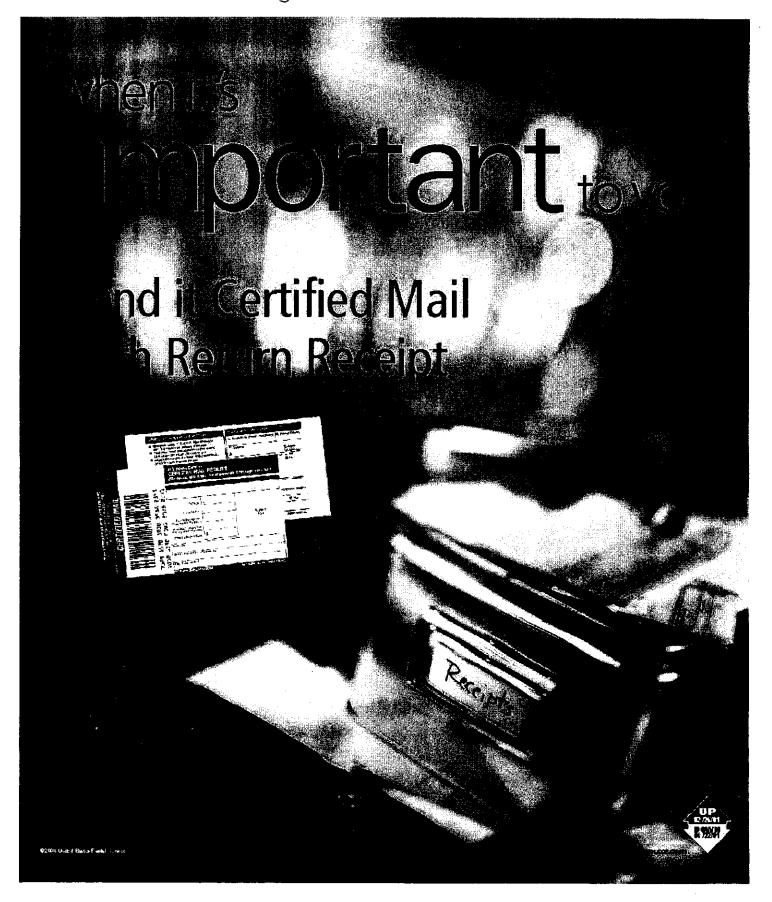
Use Certified Mail* with Return Receipt



*Available with Pnonty Mail' and First Class Mail' services.



Attachment to response to DBP/USPS-37(9)
Page 2 of 2



DBP/USPS-45. With respect to return receipt service,

- [a] What percentage of the total volume of return receipts utilize a privately printed form?
- [c] How is this savings calculated in your rate evaluation?
- [d] What percentage of the total volume of return receipts are mailed directly by the mailer without the need for window service? This should include both those instances where the mailer does not utilize any window service and those instances where the window service is related to one or more other services other than the return receipt.
- [f] How is this savings calculated in your rate evaluation?
- [h] What percentage of the letters that are mailed with a return receipt are returned to the sender as either undeliverable or unclaimed?
- [j] How is this savings calculated in your rate evaluation?
- [k] What percentage of the total number of return receipts are not processed at the time of delivery but are completed by the addressee after delivery has been made, therefore requiring no intervention by the Postal Service at the delivery end other than to transport the mailed return receipt card back to the sender?
- [m] How is this savings calculated in your rate evaluation?
- [n] Is it permissible for a non-USPS recipient of articles containing return receipts to enter into an agreement with the delivering post office for the post office to complete <u>all</u> portions of the return receipt prior to or coincident with delivery or must the addressee complete the signature part at a minimum? In other words, the return receipt cards are removed by the post office and, in most cases, a rubber stamp or other automated means is utilized to "sign" the card without any intervention by the recipient.
- [o] If yes, what conditions and provisions apply and what section of the DMM/POM authorizes this method?
- [p] If yes, what percentage of the total return receipt volume are processed in this manner?
- [r] How is this added cost calculated in your rate evaluation?

