

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

POSTAL RATE AND FEE CHANGES, 2006

Docket No. R2006-1

RESPONSES OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORIES OF DAVID POPKIN  
(DBP/USPS-641 THROUGH 666, 668 AND 669)

The United States Postal Service hereby provides its institutional responses to the above-listed interrogatories, dated September 26, 2006. Each interrogatory is stated verbatim and is followed by the revised response.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

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**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-641** Please refer to your response to Interrogatory DBP/USPS-602. Please confirm, or explain if you are unable to confirm, that every individual piece of mail which has been processed into delivery point sequencing [DPS] and arriving at a delivery unit will not be examined individually by the delivery carrier until he/she is out on the delivery route.

**RESPONSE**

The Postal Service cannot confirm that individual piece examination of DPS'd mail never occurs at a delivery unit before carriers go out on their delivery routes.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-642** Please refer to your response to Interrogatory DBP/USPS-619.

- [a] Please confirm, or explain if you are unable to confirm, that DMCS Section 941.21 states that "Certified Mail service is available for matter mailed as First-Class Mail."
- [b] Please confirm, or explain if you are unable to confirm, that First-Class Mail may utilize Certified Mail because DMCS Section 941.21 states that "Certified Mail service is available for matter mailed as First-Class Mail."
- [c] Please confirm, or explain if you are unable to confirm, that mail services other than First-Class Mail such as, Express Mail, Periodicals, Standard Mail, Package Services may not utilize Certified Mail service because they are not listed in those services shown in DMCS Section 941.21,
- [d] Please confirm, or explain if you are unable to confirm, that if the Postal Service intended that if mail services other than First-Class Mail such as, Express Mail, Periodicals, Standard Mail, Package Services were to be able to utilize Certified Mail service they would also have to be listed in DMCS Section 941.21.

**RESPONSE**

- (a) Confirmed.
- (b) Confirmed.
- (c) Those mail classes may not utilize Certified Mail service because the Governors have not established a classification authorizing a relationship between Certified Mail service and those mail classes.
- (d) The question asked calls for the statement of a legal conclusion as opposed a statement of fact. The Postal Service can confirm that listing services other than First-Class Mail in the DMCS -- for which Certified Mail service would, hypothetically be available as a result of a Governors decision -- along with First-Class Mail in DMCS section 941.21 would result in all of the mail classes being listed together there.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-643** Please refer to your response to Interrogatory DBP/USPS-619 subpart c. Please explain why you believe that other uses other than the intended use for the Forever Stamp will be authorized without being provided for in the DMCS wording.

**RESPONSE**

A cursory comparison of the Domestic Mail Classification Schedule, the current Domestic Mail Manual, the companion DMM Quick Service Guide, and the Customer's Guide to Mailing (Domestic Mail Manual 100 Series) -- followed by some thoughtful reflection -- should lead the reader to appreciate that everything that is authorized by and consistent with the DMCS is not reflected in the DMCS. Much of that which is authorized by but not specifically addressed in the DMCS appears in such publicly accessible documents as the DMM, the Quick Service Guide and/or the Customer's Guide.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-644** Please refer to your response to Interrogatory DBP/USPS-604. You ask me to reread the response to subpart [c] of DBP/USPS-510. That response indicates that there is a possible ambiguity in the term "first ounce". If I reread the response to subpart [c], I must also reread the response to subpart [b] which states very specifically what the correct interpretation of the Forever Stamp policy is and further states that the Postal Service is only considering making a change.

After responding to Interrogatories DBP/USPS-642 and 643, please re-evaluate and re-respond to the original Interrogatory DBP/USPS-604.

**RESPONSE**

The response to DBP/USPS-510 reiterates the intended purpose of the Forever Stamp. Nothing in that response, nor anything in the responses to DBP/USPS-604, 642 or 643 precludes mailers from applying Forever Stamps to pay the postage on multi-ounce pieces or suggests that such use would not be tolerated. Please re-evaluate your interpretation of the responses to DBP/USPS-510 and 604.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-645** Please refer to your response to Interrogatory DBP/USPS-605 subpart a. Please confirm, or explain if you are unable to confirm, that the level of confusion to the mailing public will also be considered.

