

DOCKET SECTION

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

RECEIVED

POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

POSTAL RATE AND FEE CHANGES, 1997

Docket No. R97-1

OBJECTION OF UNITED STATES POSTAL SERVICE TO INTERROGATORY OF DAVID B. POPKIN DIRECTED TO THE UNITED STATES POSTAL SERVICE (DBP/USPS-68)

In accordance with Rules 25 and 26 of the Commission's Rules of Practice and Procedure, the Postal Service objects to interrogatory DBP/USPS-68 directed to the Postal Service and filed on September 10, 1997.¹

Subparts (a) through (p) of interrogatory 68 request confirmation that the Postal Service or its predecessor has issued various types and categories of stamps, such as air-mail, special delivery, and parcel post stamps. Subpart q asks the Postal Service to identify the uses that may be made of each category of stamp issued by the Postal Service or its predecessor since 1860. Subparts (r) through (u) ask for information about the uses of special delivery stamps.

Interrogatory 68 is objectionable on grounds of relevance. The information sought in these interrogatories is plainly immaterial to the issues before the Commission and would drastically expand the scope of this proceeding. The types and uses of stamps issued since 1860 would be of no utility in evaluating the Postal Service's rate and classification proposals in this docket. While this information may be of interest to philatelists or hobbyists, it simply has no bearing on the Commission's evaluation of the classification and pricing criteria of 39 U.S.C. §§ 3622

¹ Presiding Officer Ruling No. R97-1/21 established September 25, 1997 as the due date for filing objections to this and other interrogatories that were filed by Mr. Popkin on September 10, 1997.

and 3623.

Mr. Popkin's inquiry regarding the use of special delivery stamps, moreover, is also beyond the scope of this proceeding. Special delivery was eliminated pursuant to the Governors' approval of the Commission's Recommended Decision in Docket No. MC96-3. The consequences of that proposal, along with issues arising from implementation, should have been raised in that proceeding and subsequent rulemakings. Further attempts to relitigate matters concerning the implementation of special delivery are accordingly barred by the doctrines of *res judicata* and claim preclusion.²

WHEREFORE, the United States Postal Service objects to interrogatory DBP/USPS-68.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

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² The Postal Service further notes that many of the issues raised in interrogatory 68 were squarely addressed by the Postal Service in response to comments received on its supplementary final rule on implementation standards for Special Services Reform. See 62 Fed. Reg. 31512, 31514 (June 10, 1997).

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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