

BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON DC 20268-0001

Postal Rate Commission
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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-
306, 307, and 310

I move to compel responses to the interrogatories submitted to the United States Postal Service that have been objected to by them.

September 6, 2005

Respectfully submitted,

DAVID B. POPKIN, POST OFFICE BOX 528, ENGLEWOOD, NJ 07631-0528
R20051FFFmtc306307310

On August 15, 2005, I submitted Interrogatory DBP/USPS-306. On August 25, 2005, the Postal Service filed an objection to that interrogatory on the basis of relevance.

The interrogatory read as follows:

DBP/USPS-306 Please refer to your response to DBP/USPS-213. You have indicated that A-Label Express Mail availability is based primarily on the availability of transportation necessary to meet the 10:00 AM delivery commitment. You have further indicated that A-Label Express Mail may be sent from all post offices throughout the country [except for Military ZIP Codes] to the 7200 post offices. Please explain why A-Label Express Mail may not be sent to other offices where there is already existing transportation is available such as those offices that are within the overnight First-Class Mail service areas [for example, from Englewood NJ 07631 to Paramus NJ 07652].

In their objection, the Postal Service confirms that the availability of post office-to-post office A Label Express Mail is primarily dependent on their ability to meet the 10 AM commitment for such mail. My Interrogatory DBP/USPS-306 is attempting to determine why the Postal Service does not provide this service within the overnight First-Class Mail service areas where the ability to meet the deadline would already exist. This was a generic question and the example of Englewood NJ to Paramus NJ was provided as an example of two offices that are within the

overnight First-Class Mail service area and was not meant for a specific response for that ZIP Code path. The availability of A-Label Express Mail to all areas which have overnight First-Class Mail service standards is relevant to the value of the service and therefore should be responded to.

On August 15, 2005, I submitted Interrogatory DBP/USPS-307. On August 25, 2005, the Postal Service filed an objection to that interrogatory on the basis of relevance.

The interrogatory read as follows:

DBP/USPS-307 Please refer to your response to DBP/USPS-211 subparts a and b. The interrogatory asked how one would determine which 5-digit ZIP Codes in Los Angeles 900 have the availability of picking up A-Label Express Mail short of entering all 99 individual ZIP Codes from 90001 to 90099 into the USPS website. Your response stated that I could either use the USPS website, call 1-800-ASK-USPS, or ask a retail clerk. [a] Specifically, how would I use the USPS website to determine which of the 99 potential ZIP Codes in the 900 ZIP Code area have A-Label pickup service available [other than entering in each of the potentially 99 individual ZIP Codes one at a time]? [b] You indicate that one could call 1-800-ASK-USPS. When I did this, they indicated that I could send A-Label Express Mail to 90049. However, 90049 is not on the list that you provided in response to DBP/USPS-210 nor is it on the USPS website as being available. Furthermore, when I asked about sending A-Label to Express Mail to Torrance CA 90505, they indicated that I should contact the Torrance post office to determine where A-Label could be sent. What question should I have asked the operator to determine the correct information? [c] How would a local retail window clerk be able to determine which 5-digit ZIP Codes in Los Angeles 900 have the availability of picking up A-Label Express Mail short of entering all 99 individual 5-digit ZIP Codes from 90001 to 90099 into their POS terminal? [d] Does the Postal Service have any intention of replacing Publication 272, either in hard copy or on the website or both? [e] If not, why not?

This interrogatory is attempting to resolve the apparent errors and inconsistencies in the Postal Service's response to Interrogatory DBP/USPS-211 as it relates to the ability of the public to utilize post office-to-post office A-Label Express Mail. The Postal Service should not be able to provide a response to an interrogatory which has an apparent error and inconsistency and then when I attempt to follow-up claim that it is irrelevant. This ability of the public to utilize this service is relevant to the value of service and therefore to the ratemaking process.

On August 15, 2005, I submitted Interrogatory DBP/USPS-310. On August 25, 2005, the Postal Service filed an objection to that interrogatory on the basis of relevance.

The interrogatory read as follows:

DBP/USPS-310 Please refer to your response to DBP/USPS-304. This interrogatory requested the Postal Service provide insight as to why with respect to provision of retail window service on Saturday, the Pacific Area provides service at approximately one-half that of the central and eastern parts of the country and that the rest of the western part of the country [Southwest and Western Areas] is significantly less than the central and eastern parts of the country. The response made stated that the bases for these local decisions were not centrally complied. Since the interrogatory related to decisions that were made in primarily one and to some extent a total of three Areas, it would seem appropriate that an inquiry could be made to the proper person in each of these three Areas to provide a more responsive answer to my Interrogatory DBP/USPS-304.