**RESPONSE**

The concept of “potential for confusion” is subsumed in the concept of “ease of use.”

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-646** Please refer to your response to Interrogatory DBP/USPS-605. Please confirm, or explain if you are unable to confirm, that the response made to subpart b of Interrogatory DBP/USPS-510 is still the current status of the Postal Service's Forever Stamp implementation plan.

**RESPONSE**

Implementation planning for all aspects of the R2006-1 rate cycle, including the Forever Stamp, will be “ongoing” until implementation is completed.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-647** Please refer to your response to Interrogatory DBP/USPS-606. Please explain why my notion that the intended purpose of the Forever Stamp is the only use that will be tolerated is a mistaken notion based on the response to subpart [b] of Interrogatory DBP/USPS-510 which states very specifically what the correct interpretation of the Forever Stamp policy is and further states that the Postal Service is only considering making a change.

**RESPONSE**

DBP/USPS-510 reflects the intended purpose of the Forever Stamp, not the only use that will be tolerated.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-648** Please refer to your response to Interrogatory DBP/USPS-607. You indicate that that is one option. Please provide all of the other options that could exist that are compliant with the current Postal Service interpretation of the use of Forever Stamps as enumerated in the response to subpart b of Interrogatory DBP/USPS-510.

**RESPONSE**

The mailer's use of Forever Stamps to pay for the ancillary services would also be tolerated and thus, constitute, a second option.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-649** Please refer to your response to Interrogatory DBP/USPS-608. Please explain why you were not able to fully confirm the scenario presented in the original Interrogatory DBP/USPS-608 since it appears to be in full compliance with existing Postal Service regulations for shortpaid/unpaid mail and the current Postal Service interpretation of the use that may be made of the Forever Stamp as provided in the response to subpart b of Interrogatory DBP/USPS-510.

**RESPONSE**

Because the question incorrectly assumed that the Postal Service would consider a postcard, for which less than 42 cents postage was required and to which a Forever Stamp was affixed, as having no postage or as being shortpaid.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-650** Please refer to your response to Interrogatory DBP/USPS-609. Please explain why you were not able to fully confirm the scenario presented in the original Interrogatory DBP/USPS-609 since it appears to be in full compliance with existing Postal Service regulations for shortpaid/unpaid mail and the current Postal Service interpretation of the use that may be made of the Forever Stamp as provided in the response to subpart b of Interrogatory DBP/USPS-510.

**RESPONSE**

Because, although it refers to a different mail piece, DBP/USPS-609 is premised upon the same flawed assumption as DBP/USPS-608.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-651** Please refer to your response to Interrogatory DBP/USPS-610. Please explain why you were not able to fully confirm the scenario presented in the original Interrogatory DBP/USPS-610 since it appears to be in full compliance with existing Postal Service regulations for shortpaid/unpaid mail and the current Postal Service interpretation of the use that may be made of the Forever Stamp as provided in the response to subpart b of Interrogatory DBP/USPS-510.

**RESPONSE**

Because, although it refers to a different mail piece, DBP/USPS-610 is premised upon the same flawed assumption as DBP/USPS-608 and 609.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-652** Please refer to your response to Interrogatory DBP/USPS-611. Please explain why you were not able to fully confirm the scenario presented in the original Interrogatory DBP/USPS-611 since it appears to be in full compliance with existing Postal Service regulations for shortpaid/unpaid mail and the current Postal Service interpretation of the use that may be made of the Forever Stamp as provided in the response to subpart b of Interrogatory DBP/USPS-510.

**RESPONSE**

Because, although it refers to a different mail piece, DBP/USPS-611 is premised upon the same flawed assumption as DBP/USPS-608, 609 and 610.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-653** Please refer to your response to Interrogatory DBP/USPS-612. Please explain why you were not able to fully confirm the scenario presented in the original Interrogatory DBP/USPS-612 since it appears to be in full compliance with existing Postal Service regulations for shortpaid/unpaid mail and the current Postal Service interpretation of the use that may be made of the Forever Stamp as provided in the response to subpart b of Interrogatory DBP/USPS-510.

