

BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON DC 20268-0001

Postal Rate Commission
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Postal Rate and Fee Changes, 2006]

DOCKET NO. R2006-1

DAVID B. POPKIN MOTION TO COMPEL RESPONSE TO INTERROGATORIES DBP/USPS-
91 AND 94

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

July 3, 2006

Respectfully submitted,

R20061MTC2

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On June 8, 2006, I submitted Interrogatories DBP/USPS-91 and 94. On June 19, 2006, the Postal Service filed an objection to those interrogatories.

The interrogatory reads as follows:

DBP/USPS-91 Section 313.1b of the Postal Operations Manual [POM] states, "Arrange schedules consistent with requirements of the local community and timely handling of mail at the processing point." Sections 321 through 326 provide detailed requirements for collection boxes. For example, Section 322.231 requires Time Decal Boxes to have two collections Monday through Friday with the last collection at 5 PM or later.

[a] May a local post office provide a condition [such as a 4 PM last weekday collection in front of the post office] where compliance of the detailed requirements covered in Sections 321 through 326 is not met by stating that the condition is necessary to meet the general requirements of Section 313.1b?

[b] If so, please discuss the reasons for this action.

[c] Please confirm, or explain if you are unable to confirm, that the requirements of Part 3 of the POM are mandatory at all city delivery offices as noted in Section 311.

[d] Please advise any sections of Part 3 of the POM that are not 100% mandatory due to changes in policy such as Section 322.233 which relates to Sunday collections.

[e] When will Part 3 of the POM be updated to cover any items covered in response to subpart d?

The first objection of the Postal Service states that this Interrogatory does not focus on a particular class or service. This Interrogatory relates to the policies related to the collection of mail from blue collection boxes. These blue collection boxes are primarily utilized for the deposit and collection of First-Class Mail and to a lesser extent to Priority Mail. Therefore they relate to the value of service of these classes of mail.

The Postal Service claims that this Interrogatory is attempting to delve into the minutia of operational policies and manuals. Subparts a, b, and c are attempting to resolve a basic policy question of the requirements for the collection of First-Class Mail and Priority Mail. There appears to be a Postal Service policy or action which claims that as long as the reduced or earlier collection times meet the criteria of the local community and timely handling of mail at the processing point as noted in POM Section 313.1b then it is not required to meet the specific detailed requirements of POM Sections 321 through 326.

In the last sentence of their objection, the Postal Service concedes that the actual service levels of First-Class Mail and Priority Mail are a relevant issue. If the service levels are relevant, then the conditions under which they have to be achieved are equally relevant. Just looking at the service levels without looking at the conditions under which they were achieved is not appropriate. This is particularly relevant when the conditions under which they are achieved do not meet the criteria that have been established.

For example, changing the final collection time at a specific box that the Postal Service mandates should have a final collection time of 5 PM on weekdays and making that final collection in the morning will delay any mail placed in that collection box in the afternoon by a day and yet the service levels and results will not reflect that delay.

Subparts d and e relate to an evaluation of whether the POM collection box requirements are up-to-date with current policies. This equally relates to the criteria under which the service levels are determined.

This Interrogatory relates to two very basic conditions under which the service levels for First-Class Mail and Priority Mail are determined, namely, do the specific requirements of the Postal Operations Manual relating to the collection of these classes of mail apply and are the

requirements up-to-date with current policies. Obviously, it is important to the value of service for these classes of mail to know the criteria for their collection.

The interrogatory reads as follows:

DBP/USPS-94 With respect to the stamped letter sheets [Disney and Garden Bouquet] that are the subject of Docket C2004-3, [a] Please advise the number of each of the two items that were printed.

[b] Please advise the cost for each of the two items. Please describe in detail how the cost was calculated and the items that are included in the cost data and their source.

The Postal Service claims that this Interrogatory is irrelevant to the issues before the Commission in Docket No. R2006-1. Just because this matter is before the Commission in another Docket does not change its relevance in this Docket. The Postal Service has long provided cost data on the printing of stamps and stamped stationery. Recently, it was provided in response to Docket R2005-1 Interrogatory OCA/USPS-186. This is valid cost data and is required to ensure that there is no cross subsidization.

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 July 3, 2006
