

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 DAVID B. POPKIN
(DBP/USPS-283(b)-(f), 300-302)
(August 4, 2005)

The United States Postal Service hereby objects to interrogatories DBP/USPS-283(b)-(f) and 300-302, submitted by David B. Popkin on July 25, 2005.

DBP/USPS-283(b)-(f)

This interrogatory reads as follows:

DBP/USPS-283. Please refer to your response to DFC/USPS-76 revised on July 18, 2005. (a) Please advise the reasons behind the decision to utilize these offices as ones that are representative of the United States. (b) Please advise the CAG level of each of the ten offices. (c) Please describe what the CAG category represents. (d) Please advise the EAS/PCES level of each of the ten offices. (e) Please describe what the EAS/PCES category represents. (f) Please provide the range of CAG and EAS/PCES categories that exist in the country.

The Postal Service objects to parts (b) through (f) of this interrogatory on the grounds of improper follow-up and relevance. This interrogatory purports to be a follow-up to DFC/USPS-76, wherein the Postal Service provided Express Mail Next Day commitment data for a mean ZIP Code derived from a sample of 10 originating ZIP Codes.¹ Mr. Popkin now asks for the CAG classification and the EAS/PCES level of

¹ Those ZIP Codes were 02127 (Boston, MA); 12205 (Albany, NY); 21233 (Baltimore, MD); 30355 (Atlanta, GA); 53714 (Madison, WI); 60610 (Chicago, IL); 75219 (Dallas, TX); 80910 (Colorado Springs, CO); 92405 (San Bernardino, CA); and 95813 (Sacramento, CA).

each of those post offices, as well for more general information concerning CAG and EAS/PCES.² It is not apparent, however, how information concerning the volume of revenue generated by those post offices, or the salary structure that applies to managerial employees within those post offices, would in any way materially clarify or add to the understanding of the Express Mail data provided in the response to DFC/USPS-76. This interrogatory is thus not proper follow-up under Rule 26(a), nor is the detailed information sought here relevant to this proceeding.

DBP/USPS-300-301

These interrogatories read as follows:

DBP/USPS-300. Please refer to your response to DBP/USPS-234. (a) Please confirm, or explain if you are unable to confirm, that 2 parcels that were tallied for Express Mail flat-rate envelopes that weighed 70 pounds. (b) Please provide the actual data that was tallied prior to the conversion to the data that was provided in the response to the interrogatory. (c) Please explain how the conversion was made. (d) You refer to USPS T-4 testimony. Please provide a reference to the specific page numbers and line numbers.

DBP/USPS-301. Please refer to your response to DBP/USPS-234. In your response you state that you do not feel that the mail pieces that were excessively high in weight were not considered unreliable. (a) Please explain why the highest weight shown for a Priority Mail flat-rate envelope is 18 pounds while for Express Mail flat-rate envelopes there is data in every one pound category up to 70 pounds except for seven weight categories. (b) Please advise the density of the material that would have had to have been in a flat-rate envelope so as to have created a weight of 70 pounds.¹ (c) Please advise what you believe would be a reliable estimation of what would be shipped in a 70-pound flat rate envelope.

¹ For your information, I mailed a Priority Mail flat-rate envelope containing two construction bricks and weighing 8 pounds. The volume of the two bricks was virtually the maximum volume that could be placed into the envelope. If the weight of a flat-rate envelope was 70 pounds and the volume was that of the two bricks, the density of the material would have had to have been 16.4 grams per cubic centimeter. Copper has a density of 8.93 g/cc; steel is 7.48-8.00 g/cc; and lead is 11.34 g/cc.

² “CAG” stands for “cost ascertainment grouping,” which is a method by which post offices are classified according to the volume of revenue they generate. “EAS” stands for “executive and administrative schedule,” which is a salary structure that applies to most managerial and administrative Postal Service employees. “PCES” stands for “Postal Career Executive Service,” which is a staffing category that develops and maintains a group of employees for key management positions.

These two interrogatories effectively request that the Postal Service engage in a detailed discussion of fewer than 400 Express Mail flat-rate envelopes (in fact, the questions focus primarily on only 2 envelopes), out of almost 13 million pieces whose weights were tallied in response to interrogatory DFC/USPS-85 (to which DBP/USPS-234 was a follow-up interrogatory). Such questions about this subset, which amounts to less than 0.003% of the total, are simply irrelevant to this proceeding. Moreover, the burden of responding to these interrogatories, which would seem to require the Postal Service to expend its resources in determining what particular heavy materials can be placed in the flat-rate envelopes, is completely unreasonable considering the fundamental irrelevance of these questions.

The interrogatories at issue here both stem from an apparent desire on the part of Mr. Popkin to see exactly what heavy-weight materials can be placed in flat-rate envelopes. While this topic may be interesting to Mr. Popkin, his inquires about such a statistically insignificant group of envelopes is simply not relevant to this proceeding.

DBP/USPS-302

This interrogatory reads as follows:

DBP/USPS-302. Please refer to your 7/21/2005 revised response to DBP/USPS-82 subpart d. Please explain how the different dates for the guaranteed delivery standards for PO to PO vs. PO to Addressee would appear on the [a] POS terminal, [b] USPS website, and [c] in an Express Mail directory.

The Postal Service objects to this interrogatory on the grounds of relevance. As the Presiding Officer has noted, a “rule of reason” limits the extent to which operational details are appropriate for exploration in rate case discovery.³ The Postal Service

³ See Presiding Officer’s Ruling No. R2005/1-19.

submits that this interrogatory exceeds that rule of reason, as the details sought here are fundamentally immaterial to the postal ratemaking process.

Therefore, the Postal Service objects to the above-referenced interrogatories.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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