Please reanswer the interrogatory after contacting the appropriate personnel at the Area level.

This interrogatory attempts to resolve the data provided in subpart e of Interrogatory DBP/USPS-226. The following is the interrogatory and Postal Service response.

DBP/USPS-226. Please refer to your response to DBP/USPS-126.

- (a) Please provide the requirements and associated regulations which relate to the level of window service and all forms of delivery service that must and/or should be provided on a Saturday.
- (b) Please indicate any insight as to why 24% of the post offices feel that it is inappropriate to provide retail window service on Saturdays.
- (c) Does the 76% of post offices that are open on Saturday represent only independent post offices or does it also include classified stations and branches and/or contract station and branches?
- (d) If it includes any stations and/or branches, please provide a figure based on independent post offices only.
- (e) Please provide a breakdown for each of the Areas in the country.
- (f) Please confirm, or explain if you are unable to confirm, that there is now a recent policy to extend the retail window hours both on weekdays and on Saturdays.
- (g) What is the current policy with respect to either increasing or decreasing the availability of retail window service on Saturdays?

RESPONSE:

- (a) According to POM section 126.42: "Window service is provided on Saturdays if there is a demonstrated need. Normally, such service does not exceed 4 hours. Postmasters must obtain approval from the next higher management level if more hours are necessary to meet customer needs. At financial units serving business areas, or facilities serving communities where many residents leave on weekends, retail service may be closed if service is available at other postal units, contract stations, or selfservice postal centers. Postmasters must post signs telling customers of locations and hours of such services."
- (b) As noted in the response to part (a), the decision whether to provide window service on Saturdays is a local decision based on customer needs. For example, in areas were residents leave on weekends, retail service may be closed if service is available at other postal locations, contract stations, or self-service postal centers.

(c) The figure provided in the response to DBP/USPS-126 represents retail sites that submit Form 1412 for Saturday retail activities. This could include post offices as well as stations or branches.

(d) The data is not available in the format requested.

(e) Capital Metro: 84%

Eastern: 87%

Great Lakes: 83%

New York Metro: 83%

Northeast: 90%

Pacific: 44%

Southeast: 82%

Southwest: 65%

Western: 70%

(f) The Postal Service is planning to extend and adjust hours of service at Postal Service retail locations nationally where customer traffic dictates the need.

(g) Where districts believe there is a need to better serve customers, there will be strategically located USPS retail sites open until 3 PM on Saturdays.

The response to subpart e shows a great disparity in the availability of retail window service on Saturdays. In an attempt to determine the reason for this disparity, I filed Interrogatory DBP/USPS-304 and received the following response:

DBP/USPS-304. Please refer to your response to DBP/USPS-226 subpart e. Please provide insight as to why with respect to provision of retail window service on Saturday, the Pacific Area provides service at approximately one-half that of the central and eastern parts of the country and that the rest of the western part of the country (Southwest and Western Areas) is significantly less than the central and eastern parts of the country.

RESPONSE:

As noted in the response to DBP/USPS-226, the decision whether to provide window service on Saturdays is a local decision based on the field's determination of customer needs. Local considerations thus drive the decision whether to provide such service, and the bases for these local decisions are not centrally compiled.

Interrogatory DBP/USPS-304 was not responded to for the question asked. I did not ask for centrally compiled records, I assume the reference is to Headquarters location, but asked for the insight as to why one Area was approximately one-half of the central and eastern parts of the country and to some extent why the rest of the western part of the country was significantly less than the central and eastern parts of the country. Rather than file an Objection to the response received to DBP/USPS-304, I attempted to obtain an appropriate response by filing a follow-up interrogatory and suggesting that the appropriate individual be contacted at the three Areas involved in an effort to obtain a more responsive reply to Interrogatory DBP/USPS-304. The Postal Service is not making a claim of excessive burden to contact these three Area offices and therefore should be compelled to do so. The ability to obtain retail window service

on Saturday is directly related to the value of service of many services and therefore is relevant.

For the reasons stated, I move to compel responses to the referenced interrogatories since they are reasonably calculated to lead to the discovery of admissible evidence.

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 September 6, 2005
