

BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON DC 20268-0001

Postal Rate Commission
Submitted 8/22/2005 8:00 am
Filing ID: 46512
Accepted 8/22/2005

Postal Rate and Fee Changes]
Pursuant to Public Law 108-18]

DOCKET NO. R2005-1

DAVID B. POPKIN MOTION TO COMPEL RESPONSE TO INTERROGATORIES DBP/USPS-
122 subpart c and d, 159, 165, 167, 177-182, 189, 235 AND 303.

I move to compel responses to the interrogatories submitted to the United States Postal Service that have not been responded to.

August 22, 2005

Respectfully submitted,

DAVID B. POPKIN, POST OFFICE BOX 528, ENGLEWOOD, NJ 07631-0528

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The above referenced interrogatories were filed over the time period of June 3, 2005, to July 25, 2005. Responses were due within 14 days. The responses are now 14 to 66 days late. Failure of the Postal Service to respond to interrogatories in a timely manner does affect the ability of participants to conduct discovery in an appropriate and efficient manner. The following is a tabulation of the unanswered interrogatories including those that are already the subject of a previous Motion to Compel Responses to Interrogatories [MTC] and Presiding Officer's Ruling No. R2005-1/59 issued on July 28, 2005. Commission's Rules of Practice Rule 26[e] requires an answer within seven days of being compelled.

INTERROGATORY DBP/USPS-	DATE FILED	RESPONSE DUE	DAYS LATE AS OF 8/22/05	MTC FILED	PRESIDING OFFICER RULING	RULE 26E DATE DUE
122 subparts c & d	6/3/05	6/17/05	66	6/29/05 7/12/05	59	8/4/05
159	6/15/05	6/29/05	54	7/12/05	59	8/4/05
167	6/16/05	6/30/05	53	7/12/05	59	8/4/05
177	6/17/05	7/1/05	52	7/12/05	59	8/4/05
178	6/17/05	7/1/05	52	7/12/05	59	8/4/05
179	6/17/05	7/1/05	52	7/12/05	59	8/4/05
180	6/17/05	7/1/05	52	7/12/05	59	8/4/05
181	6/17/05	7/1/05	52	7/12/05	59	8/4/05

182	6/17/05	7/1/05	52	7/12/05	59	8/4/05
189	6/20/05	7/5/05	48	7/12/05	59	8/4/05
235	7/5/05	7/19/05	34			
303	7/25/05	8/8/05	14			

In the response to Interrogatory DBP/USPS-165 filed on July 18, 2005, the Postal Service indicated that the response would be generated no earlier than the first week of August. It is now the start of the fourth week in August and the promised response is desired.

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.

David B. Popkin August 22, 2005