**RESPONSE**

Because, although it refers to a different mail piece, DBP/USPS-612 is premised upon the same flawed assumption as DBP/USPS-608, 609, 610 and 611.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-654** Please refer to your response to Interrogatory DBP/USPS-613. Please explain why you were not able to fully confirm the scenario presented in the original Interrogatory DBP/USPS-613 since it appears to be in full compliance with existing Postal Service regulations for shortpaid/unpaid mail and the current Postal Service interpretation of the use that may be made of the Forever Stamp as provided in the response to subpart b of Interrogatory DBP/USPS-510.

**RESPONSE**

Because, although it refers to a different mail piece, DBP/USPS-613 is premised upon the same flawed assumption as DBP/USPS-608, 609, 610, 611 and 612.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-655** Please refer to your response to Interrogatory DBP/USPS-614. Please explain why you were not able to fully confirm the scenario presented in the original Interrogatory DBP/USPS-614 since it appears to be in full compliance with existing Postal Service regulations for shortpaid/unpaid mail and the current Postal Service interpretation of the use that may be made of the Forever Stamp as provided in the response to subpart b of Interrogatory DBP/USPS-510.

**RESPONSE**

Because, although it refers to a different mail piece, DBP/USPS-614 is premised upon the same flawed assumption as DBP/USPS-608, 609, 610, 611, 612 and 613.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-656** Please refer to your response to Interrogatory DBP/USPS-615. Please explain why you were not able to fully confirm the scenario presented in the original Interrogatory DBP/USPS-615 since it appears to be in full compliance with existing Postal Service regulations for shortpaid/unpaid mail and the current Postal Service interpretation of the use that may be made of the Forever Stamp as provided in the response to subpart b of Interrogatory DBP/USPS-510.

**RESPONSE**

Because, although it refers to a different mail piece, DBP/USPS-615 is premised upon the same flawed assumption as DBP/USPS-608, 609, 610, 611, 612, 613 and 614.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-657** Please refer to your response to Interrogatory DBP/USPS-616. Please explain how the you are able to make a "positive" statement that "mailers will not be penalized for using it as postage for other mail pieces in the R2006-1 rate cycle" when that statement is in direct conflict with the statement made in response to subpart b of Interrogatory DBP/USPS-510 where you state that the Postal Service is only considering giving postage credit for such uses.

**RESPONSE**

The Postal Service sees no conflict between the two statements. A conflict would exist if the Postal Service had stated that it would give no credit for alternate uses. The response to DBP/USPS-616 should be interpreted as a clear indication that the Postal Service has explored the issue and has moved beyond *considering* giving postage credit for such uses and intends to give such credit.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-658** Please refer to your response to Interrogatory DBP/USPS-616.

- [a] Please explain why you believe that implementing language regarding postage credit for unintended purposes [should the Postal Service change the position provided in response to subpart b of Interrogatory DBP/USPS-510 which stated that such use was being considered] could be published elsewhere other than the DMCS.
- [b] Please advise where you believe the publication would take place.

**RESPONSE**

- (a) Because it would be similar to and serve the same function as the myriad rate and classification implementation details that are published in the Domestic Mail Manual, the Quick Service Guide and/or Consumer's Guide to Mailing.
- (b) Several options are listed in response to subpart (a).

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-659** Please refer to your response to Interrogatory DBP/USPS-618. You state that there is a misunderstanding of the current policy. What is the current policy and does it differ from the very clear policy specified in response to subpart b of Interrogatory DBP/USPS-510?

**RESPONSE**

As indicated in response to DBP/USPS-657, current policy should be clear when the responses to DBP/USPS-510 and 616 are read together.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-660** Please refer to your response to Interrogatory DBP/USPS-620.

- [a] What are the Postal Service's stated intentions with respect to any unintended postage use of the forever stamp for the Docket No. R2006-1 rate cycle? Please explain how this intention complies with the interpretation provided in response to subpart b of Interrogatory DBP/USPS-510.
- [b] Please confirm, or explain if you are unable to confirm, that the term R2006-1 rate cycle would be the time frame when the single-piece First-Class Mail rate would be 42¢ [assuming that rate is approved].

