

BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON DC 20268-0001

EXPERIMENTAL PREMIUM
FORWARDING SERVICE

Docket No. MC2005-1

DAVID B. POPKIN
MOTION TO COMPEL RESPONSE TO DBP/USPS-T1-76-80

February 28, 2005

Respectfully submitted,

February 28, 2005

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

MC20051R

On February 23, 2005, the Postal Service made an objection to responding to my interrogatories DBP/USPS-T1-76-80 that were submitted by me on February 14, 2005. The purpose of these interrogatories was to follow-up on the Postal Service's response to DBP/USPS-T1-64.

RESPONSE OF POSTAL SERVICE WITNESS COBB
TO DAVID B. POPKIN INTERROGATORY

DBP/USPS-T1-64. This interrogatory relates to the use of orange Priority Mail pouches as a container for the reshipment of PFS to temporary addresses.

Please confirm, or explain if you are unable to do so, that

- (a) the Postal Service utilizes orange Priority Mail pouches;
- (b) these Priority Mail pouches are normally utilized to transport mail via Priority Mail between postal facilities.
- (c) these Priority Mail pouches are also utilized for drop shipments.
- (d) Please advise all uses of orange Priority Mail pouches for other than transporting mail between postal facilities, namely a non-postal employee is the preparer of the originating pouch and/or is the recipient of the pouch and opens it up.
- (e) Please confirm, or explain if you are unable to do so, that an orange Priority Mail pouch could be physically utilized as a container for reshipping PFS mail by placing the mail inside the pouch, closing the pouch, affixing a tag to the pouch showing that it should be transported to the PFS customer's temporary address, indicating that the PFS postage has been paid, transporting the pouch to the temporary address, and delivering it to the addressee.
- (f) Does the Postal Service plan to utilize orange Priority Mail pouches for reshipping PFS mail should that size pouch be an appropriate size container for the quantity of mail being reshipped?
- (g) If not, why not?

RESPONSE:

(a) Confirmed.

(b) I understand that the pouches are normally used to transport Priority Mail pieces within the Postal Service.

(c) Confirmed.

(d) My understanding is that orange Priority Mail pouches are used for transporting Priority Mail among postal facilities, so neither mailers nor delivery customers would ordinarily touch them. The one exception I have found consists of use with Priority Mail drop shipments, wherein the mailer actually places multiple items in an orange sack which is then opened at the destination facility.

(e)-(g) The Postal Service does not plan to use the pouch as a container for PFS shipments, even if it was physically capable of being utilized. While my understanding is that Priority Mail drop shippers receive pouches in order to prepare their shipments, the Postal Service rarely delivers mail in a pouch. Pouches are not intended for the delivery of mail to individuals or households; therefore, they would not be used for the PFS package.

The purpose of this interrogatory and the follow-up interrogatories DBP/USPS-T1-76-80 was to develop information that would allow me to make a presentation on Brief that would show that it was possible for the Postal Service to utilize orange Priority Mail pouches as a container for the weekly PFS shipment should the quantity of mail to be reshipped warrant the use of one of these pouches rather than one of the standard size containers that the Postal Service has proposed using. One of my major concerns with the PFS proposal will be the added costs to the users of the service that will result from the separate shipment of parcels and packages [that are not paid for at the Express Mail, Priority Mail, or First-Class Mail rates] that do not fit inside one of the proposed containers. This separate shipment of these parcels or packages will be done at the Priority Mail rates and the postage for them will be collected from the customer as postage due. The PFS weekly charge of \$10 will cover the cost of reshipment of all mail that the customer receives regardless of the class of mail so long as the mail will fit inside a container and does not require a scan or collection of postage due.

Just because the Postal Service witness states that they do not want to utilize the orange Priority Mail pouches as a container for PFS shipments does not preclude me from attempting to obtain appropriate information to allow me to argue on Brief that the utilization of these pouches should be permitted when the size and volume of mail to be reshipped would warrant their use.

As such these interrogatories are reasonably calculated to lead to the discovery of admissible evidence and for the above reasons, I move to compel a response to DBP/USPS-T1-76-80.

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.

February 28, 2005

David B. Popkin