

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

POSTAL RATE AND FEE CHANGES, 2006

Docket No. R2006-1

OBJECTION OF THE UNITED STATES POSTAL SERVICE TO
REQUEST FOR ADMISSION OF DOUGLAS CARLSON. (DFC/USPS-RA-1)
(July 10, 2006)

The United States Postal Service hereby objects to the following request for admission of Douglas Carlson, filed on June 29, 2006: DFC/USPS-RA-1. Mr. Carlson requests that the Postal Service admit:

DFC/USPS-RA-1.

- a. DFC-LR-1 contains a genuine copy of data that the Postal Service provided to me on September 16, 2005, in response to a court order in *Carlson v. U.S. Postal Service* (U.S. District Court, Northern District of California, Civil Action, File No. 02-05471).
- b. The data in Attachment reflect data that existed in the Collection BoxManagement System database on January 13, 2005.

The notice of filing accompanying DFC-LR-1 indicates that:

Today I am filing Category 6 Library Reference DFC-LR-1, which is titled "Collection Box Management System Data." This library reference, which consists of a single CD-ROM, contains several large Excel files, each of which contains data about collection boxes, including locations and posted collection times. The Excel files are too large to file with the Commission except as a library reference. I obtained the data from the Postal Service pursuant to a court order issued in a Freedom of Information Act lawsuit. The data in the library reference are the subject of a request for admission (DFC/USPS-RA-1), which I filed today, to establish that the data are genuine. The data are relevant to the value of First-Class Mail service. I expect to introduce all the data into evidence.

The request for admission is plainly another step in Mr. Carlson's efforts to inject information about collection boxes, at the level of detail of individual collection boxes, into this proceeding. The first step was his submission of DFC/USPS-35 on June 19:

DFC/USPS-35. Please provide the following information, in a PC-readable format such as a text file or Microsoft Excel file, from the Collection Point Management System database for every collection box in the database: location ID number, box address, description of address, service class, type of box, area of box, posted weekday collection times, posted Saturday collection times, and posted holiday collection times.

On June 29th, the Postal Service objected to DFC/USPS-35 on the grounds of relevance, materiality, and burden.

The Postal Service hereby objects to DFC/USPS-RA-1 on the same grounds as its previous objection to DFC/USPS-35. Fundamentally, even to the limited extent that collection service might be considered a relevant factor in pricing, it is only relevant at a national level. Mr. Carlson requests an admission concerning a plethora of detailed information on every individual collection box in the country. Information at this level of *operational* detail is patently irrelevant and immaterial to the issues presented in an omnibus *rate* proceeding.

In terms of burden with respect to this request for admission, the Postal Service is hampered in its ability to provide a specific estimate of the burden involved by two factors. First, the only operations staff person knowledgeable about the material provided to Mr. Carlson in response to his FOIA request has been out of the office since his request for admission was received, and is not scheduled to return until after this objection is due. Therefore, the Postal Service has been unable even to verify whether the format of his data is the same as that in which the earlier data were provided to him. Second, even assuming that upon the return of this staff member, a method could be developed to attempt a quick comparison of the two sets of data, it is impossible to predict what such a comparison would show. Obviously, if it revealed no differences,

the technical burden would at that point have been overcome. But what if preliminary analysis indicates that the two sets of material are not identical? Would this be because of some type of reformatting issue, or because of some change in content? Note, for example, that the material provided by Mr. Carlson is not in one single Excel file, but in several files. So, even under the best case scenario, we are not contemplating a simple comparison of one file to one file. It is very difficult to predict how long it might take to sort through these types of issues to reach (or be able to reject) a firm conclusion that the content is the same. But when you consider that we are talking about literally millions of pieces of information (hundreds of thousands of collection boxes, with multiple data fields for each box), the implications are fairly stark. Mr. Carlson is asking the Postal Service to verify that each one of these data elements is exactly the same in his library reference as it was in materials he received last year. Presumably, if the Postal Service makes this admission, it would lose the ability to later question whether any individual data element in fact truly is the same (and the Postal Service has no way of anticipating upon which, if any, individual data elements or individual collection boxes Mr. Carlson may wish to focus attention in the future). It should not be surprising, therefore, that if the Postal Service were to be required to undertake this exercise, it would want to approach it with some care, and there would thus be some tangible burden to this undertaking.

Again, however, the Postal Service's fundamental position is that it should not be required to undertake this exercise. There is a limit in an omnibus rate case to the utility of information regarding collections. That limit is reached long before material consideration can be given to information regarding each of the hundreds of thousands

of individual collection boxes across the country. Therefore, the Postal Service objects to responding to DFC/USPS-RA-1.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

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CERTIFICATE OF SERVICE

I hereby certify that I have this date served the foregoing document in accordance with Section 12 of the Rules of Practice and Procedure.

Eric P. Koetting

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