**RESPONSE**

- (a) See the responses to DBP/USPS-616 and 657.
- (b) As far as that goes, we are on the same page.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-661** Please refer to your response to Interrogatory DBP/USPS-621.

The original Interrogatory referred to was DBP/USPS-516.

**RESPONSE**

In terms of stamp design, what is “attractive” depends on the subjective aesthetic sense of the individual beholder. Reasonable minds can disagree about whether a particular stamp design or alternative features (such as numerals or letters) or a combination of features within a particular design is or is not “attractive.” Such matters are nearly impossible to discuss in the abstract, in the absence of a specific design proposal. Accordingly, it is impossible to say that placing a letter on a stamp “will not affect the ability to produce more attractive transition stamps.”

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-662** Please refer to your response to Interrogatory DBP/USPS-622.

[a] You state that the policy for unintended postage use for the purposes of the R2006-1 rate cycle is already clear. What is the Postal Service's policy with respect to any unintended postage use of the forever stamp for the Docket No. R2006-1 rate cycle? Please explain how this intention complies with the interpretation provided in response to subpart b of Interrogatory DBP/USPS-510.

[b] Please explain why you were not able to confirm the response to subpart b of Interrogatory DBP/USPS-622.

**RESPONSE**

(a) See the response to DBP/616 and 657.

(b) See the responses to DBP/USPS 616, and 647-657.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-663** Please refer to your response to Interrogatory DBP/USPS-624.

- [a] Please confirm, or explain if you are unable to confirm, that there is a December 2005 version of the template Notice 3-A and that that is the latest version.
- [b] The response to subpart b of Interrogatory DBP/USPS-624 failed to provide the specific wording that serves to provide additional guidelines to postal acceptance clerks as opposed to reformatting the DMM regulations to place them in a more convenient format or to provide a convenient way to measure the various mailpieces.

**RESPONSE**

- (a) Confirmed.
- (b) The Postal Service has never stated that any specific aspect of the Notice 3A provided “additional guidelines” as opposed to reformatting the DMM regulations to place them in a more convenient format and providing a convenient way to measure mailpieces. Accordingly, the Postal Service does not consider that it is obliged by this interrogatory to support an assertion that has been improperly attributed to it. The only *failure* here appears to be in the mischaracterization of the response to DBP/USPS-624(b).

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-664** Please refer to your response to Interrogatory DBP/USPS-625.

- [a] Please confirm, or explain if you are unable to confirm, that the responses made to subparts a, c, and d of Interrogatory DBP/USPS-540 no longer apply to the reworded Interrogatory DBP/USPS-625 and that the only reason for the implementation of the nonmachinable surcharge to the mailpiece described in Interrogatory DBP/USPS-625 is as noted in the response to Interrogatory DBP/USPS-625 which refers to the ability of the clasp to catch on something else during processing as indicated by the response, "Yes" to subpart b of Interrogatory DBP/USPS-540.
- [b] Please confirm, or explain if you are unable to confirm, that if a mailer affixes a piece of tape over the clasp on the mailpiece described in Interrogatory DBP/USPS-625 so that there will be no ability for the clasp to catch on something else during processing that the mailpiece will no longer require payment of the nonmachinable surcharge.

**RESPONSE**

- (a) Each of the lettered criteria (a-i) in DMM 101.1.2 operates independently. It is possible for a mail piece to be nonmachinable because it meets any one of those criteria. It is possible for an envelope that is nonmachinable under DMM 101.1.2(c) to also be nonmachinable under one or more of the other criteria DMM 1012.1.2.
- (b) That is possible. See the response to subpart (a).

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-665** Please refer to your response to Interrogatory DBP/USPS-626.

- [a] Please explain how the answer to Interrogatory DBP/USPS-541 speaks for itself. Have any individuals performed direct measurements of lengths and widths of thick envelopes vs. indirect measurements of the envelope thickness?
- [b] If not, why not?
- [c] Please explain the term parallax as it relates to observations made of the reading of a ruler.
- [d] Please confirm, or explain if you are unable to confirm, that the indirect measurement of the thickness of a thick envelope will have a greater parallax error than the direct measurement of the length and width of the same envelope.