DBP/USPS-45. (CONTINUED)

RESPONSE:

a., d., h., and k. The Postal Service does not collect this type of information.

f., j., and m. The return receipt fee development is discussed in my testimony, USPS-T-36, at pages 56-57. See also witness Davis' response to DBP/USPS-79 in Docket No. R2000-1.

- n. See witness Davis' response to DBP/USPS-79(n), as revised April 26, 2000, in Docket No. R2000-1.
- o., p., and r. Not applicable.

DBP/USPS-61. The following Interrogatory was asked in Docket R2000-1 as Interrogatories DBP/USPS-131 through 134. Please respond to each of these Interrogatories with respect to the current policies that existed during the 2001 tax filing season.

Subpart a - DBP/USPS-131

Attached to this pleading is a letter dated September 24, 1999, as Attachment A. [a] Please verify that this letter was prepared and sent to me by an employee of the United States Postal Service.

- [b] Please confirm, or explain and discuss if you are not able to confirm, that the procedures utilized by the Atlanta Post Office to process the completion of the Return Receipts on accountable mail destined to the Internal Revenue Service and the Georgia Income Tax Division is similar to the problems that were observed by the Inspection Service at the Andover, Massachusetts Internal Revenue Service as noted in the Inspection Service Area Coordination Audit Report on Special Services [USPS-LR-I-2001.
- [c] Please confirm, or explain and discuss if you are not able to confirm, that the procedures utilized by the Atlanta Post Office to process the completion of the Return Receipts on accountable mail destined to the Internal Revenue Service and the Georgia Income Tax Division do not meet the requirements of the Domestic Mail Manual [Section D042.1.71, Postal Operations Manual [Section 822.1 I], and Headquarters Directives.
- [d] Please confirm, or explain if you are not able to do so, that customers who purchased the referenced Return Receipt service did not receive the service that they paid for.

Subpart b – DBP/USPS-132

Attached to this pleading is a letter dated September 24, 1999, as Attachment B. [a] Please verify that this letter was prepared and sent to me by an employee of the United States Postal Service.

- [b] Please confirm, or explain and discuss if you are not able to confirm, that the procedures utilized by the Memphis Post Office to process the completion of the Return Receipts on accountable mail destined to the Internal Revenue Service is similar to the problems that were observed by the Inspection Service at the Andover, Massachusetts Internal Revenue Service as noted in the Inspection Service Area Coordination Audit Report on Special Services [USPS-LR-I-2001.
- [c] Please confirm, or explain and discuss if you are not able to confirm, that the procedures utilized by the Memphis Post Office to process the completion of the Return Receipts on accountable mail destined to the Internal Revenue Service do not meet the requirements of the Domestic Mail Manual Section D042.1.71, Postal Operations Manual Section 822.111, and Headquarters Directives.

DBP/USPS-61. (CONTINUED)

[d] Please confirm, or explain if you are not able to do so, that customers who purchased the referenced Return Receipt service did not receive the service that they paid for.

Subpart c – DBP/USPS-133

Attached to this pleading is a letter dated October 26, 1999, as Attachment C.

- [a] Please verify that this letter was prepared and sent to me by an employee of the United States Postal Service.
- [b] Please confirm, or explain and discuss if you are not able to confirm, that the procedures utilized by the Philadelphia Post Office to process the completion of the Return Receipts on accountable mail destined to the Internal Revenue Service is similar to the problems that were observed by the Inspection Service at the Andover, Massachusetts Internal Revenue Service as noted in the Inspection Service Area Coordination Audit Report on Special Services, USPS-LR-I-2001.
- [c] Please confirm, or explain and discuss if you are not able to confirm, that the procedures utilized by the Philadelphia Post Office to process the completion of the Return Receipts on accountable mail destined to the Internal Revenue Service do not meet the requirements of the Domestic Mail Manual Section D042.1.71, Postal Operations Manual Section 822.111, and Headquarters Directives.
- [d] Please confirm, or explain if you are not able to do so, that customers who purchased the referenced Return Receipt service did not receive the service that they paid for.

Subpart d - DBP/USPS-134

Attached to this pleading is a letter dated September 28, 1999, as Attachment D.

