

DOCKET SECTION

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, 1997

Docket No. R97-1

OBJECTION OF UNITED STATES POSTAL SERVICE
TO INTERROGATORIES DPB/USPS 8[r], 8[t], 10-12, 13[a]-[h], and 39[k]-[l]
OF DAVID B. POPKIN TO THE POSTAL SERVICE
(September 25, 1997)

On September 8, 1997, David B. Popkin submitted a large volume of institutional interrogatories to the Postal Service. Presiding Officer's Ruling No. R97-1/21 directs the Postal Service to file objections to these interrogatories by today. The Postal Service hereby files a portion of its objections to these interrogatories.^{1/}

The Postal Service objects to interrogatory subpart 8[r], which requests a detailed description of the mail handling systems affecting Priority Mail, First-Class Letters and Sealed Parcels, and First-Class Cards. The grounds for objection are as follows:

1. The interrogatory is overbroad, asking for extensive information regarding a broad topic with little indication of its relevance to the issues in this proceeding.
2. The general information sought, while of interest to Mr. Popkin, appears to have only marginal relevance to the issues of this case.

¹ Resource limitations, combined with the immense volume and unfocussed nature of the interrogatories, compels the Postal Service to provide its objections today through several different attorneys in separate pleadings.

3. To provide a detailed description of the ways in which the handling of these types of mail may occur at different locations, and then explain any difference in handling between them would be unduly burdensome.

The Postal Service also objects to interrogatory subpart 8[t], which requests an explanation regarding why Priority Mail is not advertised in a certain way. The grounds for objection are as follows:

1. The interrogatory is not reasonably calculated to lead to the production of admissible evidence.

2. The information sought, while of interest to Mr. Popkin, appears to have only marginal relevance to the issues of this case.

The Postal Service also objects to interrogatory 10, which consists of a plethora of questions regarding minute details of the service expected to be received by particular types of Express Mail, particularly “A” label and “B” label Express Mail sent from varying locations to varying locations. The grounds for objection are as follows:

1. The information sought, while of interest to Mr. Popkin, appears to have only marginal relevance to the issues of this case.

2. The interrogatory is not reasonably calculated to lead to the production of admissible evidence.

3. To provide a response to all 36 subparts of this detailed question, especially those which request a comprehensive listing of exceptions to permitted delivery destinations and the like, would impose an undue burden on the Postal Service.

The Postal Service also objects to interrogatory 11, which consists of many questions generally related to acceptance availability, acceptance cut-off times, available delivery areas, and other details of Express Mail service. The grounds for objection are as follows:

1. The information sought, while of interest to Mr. Popkin, appears to have only marginal relevance to the issues of this case.

2. The interrogatory is not reasonably calculated to lead to the production of admissible evidence.

3. To provide a response to all subparts of this question would impose an undue burden on the Postal Service.

The Postal Service also objects to interrogatory 12, which consists of many detailed questions generally related to the delivery service likely to be received by an Express Mail piece under varying hypothetical conditions relating to unspecified delivery offices. The grounds for objection are as follows:

1. The information sought, while of interest to Mr. Popkin, appears to have only marginal relevance to the issues of this case.

2. The interrogatory is not reasonably calculated to lead to the production of admissible evidence.

3. To provide a response to all subparts of this question would impose an undue burden on the Postal Service.

The Postal Service also objects to interrogatory subparts 13[a] through 13[h], which consists of many questions generally related to the rate structures for Priority Mail and for First-Class mail, most of which request the confirmation of, and/or tabulation of, information relating to the history of such rates, information which is publicly available at various locations, including the Commission, the Postal Service library, and virtually any library with collections of, or access to, the Federal Register. The interrogatory further requests that arithmetic specific operations be performed on the requested tabulated rate information. The grounds for objection are as follows:

1. The information sought, while of interest to Mr. Popkin, appears to have only marginal relevance to the issues of this case.

2. The interrogatory is not reasonably calculated to lead to the production of admissible evidence.

3. To provide a response to all subparts of this question would impose an undue burden on the Postal Service, especially insofar as the information sought is publicly available and as susceptible to tabulation and manipulation by Mr. Popkin as by hard-pressed Postal Service witnesses.

The Postal Service also objects to interrogatory subparts 39[k], and [l], which request creation of various ambiguously-specified rate charts and questions generally related to the rationale for various pound charges revealed by the charts. Once again, the requested charting can be performed by Mr. Popkin with information made available with the Postal Service's filing. The grounds for objection are as follows:

1. The question is unduly vague.

2. To provide a response to these subparts would impose an undue burden on the Postal Service, especially insofar as the information sought is publicly available and as

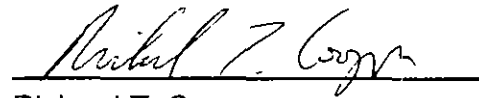
susceptible to tabulation and manipulation by Mr. Popkin as by hard-pressed Postal Service witnesses.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

Daniel J. Foucheaux, Jr.
Chief Counsel, Ratemaking

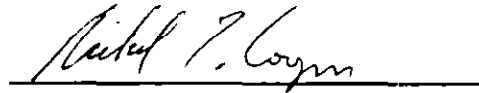
A handwritten signature in cursive script, appearing to read "Richard T. Cooper", is written over a horizontal line.

Richard T. Cooper

475 L'Enfant Plaza West, S.W.
Washington, D.C. 20260-1137
(202) 268-2993; Fax -5402
September 25, 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.

A handwritten signature in cursive script, appearing to read "Richard T. Cooper", is written over a horizontal line.

Richard T. Cooper

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