

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 RESPONSES TO DBP/USPS-106 AND 111
(December 21, 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 December 17, 2001, motion of David Popkin seeking to compel a response to DBP/USPS-106 and 111.

DBP/USPS-106

In response to DBP/USPS-57, the Postal Service filed a copy of the Handbook M-22, Dispatch and Routing Policies. DBP/USPS-106 asked the Postal Service to identify which portions of that Handbook provides guidelines for converting the DMCS § 252 requirement for expeditious handling and transportation into 1-day, 2-day and 3-day service standards. The Postal Service responded by indicating that it considered all portions of the M-22 pertinent to First-Class Mail to be responsive.

Mr. Popkin has now filed a motion to compel on the basis that the answer is non-response because it does not include page or section references. It is the view of the Postal Service, the author and interpreter of the M-22, that so much of the document applies to First-Class Mail routing and dispatch that it is reasonable to regard the entire document as responsive, except for those portions that refer exclusively to another mail class. A lot of the sections pertain to dispatch and routing of mail generally and, therefore, would apply to First-

Class Mail. Some sections are self-evidently not applicable to First-Class Mail (applying explicitly to Express Mail or International Mail or Third-Class Mail).

Lucky for Mr. Popkin, there is a Table of Contents at the beginning of the M-22. At his own peril, Mr. Popkin is free to try to persuade the Commission that he is incompetent to read the M-22 or its Table of Contents to identify sections that relate exclusively to mail other than First-Class Mail. His history of participation in Commission proceedings for the purpose of focusing on arcane matters and hyper-technical distinctions in numerous other areas suggests otherwise.

DBP/USPS-111

In USPS LR C2001-3/1, file OCA-12B-1.xls, the Postal Service has provided all of the drive times between the origins and destinations in its 2-day/3-transportation network model. The Postal Service did not project drive times for origin-destination pairs that were not part of its network model. Thus, it is unreasonable to expect the Postal Service to research or calculate drive times between various postal facilities outside the model at the whim of an intervenor. Drive times between cities (and specific locations in those cities) can be estimated by anyone who has access to any one of a variety of Internet mapping services, such as MapQuest, or has access to any one of the many different mapping software packages like PC Miler that are on the market. A Rand McNally Road Atlas may also be useful. The development of drive time estimates that are not part of the USPS model do not depend on any information exclusively within the possession and control of the Postal Service. Accordingly, the Postal Service should not be burdened with conducting field studies to measure distances and drive times of interest to Mr. Popkin. He is free to develop these estimates independently of the Postal Service.

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Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

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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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December 21, 2001