- [a] Please verify that this letter was prepared and sent to me by an employee of the United States Postal Service.
- [b] Please confirm, or explain and discuss if you are not able to confirm, that the procedures utilized by the Cincinnati Post Office to process the completion of the Return Receipts on accountable mail destined to the Internal Revenue Service is similar to the problems that were observed by the Inspection Service at the Andover, Massachusetts Internal Revenue Service as noted in the Inspection Service Area Coordination Audit Report on Special Services, USPS-LR-I-2001.

DBP/USPS-61. (CONTINUED)

[c] Please confirm, or explain and discuss if you are not able to confirm, that the procedures utilized by the Cincinnati Post Office to process the completion of the Return Receipts on accountable mail destined to the Internal Revenue Service do not meet the requirements of the Domestic Mail Manual Section D042.1.7], Postal Operations Manual Section 822.111, and Headquarters Directives.

[d] Please confirm, or explain if you are not able to do so, that customers who purchased the referenced Return Receipt service did not receive the service that they paid for.

RESPONSE:

The same responses, DBP/USPS-131, 132, and 134, from Docket No. R2000-1, apply to Atlanta, Memphis, and Cincinnati for the 2001 tax season. See Docket No. R2000-1, Tr. 14/5449-5452, 5455-56 and Tr. 46C/20742-43, 20745.

For DBP/USPS-133:

a. – d. Not confirmed. I have been informed that the Philadelphia Post Office follows the procedures outlined in DMM Section D042.1.7 and Postal Operations Manual Section 822.11.

DBP/USPS-70. Please refer to your response to Interrogatory OCA/USPS-118. Has Delivery Confirmation service always been available for mail addressed to the IRS since the time that service was established? If not, please provide details.

RESPONSE:

Yes. Delivery Confirmation was available for mail addressed to the IRS during the April, 1999 income tax season, although it was strongly discouraged by the Postal Service that tax season as it was a brand new product offering and there were concerns that reliable service could not be provided.

DBP/USPS-72. Please refer to your response to Interrogatory DFC/USPS-11. Please provide any information [in any category - separate or otherwise] that the Postal Service may have which indicates the level of service and/or compliance with the requirements for the Return Receipt service which has been developed at the Area level or above in the past eleven years.

RESPONSE:

See the Postal Service's responses to OCA/USPS-236-238, and Office of the Inspector General audit reports provided in library references I-200, J-172, and the attachment to the response to DFC/USPS-2.

DBP/USPS-75. Please advise the status of the suspension of the sale of stamped envelopes including the reasons for the suspension, the potential changes being made in the envelopes and the costs associated with that, and the estimated time for resumption of sales of stamped envelopes.

RESPONSE:

The temporary suspension of the stamped envelope program, which was initiated in response to the risks of anthrax being sent in stamped envelopes, was lifted on November 9 at all postal facilities. However, sales of banded stamped envelopes in vending machines continue to be suspended, and there is no time estimate of when this suspension will be lifted. I have been informed that no changes are being considered for stamped envelopes.

DBP/USPS-76.

- [a] Please furnish a copy of the letter that was sent out in March 2001 to in-plant support area managers as a reminder of the proper procedures for handling special services [see page 99 of USPS-T-36].
- [b] Please furnish copies of any other letters or directives regarding the proper procedures for handing Certified Mail and/or Return Receipts since the initial Commission concerns in Docket R90-1.

- a. Copy attached.
- b. See attachment for directives since 2000. Also, see response to OCA/USPS-236.

Attachment to response to DBP/USPS-766

March 2, 2001

MANAGERS, IN-PLANT SUPPORT (AREA)

SUBJECT: Processing IRS Mail

Tax season has arrived. Due to delayed processing of tax returns, the Postal Service received negative publicity last year. Consequently, a great deal of attention will be focused on processing the Internal Revenue Service (IRS) mail this year. Expect the Inspector General's office to examine our work processes this tax season.

Postal employees must provide the appropriate service indicated on each IRS mailpiece. This means scanning all items with Special Services, such as Delivery Confirmation, Signature Confirmation, Certified, and Registered. When preparing holdouts for other plants, use PS Form 3883, Firm Delivery Receipt for Accountable and Bulk Delivery Mail. There are only two authorized means to record firm deliveries:

- Manually using the November 1999 barcoded version of PS Form 3833 or
- Electronically using the Firm Print Workstation.

