

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 INTERROGATORIES OF DAVID B. POPKIN
(DBP/USPS-123(B)-130(A-C), 131-137, AND 138(C-H))
(January 7, 2002)

The United States Postal Service hereby objects to interrogatories DBP/USPS-123(b) to 130(a-c), 131 to 137, and 138(c-h), filed on December 26, 2001, on the grounds of relevance, materiality, burden, and improper follow-up.

Interrogatories DBP/USPS-123(b-d), 124 to 129, 130(a-c), and 131 to 135, ask, for each Postal Service Area:

were all return receipts signed [this also includes an automated signing system] prior to the time that the control of the mail was transferred from the Postal Service to the addressee or at a later, more convenient time? If not signed prior to transfer of control, please provide all details and the method utilized. If an automated signing system was utilized, please provide details including a sample copy of the Form 3811.

These interrogatories purport to follow up on the Postal Service's response to interrogatory OCA/USPS-236, which provided Area Vice President reports on certified mail/return receipt operations during the 2001 tax season, along with certified mail action plans for three Northeast Area facilities. While each question refers to the Vice President memorandum for a particular area (or for 134, to the certified mail action plan for Albany), the questions are not proper follow-up. Nothing in the attachments raised new issues about return receipt processing that justify the filing of these

questions after the deadline for discovery. Instead, the method of return receipt processing was already an issue during the regular discovery period. These are the type of questions that were asked by Mr. Popkin and other participants prior to the end of discovery against the Postal Service on November 26, 2001. The response to OCA/USPS-236 does not open up this more detailed questioning after the deadline for discovery against the Postal Service.

The exact procedures in each Area also are not relevant or material to the resolution of any issue in this proceeding. The record already shows the variety of processes used by the Postal Service for processing certified mail and return receipts addressed to tax agencies. Also, procedures at particular facilities may change for the upcoming tax season, and thus before the test year. Finally, obtaining information about certified mail /return receipt processing from each Area is in the nature of a study that would be burdensome to complete, requiring upwards of 100 hours. In this regard, practices are not uniform by Area, so inquiries would need to be made to many facilities for each Area.

Interrogatory DBP/USPS-136 requests a description of "the procedures that are utilized to ensure that all Priority Mail with Delivery Confirmation addressed to an IRS or state tax return center will be properly scanned at delivery." The interrogatory also asks for "the specific point of activity [from the processing plant to the ultimate transfer of control to the addressee] at which the scanning of delivery will take place." This interrogatory apparently seeks to follow up on one paragraph of one page from the action plans attached to OCA/USPS-236. That paragraph briefly discussed the need

to isolate Priority Mail containing tax returns, but it does not justify follow-up asking for procedures to ensure scanning for Priority Mail with Delivery Confirmation addressed to tax agencies. Instead this interrogatory could have been asked before the November 26, 2001 deadline for institutional discovery. This interrogatory is also burdensome, since the Delivery Confirmation procedures for delivery to tax agencies vary from plant to plant. Preparing a response for all such facilities would take tens of hours. Finally, the procedures for one limited type of Delivery Confirmation recipient lack relevance and materiality to any issue in this proceeding.

Interrogatory DBP/USPS-137 asks for details about a chart provided as an attachment to the action plan for Andover, Massachusetts. The chart appears to provide information about sampled trays for Andover on one day last year. Detailed information about this chart is not relevant and material to any issue in this proceeding. It would also be burdensome to obtain the requested information, including additional data, from the field site, given its lack of relevance.

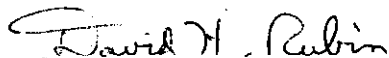
Interrogatory DBP/USPS-138 purports to follow up on an attachment providing a flow chart for certified mail processing in Hartford. The requested details are not relevant and material to the issues in this proceeding. Moreover, except for parts a and b, the questions could have been asked before the deadline for institutional discovery. Providing a flow chart does not open up more general questions about the

certified mail procedures in Hartford. The questions are also burdensome, requiring a study of the detailed procedures at Hartford.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

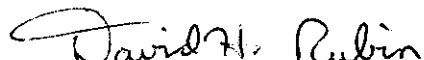
By its attorney:



David H. Rubin

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

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