

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

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POSTAL RATE AND FEE CHANGES, 2001

Docket No. R2001-1

POSTAL RATE AND FEE CHANGES
OFFICE OF THE CLERK

OPPOSITION OF UNITED STATES POSTAL SERVICE TO DAVID B. POPKIN
MOTION TO COMPEL A RESPONSE TO INTERROGATORY DBP/USPS-83
(December 26, 2001)

The United States Postal Service hereby opposes David B. Popkin's Motion to Compel a response to interrogatory DBP/USPS-83. Mr. Popkin has failed to show that the requested information is relevant.

DBP/USPS-83 provides:

Please refer to the response made to Presiding Officer's Information Request No. 5 Question No. 8 and, in particular, the response to subpart c.

- [a] Please provide a listing of the AMCs and PMPCs that are located within the state of California.
- [b] Please provide a listing for each California AMC/PMPC showing the other AMC/PMPCs that they typically forward Priority Mail to by a means other than through the FedEx Memphis Hub.
- [c] Please provide a listing of the three-digit ZIP Code prefixes that dispatch mail to and receive mail from each AMC/PMPC in California as well as those AMC/PMPCs that are not in California but appear in the response to subpart b.
- [d] Please confirm, or explain if you are not able to do so, that virtually all Priority Mail originating in Los Angeles, California and destined to points more than 1800 miles away will typically be transported through the FedEx Memphis Hub.
- [e] Please confirm, or explain if you are unable to do so, that all Priority Mail which is transported by FedEx air to and/or from the FedEx Memphis Hub will typically be transferred to or from FedEx at a USPS AMC or PMPC.

Mr. Popkin now claims that “[t]he objective of this interrogatory was to determine if there are any mailers of Priority Mail at the lowest zoned rate of Local/Zone 1-2-3 will have that mail typically sent via the FedEx Memphis Hub so that it will require the transportation of the mail from California to Tennessee and back to California at the same price [the Local Zone 1-2-3 rate] as the Postal Service charges for mail . . . that is delivered across town in the originating city.” Popkin Motion to Compel at 4. Although the Postal Service is appreciative of Mr. Popkin’s explanation as well as his apparent narrowing of the scope of subparts (a) through (c) of his interrogatory, Mr. Popkin’s explanation still does not establish relevance.¹ It is the Postal Service’s business, not Mr. Popkin’s or other participants’ or the Commission’s, to best decide on the proper and most efficient routing of mail. Moreover, whether a piece goes back and forth on FedEx through the Memphis hub does not necessarily mean greater or lesser transportation costs. As witness Picket has stated, “Test Year FedEx network costs are treated as non-distance related in light of the fact that there is no mileage component to the rates FedEx charges for transportation service.” USPS-T-17, at 3.

Also, the information requested in subparts (d) and (e) is likewise not relevant. Whether Zone 8 Priority Mail is typically transported through the Memphis hub and what type of postal facility is involved in the transfer of mail to FedEx simply are not materially related to issues in this proceeding.

The Postal Service should not be required to answer. Thus, it requests that Mr. Popkin’s motion to compel be denied.

¹ Mr. Popkin’s explanation and his apparent narrowing of the scope of subparts (a) through (c) of his interrogatory have alleviated the Postal Service’s concerns over burdensomeness and commercial sensitivity.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

Daniel J. Foucheaux, Jr.
Chief Counsel, Ratemaking



Susan M. Duchek

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.



Susan M. Duchek

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