As a reminder, the use of automated equipment other than the Firm Print Workstation to electronically produce firm sheets, such as Delivery Confirmation Receipt System (DCRS) or Electronic Delivery Confirmation Receipt System (EDCRS), must not be used with the signature capture process. DCRS and EDCRS may only record items for Registry dispatch functions.

Please ensure that your standard operating procedures reflect proper scanning activities. Failure to follow these procedures will result in revenue loss and customer dissatisfaction. Make certain that all employees understand and perform the correct work processes. If assistance is needed with the scanning of Special Service items for the IRS, contact the district Delivery Confirmation coordinator.

As a final note, the *Postal Bulletin* of Jan. 11, 2001, listed distribution changes for the IRS' return processing centers. Questions or comments can be directed to Jamie Gallagher from my staff at 202-268-4031. Success is in the details. We can make this tax season a success story with focus on the proper processing of IRS returns.

David N. Goldstein

cc: Mr. O'Tormey

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POSTAL BULLETIN 22045 (3-8-01)

Postal Operations Manual (POM)

- 6 Delivery Services
- 61 Conditions of Delivery
- 612 Delivery of Addressee's Mail to Another

612.13 Procedures for Delivery to CMRA

Mail delivery to a CMRA requires the following:

[Revise item a to add a sentence before the sentence "If the applicant is unable to substantiate..." as follows:]

A document from a governmental entity or recognized financial institution or a utility bill with the applicant's name and current permanent address may be used for such purpose. c. In delivery of the mail to the CMRA, the addressee and the CMRA agree to the following:

[Add new item c (3) as follows and renumber existing items (3) through (6) as (4) through (7), respectively:]

(3) If mail is re-mailed by the CMRA to the address of a former customer during the 6-month re-mail period and returned by the Postal Service endorsed "Moved, Left No Address," then the CMRA may return that mail to the Post Office with the approval of the postmaster or station manager. The approval is subject to evidence that the mail was re-mailed with new postage to the former customer at (a) the address provided when the relationship was terminated and/or (b) the verified home or business permanent address provided on the customer's PS Form 1583. Upon approval, the CMRA may return to the Post Office only First-Class Mail, Priority Mail, Express Mail, accountable mail, and Parcel Post received for the former customer. The CMRA must return this mail to the Post Office the next business day after receipt without new postage, and the Post Office will return it to the sender.

--- Delivery and Retail, Consumers and Small Business, 3-8-01

REVISED DEADLINE

Special Services Barcoded Label (2-24-01); Exception for Larger Mailings (5-1-01)

Effective February 24, 2001, any Special Services mailing of 100 pieces or less, without barcoded Special Services labels, will be refused and returned for resubmission with barcoded Postal Service or vendor-produced labels. This compliance deadline applies to any mailing bearing the following forms/labels: PS Form 3800, Certified Mail Receipt; PS Form 3813-P, Insured Mail Receipt; Label 200, Registered Mail; PS Form 3804, Return Receipt for Merchandise; and PS Form 8099, Receipt for Recorded Delivery.

Larger mailings (more than 100 pieces) using commercially produced (nonpostal) labels bearing the nonbarcoded label format (old alpha/numeric 10-digit format; e.g., P 842 063 223) for any of the above special services will be accepted without barcoded labels until May 1, 2001. Labels that do not have the taggant applied (Certified Mail) or that are rubber stamped, handwritten, short numbered, and so on are excluded from the delivery information capture process and will not be accepted.

Although larger volume mailings will still be accepted until May 1, 2001, customers are encouraged to move forward with their conversion efforts and should contact their local vendor for assistance. A list of vendors that have been certified by the Postal Service to produce commercially printed Special Services labels is available from Headquarters. Customers interested in receiving this list should contact the Special Services office at (703) 292-4172.

