

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

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POSTAL RATE AND FEE CHANGES, 2001

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Docket No. R2001-1

RESPONSE OF UNITED STATES POSTAL SERVICE  
TO INTERROGATORIES OF DAVID B. POPKIN  
(DBP/USPS-86-87, 91, 97-100, and 103)

The United States Postal Service hereby provides the responses to the following interrogatories of David B. Popkin: DBP/USPS-86-87, 90-91, 97-100, and 103, filed on December 17, 2001.

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

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

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January 8, 2002

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**DBP/USPS-86** Please refer to your response to DBP/USPS-28. I am confused by the response to subpart d which states that 19% of the mail is not processed through a machine equipped with a Certified Mail Detector [CMD] while the responses to the other subparts appear to indicate that CMDs are in place for all mail. Please clarify and, if necessary, reanswer those parts of DBP/USPS-28 as needed.

**RESPONSE:**

Certified Mail Detectors are in place on all barcode sorters. However, not all letters and cards are either machinable or destined for an automated zone. The CMD would not be needed in these instances since both a clerk and carrier will manually case these pieces and be able to identify and isolate them. Since certified mail pieces pulled out on BCSs during incoming secondary processing are not finalized to carrier route, sector segment, or delivery point sequence today, they are included in the 19 percent not sorted on automation at least to carrier route even though the CMD was used for isolation.

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**DBP/USPS-87** Please refer to your response to DBP/USPS-35. Your response to subparts b and d through g refers to a response to Docket R2000-1. Subpart d requires update information. Please respond to the original subpart d.

**RESPONSE:**

As already stated in the referenced interrogatory response (DBP/USPS-62-d from Docket No. R2000-1), the information is not available.

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**DBP/USPS-91** Please refer to your response to DBP/USPS-69. The interrogatory asked for an explanation if you were not able to confirm my statement. That explanation was not provided. Please advise why you are not able to confirm my statement.

**RESPONSE:**

The time of delivery is when the mailpiece or a notice for pickup is placed in the post office box, regardless of customer accessibility.

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**DBP/USPS-97** Please refer to your response to DBP/USPS-66 subpart a. I would like to clarify the definition of a box. [a] Is there any particular shape that a box is restricted to? If so, what are they? [b] May it be in a rectangular solid shape [similar to a cereal box]? [c] May it be in a cylindrical shape [similar to a tin can]? [d] Is there a minimum size limit other than the requirement to contain the required indicia noted in AMZ/USPS-T36-1 subpart d on one face of the box? If so, what is it? [e] Is there any restriction on the material that may be used for the box [so long as it would be mailable without the Delivery or Signature Confirmation service]? If so, please explain. [f] May the box be made of a cardboard similar to that which is used for a Priority Mail flat rate envelope?

**RESPONSE:**

**The following provides responses based on the current implementation plans.**

- a. No.
- b. Yes.
- c. Yes.
- d. No.
- e. Assuming that the piece is otherwise mailable under DMM C010, there are no restrictions on the box material.
- f. Yes.

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**DBP/USPS-98** Please refer to your response to DBP/USPS-71. [a] Please advise when the wording will be available. [b] Please provide a draft of the proposed wording in a similar manner to that which was provided for the definition of a parcel in Delivery or Signature Confirmation in AMZ/USPS-T36-1. [c] Will the words or concept of under “rare circumstances” and/or “extraordinarily rare” and/or “circumstances beyond the control of the Postal Service” be included in the DMM and/or on the Express Mail label and/or in communications to all postal facilities? If so, provide details. [d] Please explain why the words or concept of under “rare circumstances” and/or “extraordinarily rare” and/or “circumstances beyond the control of the Postal Service” are not included in the proposed DMCS wording.

**RESPONSE:**

- a) When the Postal Service publishes its proposed implementation rules.
- b) Objection filed.
- c) That is possible.
- d) The circumstances in which claims are paid are considered an issue for interpretative rulemaking and/or management discretion.

