

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

**Evolutionary Network Development
Service Changes, 2006**

Docket No. N2006-1

**MOTION OF AMERICAN POSTAL WORKERS UNION, AFL-CIO,
TO EXTEND DISCOVERY
(May 17, 2006)**

The American Postal Workers Union, AFL-CIO (APWU), hereby respectfully requests that the Postal Rate Commission extend discovery in this matter until thirty (30) days after the Postal Service provides the Commission and the other parties copies of documents to be used to invite public comment, copies of the RDC planning concept document that blends the principles of AMP with facility planning concepts, and copies of its RDC Activation Communication Plan. The APWU also requests that the remaining procedural schedule be adjusted accordingly to ensure that rebuttal testimony is offered after the Postal Service has submitted its entire plan.

On April 13, 2006, the Presiding Officer, “[g]iven the progress that [had] been made in the initial stages of this case,” issued Ruling No. 6 designating May 22, 2006 as the deadline for conducting all discovery against the United States Postal Service’s direct case. Several developments have made it impossible for the parties to finish discovery against the Postal Service’s direct case by May 22, 2006. As explained more fully below, it cannot be said with reasonable certainty at

this time when it will be possible to conclude discovery, because that will depend on the Postal Service producing several documents it has not completed.

In response to interrogatory APWU/USPS T2-13, the Postal Service stated that it is currently developing a process to invite public comment on proposed studies. And in response to OCA/USPS T2-18 the Postal Service stated "communication templates are being developed for notification of the public meeting to all Worksheet #3 recipients of the study notification. A Public Input Summary sheet is also being developed which will categorize comments into several areas including Service Standards, Customer Service, Community Concerns, Political Issues, and concerns related to the AMP process."

In response to APWU/USPS -T2-15, the Postal Service stated that documents describing the solicitation process are under development and will be filed once they are approved.

In APWU/USPS -T1-21, the Postal Service responded that "an RDC planning concept document which blends the principles of AMP with facility planning concepts is being developed." This document will include "worksheets which, similar to the AMP worksheets, will contain an executive summary, provide for management concurrence, service information, workload/workhour data, mail processing equipment set, distribution changes, surface and air transportation impacts, etc." An RDC Activation Communication Plan is also under development.

Id.

The communication documents and procedures that are currently under development are of high intrinsic value and must be produced and evaluated in this

proceeding as soon as they are available. Presiding Officer's Ruling No. 7

recognized the

critical significance of communications in implementing [the Postal Service's] intended network reconfiguration. Without an effective and responsive program of public information and dialogue, the various interests of stakeholders in the postal system are not likely to be well served.

P.O. Ruling No. 7, p. 11, May 5, 2006. Accordingly, discovery should be extended until a reasonable period of time, we suggest thirty (30) days, after the documents and plans described by the Postal Service are produced.

Given the obvious importance of the RDCs to the Postal Service's network realignment, it is imperative the Commission and participants be given an opportunity to thoroughly examine this area of the plan. If not, the Commission and participants will be placed in the untenable position of responding to and advising on a plan without knowing the substance of the "backbone" of realignment. (See Shah Testimony p. 11, lines 3-6.)

We also respectfully submit that the Postal Service's inability to comply with the Commission's discovery timetable supports our view that a longer discovery process will be necessary. The Postal Service has filed 13 Motions for Late Acceptance of Responses to Interrogatories. We also observe that the Postal Service's responses to many interrogatories have been scant at best, requiring numerous follow-up interrogatories. The time available for follow-up interrogatories prior to the hearing on the Postal Service's direct case has been reduced considerably by the tardiness of the Postal Service's responses. Extending

discovery will help to minimize the effects of the delayed responses and ensure that the utility of the discovery process is preserved.

The APWU is considering presenting testimony on soliciting and considering public input on the AMP process and the END program. The APWU should not be required to do so before the Postal Service has presented the documents and responded to interrogatories on the matters described above. Therefore, the remaining schedule for these proceedings must be revised accordingly.

For the foregoing reasons, the American Postal Workers Union, AFL-CIO, respectfully requests that this Commission extend discovery on the Postal Service's direct case until thirty (30) days after the Postal Service provides the Commission and the other parties copies of documents to be used to invite public comment, copies of the RDC planning concept document that blends the principles of AMP with facility planning concepts, and copies of its RDC Activation Communication Plan; and revise the remaining procedural schedule accordingly.

Respectfully submitted,

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