

BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON DC 20268-0001

EXPERIMENTAL PRIORITY MAIL
FLAT-RATE BOX, 2004

Docket No. MC2004-2

DAVID B. POPKIN OPPOSITION TO THE MOTION OF THE UNITED STATES POSTAL
SERVICE FOR ESTABLISHMENT OF FINAL PROCEDURAL STEPS

August 23, 2004

Respectfully submitted,

August 23, 2004

David B. Popkin, PO Box 528, Englewood, NJ 07631-0528

MC20042U

On August 19, 2004, the Postal Service filed the Motion of the United States Postal Service for Establishment of Final Procedural Steps ["Motion"]. The filing of this Motion is premature. Discovery is still outstanding and I would like to evaluate the responses to the outstanding discovery, in particular but not limited to, the responses to DBP/USPS-T2-32 which seeks draft copies of the graphics and text that would appear on the flat-rate Priority Mail boxes and DBP/USPS-T2-34 which requests production of any draft copies of the communications plan the Service intends to use in introducing the flat-rate boxes. It would appear that the Postal Service ignored my concerns in their Second Status Report on Settlement filed August 5, 2004 as well as in the current Motion.

I believe that it is important that the Commission take whatever steps necessary to ensure that the Postal Service will inform mailers of the distinction between the flat-rate and non-flat-rate boxes and their associated rates to ensure that mailers will be able to make an educated decision and not have a similar situation that existed during the previous rate cycle where the Priority Mail flat-rate envelope had a rate which was not the minimum postage rate as it had been both prior to that rate cycle and in the current rate cycle.

For the reasons provided, the Motion shall either be dismissed as premature or held in abeyance until discovery is complete and the participants have had time to evaluate the responses.

The Postal Service indicates that it hopes that Priority Mail flat-rate boxes may yet be available to customers prior to this year's holiday parcel mailing system. It is the Postal Service that is delaying the proceeding by not making its draft copies of the box design and communications plan available for evaluation. My original interrogatory DBP/USPS-T2-12 filed on June 4, 2004 brought this to their attention and it has now been some 2-1/2 months plus and the information has yet to be produced.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon the required participants of record in accordance with Rule 12.

August 23, 2004

David B. Popkin