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**DBP/USPS-99** Please refer to your response to DBP/USPS-71 subpart c. [a] Please advise which words in the proposed DMCS Section 182.51 relate to applying only under “rare circumstances” and/or “extraordinarily rare” and/or “circumstances beyond the control of the Postal Service”. [b] If there are no such words, please explain why the proposed DMCS wording does not contain such words or words of similar import. [c] Please confirm that the words “delay or cancellation of flights” contained in proposed DMCS Section 182.51d do not specify the minimum delay that constitutes a delay and therefore a delay of even one minute in a flight would excuse the Postal Service from providing a refund. [d] Please confirm that the words “delay or cancellation of flights” contained in proposed DMCS Section 182.51d do not specify that the delay or cancellation of a flight need be the cause of the failure of timely delivery. [e] Please confirm that the Postal Service has a series of “transportation networks” in place for the acceptance, transportation, and delivery of Express Mail that includes all activities related to the acceptance, transportation, and delivery of Express Mail starting at the acceptance of the article and ends with the ultimate delivery of the article. [f] Please confirm that with the exception of mail to or from the 20 facilities noted in the response to subparts a, b, and c of DBP/USPS-65, Express Mail will arrive at all other facilities 365/6 days a year, will arrive in time to allow for delivery at all authorized addresses within the delivery area of that facility by the scheduled delivery time no later than the second day after mailing, and that the various “transportation networks” are in place to allow for this. [g] Please confirm that there are “transportation networks” in place to allow for Express Mail which is guaranteed for overnight delivery to arrive at all facilities scheduled for that service 365/6 days a year, to arrive in time to allow for delivery at all authorized addresses within the delivery area of that facility by the scheduled delivery time on the day after mailing. [h] Please confirm that with the exception of mail to or from the 20 facilities noted in the response to subparts a, b, and c of DBP/USPS-65, any failure to meet the timely delivery of an Express Mail article would be as a result of one or more “breakdowns in transportation networks”. [i] Please confirm that proposed DMCS Sections 182.51 and 182.52 are mutually exclusive, namely, the concept of “extraordinary reasons” does not apply to the circumstances contained in Section 182.51. [j] Please confirm that at the present time a mailer desiring a refund will go to a postal facility and make a request and the postal facility will check on the tracing network and confirm that delivery or attempted delivery was or was not made on time and if it was not made on time will make the refund. [k] Please confirm that the current postal tracking system will not provide any information as to the reason for the failure to be delivered on time. [l] What changes will be made to the tracking system to allow for this information? [m] When will these changes be implemented?

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**DBP/USPS-99 (CONTINUED)**

[n] Will this information also be made available on the public tracking system? If not, why not? [o] Please explain and discuss any subparts that you are not able to confirm.

**RESPONSE:**

a-b) See response to DBP/USPS-98(d).

c) The example cited is not the intended application.

d) The DMCS is not worded as the question posits.

e) As a general description, it is accurate.

f) Confirmed.

g) Confirmed.

h) The broad interpretation suggested in the question is not the intended application of the proposed change.

i) It can be confirmed that the term "extraordinary reasons" is not included in proposed 182.51.

j) Confirmed.

k) Confirmed.



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l, m and n) There is no reason to track the reasons for the delay, since the circumstances in which refunds would be denied would be rare, and local officials will be well aware of the circumstances of particular shipments for which a limitation is cited as a reason to deny a claim. Again, it is emphasized that the circumstances in which refunds would be denied would be rare.

o) See explanations above.

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**DBP/USPS-100** Please refer to your response to DBP/USPS-71 subparts d and e. [a] If you are not able to provide any instances where this added authority would have been utilized prior to September 11<sup>th</sup>, please explain why each of the specific proposals is being made to the DMCS [namely, subparts a through h of Section 182.51 as well as Section 182.52] [b] Since the filing for this Docket was made only 13 days after September 11<sup>th</sup>, was this proposed change to the DMCS proposed prior to September 11<sup>th</sup> or was it a last minute change made to the proposal after the events of September 11<sup>th</sup>?

**RESPONSE:**

- a) For the reasons specified in USPS-T-35 at pages 26-27.
- b) Objection filed.

