

UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, DC 20268-0001

Evolutionary Network Development
Service Changes

Docket No. N2006-1

PRESIDING OFFICER'S RULING ON MOTION
OF AMERICAN POSTAL WORKERS UNION TO
COMPEL THE UNITED STATES POSTAL SERVICE
TO PRODUCE ALL COMPLETED
AREA MAIL PROCESSING DECISION PACKAGES

(Issued July 11, 2006)

On June 30, 2006, American Postal Workers Union, AFL-CIO (APWU) filed a motion to compel the Postal Service to produce the decision packages for all Area Mail Processing (AMP) studies that have been completed.¹ APWU further requests issuance of a standing order requiring the Postal Service to produce all AMP decision packages as the studies are completed.

APWU cites the statement in the testimony of Postal Service witness Williams that area postal managers intend to initiate 46 AMP feasibility studies, with plans to submit completed AMP proposals for review and approval by Headquarters in early 2006. APWU also cites its interrogatory APWU/USPS-T2-84 seeking the 'complete AMP documentation on all AMPs from that list where a decision has been reached[.]' The Postal Service's response to that interrogatory filed on June 23, 2006, indicated that a decision had been made for only one AMP study on the list, and that the Service

¹ Motion of American Postal Workers Union, AFL-CIO, to Compel the United States Postal Service to Produce All Completed Area Mail Processing Decision Packages, June 30, 2006 (Motion).

would soon file redacted and unredacted copies of the decision package for this study as a library reference.²

However, APWU states, the Postal Service informed it in a letter dated May 22, 2006, a copy of which it attached to its motion, that AMP feasibility studies had been completed for five locations identified in the list of 46 to be studied. APWU also notes the statement in the letter that the Postal Service had determined “[a]fter careful and exhaustive review...that there are currently no significant opportunities to improve efficiency or service through consolidation of mail processing operations at the locations listed above.”³

Given the substantial role of AMP feasibility studies in the Postal Service’s END initiative, APWU asserts that it is imperative to compel production of the AMP decision packages for all completed studies, including the five studies cited in the letter. According to APWU, examination of AMP studies—including those where the Postal Service ultimately decides to forgo consolidation—is vital to an accurate assessment of the END program because it enables better understanding of the decisionmaking process, particularly evaluation of the factors contributing to the choice to proceed with a particular consolidation or not. Therefore, APWU argues, any completed studies are highly relevant to an understanding of the AMP process and how it is utilized to further the goals of END.⁴

APWU observes that the Postal Service has now begun the nationwide rollout of its END initiative, beginning with the initiation of AMP studies of the 46 facilities identified by witness Williams. It also cites his response to interrogatory APWU/USPS-T2-57, in which he states that, as AMPs listed in the attachment to his testimony are finalized, the next ten will be compiled in a library reference. To date, APWU notes, the Postal Service has filed no additional decision packages. Therefore, APWU concludes,

² *Id.* at 1-2.

³ *Id.*, Attachment.

⁴ *Id.* at 2-3.

its motion for a ruling that imposes a continuing obligation to produce AMP decision packages simply asks the Commission to hold the Postal Service to its word.⁵

Under the Commission's rules, replies to APWU's motion were due on Friday, July 7, 2006. No participant filed a response by that date.

APWU correctly observes that the relevance of AMP studies completed during this proceeding is undeniable. Perhaps for this reason, earlier in the case the Postal Service declared its intention "[f]or the duration of this litigation...to make public the final results of each of these reviews in a manner consistent with that reflected in USPS Library Reference N2006-1/5, as soon as possible after fulfilling its obligation to notify postal employee collective bargaining unit and employee association representatives."⁶ Therefore, it should not now be necessary to compel the Postal Service to provide AMP studies as soon as possible after completion, as APWU requests. However, in order to remove any potential doubt regarding production of AMP decision packages, I shall grant APWU's motion with respect to the list of 46 mentioned by witness Williams.

RULING

The Motion of American Postal Workers Union, AFL-CIO, to Compel the United States Postal Service to Produce All Completed Area Mail Processing Decision Packages, filed June 30, 2006, is granted, as mentioned above.

Dawn A. Tisdale
Presiding Officer

⁵ *Id.* at 3-4.

⁶ United States Postal Service Reply in Opposition to David Popkin Motion to Compel Responses to Interrogatories DBP/USPS-3, 6, 18 and 19, March 14, 2006, at 10. In Presiding Officer's Ruling No. 5, I relied on this undertaking in denying a portion of a motion to compel responses to interrogatories. Presiding Officer's Ruling No. N2006-1/5, March 31, 2006, at 7.