**RESPONSE**

- (a) Very concisely and clearly. Yes.
- (b) N/A.
- (c) As has been demonstrated by its responses to interrogatories along this line, if the Postal Service had any inkling that there was even the most remote relationship between an answer to this question and any of the rate or classification proposals the Postal Rate Commission has been asked to consider in this docket, it would respond. However, this particular question has no such nexus to Docket No. R2006-1. The Postal Service assumes that, after reading this response, all intervenors in this proceeding will agree that the Commission's staff should be spared the burden of any motion practice related to the Postal Service's determination to invite, by this response, an end to this irrelevant line of questions.
- (d) Not confirmed, because the Postal Service has conducted no such analysis, and is aware of no expert analysis in evidence in this docket which would support or refute such a conclusion and, therefore, has no basis for offering a view on the matter.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-666** Please refer to your response to Interrogatory DBP/USPS-629. Please confirm, or explain if you are unable to confirm, that if the Commission and Board of Governors approve the proposed shape based rates for single-piece First-Class Mail that the only tools that the retail window clerks will have to determine whether a mailpiece is eligible for the letter rate vs. the flat rate vs. the parcel rate will be a Notice 3-A template, a ruler, and the DMM to determine the rate consequences of the measurements.

**RESPONSE**

Not confirmed. It also can be assumed that other existing publications, such as the Quick Service Guide and the Consumer's Guide to Mailing, will be revised. It is unknown at this time what additional tools or guidelines may also be developed or available at the beginning of or during the R2006-1 rate cycle. Accordingly, the Postal Service lacks sufficient information with which to confirm your hypothesis that the only tools and guidelines that will be available are the ones that you listed.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
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**DBP/USPS-668** Please refer to your response to Interrogatory DBP/USPS-637. I am somewhat confused by the answers to Interrogatory DBP/USPS-637. The response to subpart a appears to state that the conversion of a letter-shaped mailpiece with one or more of the nonmachinable characteristics will pay the rate for flat-shaped mail regardless of the weight [any weight up to 3.5 ounces]. The response to subpart b appears to indicate that the conversion will only take place for letter-shaped mailpieces of one ounce or less. Please clarify.

**RESPONSE**

Nonmachinable letter-size pieces will be subject to the applicable postage for a flat-size piece, based on weight. For example, a one ounce nonmachinable letter would pay the one ounce flat size price. A 2-ounce nonmachinable letter would pay the 2-ounce flat size price. A 3-ounce nonmachinable letter would pay the 3-ounce flat size price.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORY OF DAVID POPKIN**

**DBP/USPS-669** Please refer to your response to Interrogatory DBP/USPS-639. Based on your response stating "No and no" leads me to believe that you misread the intent of my Interrogatory. The intent of the question was to confirm that all of the questions and statements that were presented in the February 2006 attachment to the response to Interrogatory DFC/USPS-T48-22 were considered by Witness Taufique and either adopted, modified, or rejected before preparing his T-48 Testimony and the subsequent Forever Stamp discovery. For example, the February 2006 document discusses the possibility of charging a premium for the Forever Stamp or limiting the time period that it will be sold. Both of these have been evaluated and dismissed and therefore are not back on the table as a possibility.

Please clarify your response.

**RESPONSE**

The answers were directly responsive to the two specific questions that were asked. Accordingly, the responses require no clarification. Whatever your *intent* may have been when you began to formulate DBP/USPS-639, for better or for worse, the Postal Service can only respond to the questions that *you* commit to writing, using the words that *you* choose. The Postal Service is never in a position to know, except in circumstances such as those now present, whether you intended to ask a question different from the one you composed and filed with the Commission.

The February 2006 document reflects a host of potential Forever Stamp characteristics and issues compiled for discussion and consideration at a time when the market research was being developed and before the Forever Stamp concept reflected in USPS-T-48 was developed. The document was reviewed by witness Taufique before he prepared USPS-T-48. Had the Postal Service intended to limit the sale of the proposed 42-cent Forever Stamp to a circumscribed time frame or to charge more than 42 cents per stamp, witness Taufique's testimony would have so indicated.