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**DBP/USPS-103** Please refer to your response to DBP/USPS-81. [a] Please advise the reasons for making each of the changes to the nonmachinable criteria contained in the original Testimony USPS-T-39 as compared to the attachment to DBP/USPS-81 - additions to the criteria, deletions from the criteria, and changes in the wording of a criteria. [b] Is non-rectangular letter size mail even mailable? [c] The surcharge has been added to apply for pieces more than 4-1/4 inches high or 6 inches long, if the thickness is less than 0.009 inches. If part of the mailpiece is less than 0.009 inches thick and the remainder of the mailpiece is 0.009 inches thick or thicker, will the surcharge apply? If not, does the proportion of the mailpiece that is less than 0.009 inches thick vs. the part that is 0.009 inches thick or thicker have any bearing on the response? If so, what bearing does it have? [d] How will payment of the surcharge on a 6 by 9-inch one-ounce letter with a metal clasp reduce the possibility of a jam, damage to the mailpiece, or damage to the equipment? [e] My original subpart c was attempting to make the distinction that the word loose only appeared before coins so that coins could be attached to an insert while a key would require the surcharge whether it was loose or not. Please reanswer. [f] If a non-bulky key could be secured, how does the wording allow for mailing without the surcharge? [g] How lumpy is the lumpy in criterium d? [h] Why does the degree of lumpyness in criterium d depend on the rigidity in criterium e? [i] How does a mailer of a single piece of mail make the determination as to whether or not the letter is too rigid and therefore requires payment of the 12-cent surcharge? Will all retail counters have a device to measure compliance with this criteria? [j] If the 5-degree skew tolerance is applied, how will the mailer of a single piece of mail make that determination as to whether the surcharge is required? Will all retail counters have a device to measure compliance with this criteria? [k] How would that 5-degree skew tolerance apply to handwritten addresses? Would it apply to all lines of the address and to all parts of each line of the address to which it applies? [l] How will the mailer of an article described in subparts l, m, or n of my original interrogatory know that the surcharge does not apply after reading the proposed criteria? [m] The response to subpart x of my original interrogatory appears to answer "no" to all four criteria of the addressing but only identifies the legibility in the following sentence. What is the status of neatness, size, and other characteristics of the addressing?

**RESPONSE:**

a. The criteria listed in USPS-T-39 were intended to be a comprehensive list of piece characteristics that result in nonmachinability. The attachment to DBP/USPS-81 is the most recent list of criteria to be used for determining the nonmachinable surcharge applicability. Any differences between the two or changes to the surcharge criteria are intended to result in rules that will identify a vast majority of the nonmachinable pieces,

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while being objectively understood and easily implemented. For example, the glossy criteria included in USPS-T-39 does not meet this standard since we can make the piece machinable with LMLM labels and, therefore, is not included in the surcharge criteria.

b. All pieces that are 1/4" thick or less must be rectangular (see DMM C010.1.1). Yet, occasionally non-rectangular pieces do show up in collection boxes since the general public is not fully aware of all existing criteria.

c. Yes, though .009 inches is about the thickness of a piece of cardstock, and it is not likely that a letter with an enclosure that is not of uniform thickness could be less than .009 inches thick in some places.

d. The surcharge will not prevent nonmachinable pieces from potentially disrupting automated processing if processed on equipment. However, the surcharge will go towards compensating for the extra handling costs associated with nonmachinable pieces.

e. Multiple coins loose in an envelope could stack on top of each other, creating a very thick and unwieldy piece. It is less likely that someone would mail multiple keys in an envelope.

f. A non-bulky key (such as a house key) firmly affixed to a piece of cardboard would be mailable, and no surcharge would apply. A bulky key (such as a vehicle key with the thick plastic at the top) in an envelope would pay the surcharge, regardless of whether or not that key was affixed to anything.

g. It is expected that this criterion would only apply to pieces that are obviously lumpy when visually inspected or by touch. Exact criteria will not be defined for "lumpy".

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- h. It does not. The criteria for nonmachinability are independent of each other.
- i. The Postal Service is currently working internally to determine the best way to objectively measure rigidity in a way that will apply the surcharge consistently to business and retail customers.
- j & k. The attachment to DBP/USPS-81 of draft requirements does not include “skew”. Common sense is expected to be sufficient to determine whether an address is not parallel to the longest dimension.
- l. After reading the proposed criteria, the mailer would know that the surcharge would apply to a self-mailer with the “folded-edge” on the shortest edge or a booklet-type piece with the binding on the shortest dimension regardless of the use of tabs, wafer seals, or other fasteners.
- m. Addressing characteristics are not part of criteria for nonmachinability.

## 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.

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January 8, 2002