

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

**RATE AND SERVICE CHANGES TO
IMPLEMENT BASELINE NEGOTIATED
SERVICE AGREEMENT WITH BOOKSPAN**

DOCKET NO. MC2005-3

**RESPONSES OF WITNESS EPP TO REDIRECTED INTERROGATORY OF
THE OFFICE OF THE CONSUMER ADVOCATE
(OCA/USPS-13)**

(September 22, 2005)

Bookspan hereby provides its response to redirected interrogatory OCA/USPS-13
of the Office of the Consumer Advocate, filed on September 8, 2005:

The interrogatory is stated verbatim and is followed by the response.

Respectfully submitted,

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OCA/USPS-13. Please refer to the response to POIR No. 2, Question 1(c), where it states, “Are Standard Mail solicitation letters sent to members of one book club to join another second (unrelated) book club eligible to be counted and potentially receive discounts under the terms of this agreement?” The answer to that question is yes.” Also, please refer to the response of Bookspan witness Epp to POIR No. 2, Question 1(e), where it states, “Such a [Current Member solicitation mailing] may include inserts promoting another Bookspan club; regardless, a Current Member mailing would not be eligible for the NSA discount.” Please reconcile these two statements.

RESPONSE:

My response to 1(e) concerns periodic, current-member mailings that are primarily intended to describe to club members the current period’s featured selection (for which they can exercise their negative option) and to provide a catalog of other books available for sale to members of that particular club. The response indicates that, although these mailings may include inserts promoting another club, they are not sent for the purpose of membership solicitation and are not eligible Standard Mail solicitation letters under the NSA. (Arguably, this would have been clearer if the response had used the phrase “Current Member mailing” rather than “Current Member solicitation mailing.” As Standard Mail, of course, current-member mailings are soliciting sales, so the phrase is accurate in a general sense. It was clearly not intended to refer to the solicitation mailings under the NSA, as will be shown below.)

The Postal Service response to 1(c) concerns membership solicitation letters sent to non-members of a particular club, separately and apart from any periodic, club-member, book-selection mailings. Such letters, if mailed under the appropriate permit, are eligible Standard Mail solicitation letters under the NSA, as are solicitations of membership sent to people who are not members of any Bookspan club. This definition

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excludes regular club mailings to members of that club for the purpose of offering periodic book selections.

Please refer also to the Postal Service's proposed DMCS section 620.11:

Eligible Standard Mail under this section is defined as letter shaped pieces sent by Bookspan for the purpose of soliciting book club membership of persons who are not current subscribers to the book club or clubs Bookspan is promoting in the mailing or to book club members whose membership is expiring. Such pieces may be sent by Bookspan, by entities in which Bookspan holds controlling shares, or by their vendors on their behalf. Such letters may include promotions of Bookspan's strategic business alliances.