

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

OBJECTION OF THE UNITED STATES POSTAL SERVICE
TO CARLSON INTERROGATORIES DFC/USPS -21 - 22
(December 17, 2001)

The United States Postal Service hereby objects to DFC/USPS-21 and 22, filed on December 6, 2001.

The text of the first question is:

DFC/USPS-21. Please provide all memoranda and directives issued by any Postal Service district or area office in 2000 or 2001, including those transmitted by electronic mail, relating to removal of collection boxes or collection receptacles or closing or restricting access to any types of collection boxes or receptacles (e.g., closing lobby parcel drops for security reasons).

The Postal Service objects to this question as untimely, irrelevant, and unduly burdensome.

The question is untimely because it was plainly filed after the November 26 deadline for institutional questions to the Postal Service established by Presiding Officer's Ruling No. R2001-1/9 (November 14). The text of the question makes no reference to any other interrogatory response, and it obviously constitutes a request for information that stands on its own. Within the document in which this question was submitted, only the style of the document indicates that the questions are intended to be follow-ups to some unspecified earlier response. Of course, there is no great mystery regarding to what Mr. Carlson intended this item to be passed-off as follow-up,

because he made the connection in his Motion to Compel a Response to DFC/USPS-20, filed concurrently with DFC/USPS-21 and 22 on December 6. Therefore, it is necessary to consider all of the related items (i.e., DFC/USPS-19, 20, and 21) to put the matter in context.

Question 19 asked for information issued by Headquarters on collection box removals. Question 20 sought similar information issued in the San Jose District. The Postal Service responded to Question 19 that no such documents had been issued by Headquarters. The Postal Service objected to question 20 on the grounds that information of this nature from one district is not relevant. Mr. Carlson has now filed question 21, seeking similar information from every district and area in the country. His motion to compel states:

Since, however, the Postal Service objected to my interrogatory requesting information from the San Jose District, I have filed a follow-up interrogatory to DFC/USPS-19 to request documents from the area and district offices.

Motion to Compel at 4. Therefore, while Mr. Carlson has chosen to characterize DFC/USPS-21 as a follow-up to the response he received to DFC/USPS-19, his own pleading plainly establishes that not to be the case. DFC/USPS-21 is explicitly identified as a response to the objection to DFC/USPS-20, rather than a follow-up to DFC/USPS-19. Apparently, Mr. Carlson wishes to use a facially-unreasonable request for irrelevant information from every district and area in the country as leverage in his pursuit of information from the one district for which he submitted a timely, if equally irrelevant, request. However questionable the appropriateness of such a strategy may be on other grounds, it fails in this instance because Mr. Carlson's opportunity to

expand the scope of his inquiry from one district to all districts expired on November 26. DFC/USPS-21 is untimely.

DFC/USPS-21 also seeks information which is fundamentally irrelevant to issues in this proceeding. Internal communications regarding potential changes in the collection network at a subnational level constitute operational minutiae that would lack probative value for the purpose of increasing or decreasing the relative share of institutional costs properly born by individual subclasses.

Lastly, it would be unduly burdensome for the Postal Service to be required to attempt to gather such information from each of its areas and districts. The burden would begin with formatting a clear and understandable request for information, passing that document up the line to get authorization from a level high enough for the field to recognize a need to respond, and then distributing the request down the line to field units. A substantial part of the burden would then occur at each of the areas and at each of the 85 districts as they search their files for responsive documents. Since the scope of the request includes e-mail messages, the amount of time such a search would take at each unit could range up to hours. Any information gathered would then have to be transmitted back up the line. Moreover, substantial time at headquarters, both in terms of workhours and elapsed calendar time, would be expected to coordinate the incoming information, resolve apparent contradictions, and, most importantly, ride herd on units that fail to respond. Complicating the entire effort even further would be the recent restructuring that has eliminated two of the areas that would have existed over the period covered by the request. It is impossible to come up with a specific estimate of burden under these circumstances, but the scope of the requests and the

number of field units involved makes it clear that we are talking about hundreds of workhours, at a minimum, and weeks of elapsed time. Such a burden is clearly unwarranted in circumstances which suggest that the only reason the question was posed at all was to create pressure to answer a previously disputed request for information. Moreover, as discussed next with respect to DFC/USPS-22, to the extent that nationwide information is deemed of more interest than that relating to one district in isolation, for what it is worth, the Postal Service has already provided, in response to an OCA request, nationwide information in a much more concise format than whatever responsive information might be developed under the approach set forth in DFC/USPS-21. In summary, the Postal Service objects to DFC/USPS-21 as untimely, irrelevant, and unduly burdensome.

The text of DFC/USPS-22 reads as follows:

DFC/USPS-22. Please provide the number of collection boxes of all types operated by the Postal Service as of October 1, 1999, October 1, 2000, and October 1, 2001.

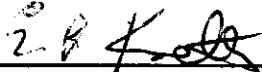
Essentially, the Postal Service has already provided this information in response to OCA/USPS-225. The only difference is that the figures provided in response to that question pertain to the end of the PFY (i.e., September), whereas Mr. Carlson has requested figures from the beginning of the GFY (i.e., October 1). Since the information has already been provided, however, the Postal Service objects to DFC/USPS-22 as unduly repetitious and cumulative. Moreover, as discussed above with regard to DFC/USPS-21, DFC/USPS-22 is also untimely.

Therefore, the Postal Service objects to DFC/USPS-21 and 22.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorney:



Eric P. Koetting

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.



Eric P. Koetting

475 L'Enfant Plaza West, S.W.
Washington, D.C. 20260-1137
(202) 268-2992; Fax -5402
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