Special Services, Core Business Marketing, 3-8-01

Attachment to response to DBP/USPS-7666, Page 2 of 3

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POSTAL BULLETIN 22049 (5-3-01)

Special Services Barcoded Label Deadline — Internal Revenue Service Exception

The compliance deadline for barcoding Special Services labels is May 1, 2001, for all mailers, except the Internal Revenue Service (IRS). This deadline applies to any mail bearing the following labels:

- PS Form 3800, Certified Mail Receipt
- PS Form 3813-P, Insured Mail Receipt
- Label 200, Registered Mail
- PS Form 3804, Return Receipt for Merchandise
- PS Form 8099, Receipt for Recorded Delivery

Offices should accept nonbarcoded mail from the IRS until July 14, 2001. Although the IRS has an extension until July, they anticipate that 70 percent of their mail volume will be converted to the barcoded format by May 31. The remaining volume will be converted by July 14.

As information, the majority of the IRS's mail is generated out of 10 service centers located in the following areas: Andover, MA; Atlanta, GA; Austin, TX; Brook Haven, NY; Cincinnati, OH; Fresno, CA; Kansas City, MO; Memphis, TN; Ogden, UT; and Philadelphia, PA.

All other mail with nonbarcoded Special Services labels received at retail acceptance points on or after May 1 should be refused and returned for resubmission with barcoded Postal Service or vendor-produced labels. Should any nonbarcoded Special Services mail reach its destination point, offices are instructed to:

- Deliver the mail; do not return it to the sender.
- Manually key in the article number on the scanner.
- Capture the recipient's signature.

The goal is to catch and refuse nonbarcoded mail at the acceptance point, not at the delivery point.

Note: If postage is metered and the denied acceptance results in a new date of acceptance, customers should remeter at zero postage with a new meter date.

For more information, contact Tandelyia Samuels at 703-292-3803.

--- Special Services, Core Business Marketing, 5-3-01

APO/FPO Changes

Make the following changes to the most recent APO/FPO table in Postal Bulletin 22048 (4-19-01).

APO/FPO	Action	Effective Date	See Restrictions
09781	Close	Immediately	, , , , , , , , , , , , , , , , , , , ,
09788	Close	Immediately	
09794	Close	Immediately	
96547	Activate	Immediately	B-F-U3

International Network Operations, Network Operations Management, 5-3-01

Fraud Alert

Withholding of Mail Orders

Withholding of mail orders is enforced by postmasters at the cities listed below:

State/City	Names Covered Any And All Names Excluding The Sumame Aina, P.O. Box 268410	
IL, Chicago 60626-8410		
NJ, Mystic Island 08087-5538	Armando J. Nunez, P.O. Box 1538	
PA Altoona 16602-7372	Any And All Of Various Names Other Than The Surname Kibe, 1716 E. Pleasant Valley Blvd., Trlr. 14	
PA, Bellwood 16617-0305	Any And All Of Various Names Other Than The Surname Kibe, P.O. Box 305	

- Recorder's Office, Judicial Officer, 5-3-01

Attachment to DBP/USPS-76(b) Page 3 of 3

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POSTAL BULLETIN 22055 (7-26-01)

818.42 Large-Volume Mailings

When accepting Signature Confirmation service articles submitted under a Manifest Mailing System agreement, follow the acceptance procedures listed in Publication 401, Guide to the Manifest Mailing System (MMS), for insured, COD, certified, and return receipt for merchandise articles, using the Signature Confirmation service package identification code as the article number.

For large-volume mailings that include Signature Confirmation service articles not submitted using an approved Manifest Mailing System agreement, follow the steps below. These steps are in addition to any other acceptance and verification procedures required in Handbook DM109, Business Mail Acceptance, for the method of postage payment used or presort discounts claimed:

 Randomly select sample pieces from the mailing according to the sample size chart below.

Articles in Mailing	Sampling Size	
1-299	10 percent of mailing	
300-1,999	30 articles	
2,000-3,999	40 articles	
4,000-5,999	50 articles	
6,000-7,999	60 articles	
8,000-9,999	70 articles	
10,000-99,999	100 articles	

- b. For each sample piece with Signature Confirmation service check the following:
 - That the article number is listed on PS Form 3877, Firm Mailing Book for Accountable Mail.
 - (2) That the postage and fees are correctly paid and entered on PS Form 3877.
 - (3) That the article is properly endorsed.
- c. If the postage and/or fees on a sample article are not correct, take an entirely new sample that is the same size as the original sample. If the second sampling is correct, accept the mailing and make a postage and/or fee adjustment for the incorrect postage amount. If the second sampling has an error, return the mailing to the mailer for correction.
- d. Postmark and sign the firm mailing book in ink and give it to the mailer. Enter the time the articles are mailed if requested to do so by the mailer and initial in ink by the entry.

