

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

POSTAL RATE AND FEE CHANGES
PURSUANT TO PUBLIC LAW 108-18

Docket No. R2005-1

OBJECTION OF THE UNITED STATES POSTAL SERVICE TO
INTERROGATORIES OF DOUGLAS F. CARLSON
(DFC/USPS-101-102)
(July 11, 2005)

The United States Postal Service hereby objects to interrogatories DFC/USPS-101 and 102, filed by Douglas F. Carlson on June 30, 2005, on the grounds of relevance, and, for some parts, burden and improper follow-up.

These interrogatories ask for more details about the procedures for delivering Certified Mail with return receipt service to the IRS, as follows.

- DFC/USPS-101.** Please refer to the revised response to DFC/USPS-32 that the Postal Service filed on June 21, 2005.
- a. In instances in which the Postal Service does not obtain signatures on green return-receipt cards before transferring the mail, along with the return-receipt cards, to the recipient, please explain how the Postal Service ensures that the recipient returns every return receipt to the Postal Service.
 - b. In instances in which the Postal Service does not obtain signatures on green return-receipt cards before transferring the mail, along with the return-receipt cards, to the recipient, please explain how the Postal Service ensures that the return receipts are filled out completely and correctly.
 - c. In instances in which the Postal Service does not obtain signatures on green return-receipt cards before transferring the mail, along with the return-receipt cards, to the recipient, please confirm that the Postal Service would not know if the recipient retained a return receipt and did not return it to the Postal Service. If you do not confirm, please explain.

DFC/USPS-102. Please refer to the response to DBP/USPS-145.

- a. Under procedure 1 identified in the response, please explain how the Postal Service ensures that the recipient returns every Certified Mail item to the Postal Service for the Postal Service to scan the Certified Mail item as delivered.
- b. Under procedure 1 identified in the response, please explain how the Postal Service ensures that the date of delivery that is entered into the Postal Service's database is the actual date of delivery.
- c. Please confirm that a failure to scan a Certified Mail item as delivered will prevent a customer from receiving an electronic return receipt that he may have purchased.
- d. Please confirm that a failure to enter the actual date of delivery of a Certified Mail item into the Postal Service's database will cause an electronic return receipt that the customer may have purchased to show the wrong date of delivery.
- e. Under procedure 2, please explain how the Postal Service ensures that the IRS returns every return receipt to the Postal Service and that the IRS stamps the correct date of receipt on the return receipts.

The Postal Service provided some detail about these delivery procedures in its revised response to interrogatory DFC/USPS-32, and its partial response to interrogatory DBP/USPS-145, both filed on June 21, 2005. However, the Postal Service also objected to providing additional information about the procedures for delivery of this mail to the IRS, believing that the information already provided is more than sufficient to deal with the issues in this proceeding.¹ While the burden of DFC/USPS-101 and 102 is less than that of DBP/USPS-145, the objections to DBP/USPS-145 apply to those interrogatories also.

¹ Partial Objection of the United States Postal Service to Interrogatory of David B. Popkin (DBP/USPS-145) (June 17, 2005); Opposition of the United States Postal Service to David B. Popkin Motion to Compel Responses to Interrogatories DBP/USPS-103(b)-(d) and 145 (June 27, 2005), at 3-4.

Moreover, Mr. Carlson's questions are not focused on the procedures as they are intended to (and presumably do) operate. Rather, the questions concern the possibility that the procedures will not be followed, either by postal or IRS employees. The nexus between such speculative errors and the issues in this proceeding is too loose to justify this discovery. Not only do these interrogatories concern atypical recipients, but they also focus on those exceptional pieces that might not follow the procedures presented in the response to interrogatory DBP/USPS-145. In particular, for DFC/USPS-101(a-b) and 102(a-b, e), explaining how one can ensure procedures are followed by all postal and IRS employees for delivery to a particular recipient at a particular location would not add anything of significance to the record.

Given the lack of relevance of these interrogatories, it would be unduly burdensome to spend one or more hours to obtain from the field additional details about how the Postal Service tries to ensure perfect provision of return receipt service for IRS deliveries.

Finally, these interrogatories are not timely follow-up under Rule 26(a), since they were filed more than 7 days after the responses were filed. Moreover, parts c-d of interrogatory DFC/USPS-102 are improper follow-up because they are not needed to clarify or elaborate upon the response to interrogatory DBP/USPS-145. Instead, they are general questions about electronic return receipt service, which is not specifically mentioned in the Postal Service's response to DBP/USPS-145.

For all of these reasons, the Postal Service objects to interrogatories
DFC/USPS-101 and 102.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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