— Information Systems, Expedited/Package Services, 7-26-01

Special Services Barcoded Label Deadline - IRS Extension

Good News! The IRS has barcoded 95 percent of its certified mail labels. The remaining 5 percent that have not been barcoded will continue to show up in the mailstream until October 15, 2001. Post Offices should continue to accept and deliver the IRS's remaining nonbarcoded mail until that time.

- Special Services, Core Business Marketing, 7-26-01

DBP/USPS-77.

[a] On page 12 of USPS-T-26 it indicates the new enhancement for users of certified or registered mail to receive delivery information through either the Internet or the CCM system. Will this service also be available to users of Insured Mail over \$50 or COD service?

[b] If not, why not?

- a. No.
- b. A management decision was made to extend this enhancement only to certified and registered mail, as the focus was to enhance the service for First-Class Mail letters.

DBP/USPS-78. With respect to the utilization of the electronic return receipt service where the customer provides his or her e-mail address to the Postal Service,

- [a] to whom is this e-mail address made available?
- [b] Is there a separate form for this service?
- [c] If so, provide a copy of the front and back of the form. If not, explain.
- [d] Does the customer provide the e-mail address in writing or verbally to the Postal Service?
- [e] Describe the process by which this service will be provided starting at the time the article is presented for mailing and ending at the time the e-mail message is sent to the sender.
- [f] Must the article be presented at a service window or rural carrier to mail or may it be deposited in a collection box?
- [g] What security will be provided for the e-mail address?
- [h] Will the addressee obtain knowledge of the sender's e-mail address when the article is delivered?
- [i] Who will have access to the e-mail address?
- [j] What is the retention period of the e-mail address records?
- [k] Will the Postal Service monitor the sending of the e-mail to evaluate any undeliverable messages?
- [I] If not, why not?
- [m] If so, what action will be taken for undeliverable messages such as ensuring that the e-mail address was entered correctly?
- [n] Will a hard copy be mailed to the sender if the e-mail message is undeliverable?
- [o] If not, why not?
- [p] Confirm that the proposed fee for this service will be \$1.30.

RESPONSE:

a. and i. Only the Postal Service employees entering the address information into the computer or authorized users of the computer files would have access to the email address information.

DBP/USPS-78. (CONTINUED)

- b. d. No. If the service is purchased via the Internet, the customer would provide the email address electronically. How the email address would be provided if the service is purchased via another avenue has not yet been determined.
- e. The customer would fill out a return receipt form or file one electronically, providing an email address. The email address is linked with the article number from the associated special service, and the labels are scanned with the resulting data sent to the Product Tracking System. When the mailpiece is scanned at delivery, the delivery information is transmitted to the Product Tracking System. The article number is automatically tagged with the email address and sent to the batch email-sending server with the delivery date and time information. The delivery date and time for the article numbers are then sent to the sender's email address. See also witness Nieto's response to DFC/USPS-T26-4.

DBP/USPS-78. (CONTINUED)

- f. The mailpiece with the electronic return receipt could be presented at a service window, or if the electronic return receipt is purchased via the Internet, the mailpiece could be deposited in a collection box or presented at a service window or to a rural carrier. The specific details for providing this service are being developed.
- g. The email addresses will be stored in a server with the same industry standard used for security of address information. See also witness Nieto's response to DFC/USPS-T26-4.
- h. No.
- j. The retention period for email address information has not yet been determined.

DBP/USPS-78. (CONTINUED)
RESPONSE:
k. Yes.
I. Not applicable.
m., n., and o. If the email address provided is not valid, there would be no way to contact the sender.
p. Confirmed.

DBP/USPS-79.

- [a] Confirm, or explain if you are unable to do so, that it is proposed to have two separate methods to obtain a Return Receipt after mailing. One method will be to go to a post office and complete a form and the other will be to utilize the Internet.
- [b] Confirm, or explain if you are unable to do so, that the proposed fee for both of these methods will be \$3.25.
- [c] Provide a complete and detailed listing of each of the steps that a mailer and postal employee will do in obtaining and/or rendering the service.

- a. Confirmed.
- b. Confirmed.
- c. See Domestic Mail Manual Section S915.2.2 and 2.3 and Postal Operations Manual Section 811.4 attached for the procedures for return receipt after mailing service. The procedures for Internet purchase of return receipt after mailing are currently being determined.

Contents

811.3

Postal Operations Manual

c. As an option, offices with a large volume of Forms 3849 should consider filing these receipts using a three-digit sort. This greatly speeds search time and may be done in the following way: Offices that file delivery records centrally should request that their stations and branches sort these forms into 10 separations, by the last digit of the article number, before sending them to the central filing location. When these are received at the central filing location, the forms should then be separated in a 100-hole case, using the second- and third-from-last article numbers for each of the original 10 separations made at the station or branch. The forms should then be filed by the three-digit sort for future reference.

811.3 Retention of Delivery Records

Delivery records will be maintained as follows:

- a. Electronic record management: Delivery records maintained electronically will be stored as follows:
 - (1) A delivery record will be maintained in the active database for 6 months after the delivery date. A record in the database may be accessed immediately via a query from the Postal Service Intranet.
 - (2) A delivery record will be maintained in the archive database after 6 months until the end of the retention period (as stated in ASM 351). These records are not immediately accessible. Upon completion of the archive search, a response will be provided to the customer.
- b. Manual record management: Delivery records maintained manually follow retention periods as stated in ASM 351.

811.4 Retrieval of Delivery Records

Customers cannot receive delivery information or a delivery receipt for certified, COD, registered, numbered insured, or return receipt for merchandise mail without the assistance of a postal employee. If a customer wishes to receive a copy of the delivery record, the customer must visit a post office and show proof of purchase of a return receipt (to request a duplicate return receipt) or purchase a return receipt after mailing. The postal employee will retrieve the records as follows:

- a. Electronic record management sites: The postal employee will request a copy of the delivery receipt via the Postal Service Intranet or, for non-intranet sites, Form 3811-A. The customer will be either faxed or mailed the electronic delivery record (Form 3819). See <u>Exhibit 811.4</u>. Handbook PO-610 contains specific information on delivery record requests and retrieval.
- b. Manual record management sites: The postal employee will look up the manually filed delivery receipt. Form 3811-A will be used to convey the delivery receipt information to the customer.

812.21

There are four possible electronic delivery record responses. They include the response as shown here with signature data; delivery record found with no signature data; no delivery record found; or unable to limit search due to duplicate label IDs.

Exhibit 811.4
Electronic Delivery Record Response

POSTEL SERVALS

Data: March 30 2000

JOHN (10)+ PO BOX 12 ANYTOWN US 65555-5555

Dear John Doe.

The following is in response to your March 23, 2003, request for delivery informetion on anyour perifical mail here marcher 7099 7656 4563 7868 9782. The delivery report shows that this from was delivery report shows that this from was delivery on March 20, 2003, at 10031 s.m. The scenned intege of the recipient information is provided below.

Signature of Recipients

Mark Bloom

Address of Recipient

M Olson
11 Dening Dr.

Thank you for selecting the Fostal Service for your mailing reads. Type require additional assistance, please correct your kind and after or Hostal Service segregatelyou.

Sincerely,

United States Postal Service

Registered Mail

812.1 Fees and Liability

See DMM R900.15.0 and S911.

812.2 Sender's Declaration

812.21 Value

The sender must tell the Postal Service clerk (or enter on the firm mailing bill if a firm mailer) the full value of mail matter presented for registration. Private

DECLARATION

I, Susan W. Mayo, declare under penalty of perjury that the foregoing answers are true and correct, to the best of my knowledge, information, and belief.

SWAN W. MAYO

Dated: DECEMBER 11, 2001

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

475 L'Enfant Plaza West, S.W. Washington, D.C. 20260-1137 December 11, 2001