

BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON DC 20268-0001

STAMPED STATIONERY AND
STAMPED CARDS CLASSIFICATION

DOCKET NO. MC2006-7

DAVID B. POPKIN MOTION TO COMPEL RESPONSE TO INTERROGATORIES
DBP/USPS-28 and 29

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

April 19, 2007

Respectfully submitted,

MC20067MTC1

DAVID B. POPKIN, POST OFFICE BOX 528, ENGLEWOOD, NJ 07631-0528

On April 2, 2007, I submitted Interrogatories DBP/USPS-28 and 29. On April 12, 2007, the Postal Service filed an objection to those interrogatories. These two interrogatories are similar in nature and will be dealt with together.

The interrogatories read as follows:

DBP/USPS-28 Please refer to your responses to Interrogatory DBP/USPS-2.

[a] Please confirm, or explain if you are unable to confirm, that the surface and Air Mail postal cards that were issued on June 29, 1972 had other images besides the stamp and that they were sold for the face value of the stamp. Please provide images of these cards.

[b] Please advise if there were any other similar issues.

DBP/USPS-29 Please confirm, or explain if you are unable to confirm, that the United States Postal Service has issued Air Letter sheets / Aerogrammes since 1947 and that the more recent issues have had various scenes in addition to the stamp and that these were all sold at the face value of the stamp.

The Postal Service bases its Objection on the fact that they seek information that is not relevant to the subject matter of this proceeding as required by Rule 26 of the Commission's Rules of Practice and Procedure.

Interrogatory DBP/USPS-28 refers to a series of postal cards that were issued in 1972 that had various images on them in addition to the stamp. These cards were sold at the face value of the imprinted stamp.

Interrogatory DBP/USPS-29 relates to the Air Letter sheets / Aerogrammes that have been issued by the Postal Service. Aerogrammes are still sold by the Postal Service although the rate for them will be eliminated effective May 14th. Aerogrammes are also sold at the face value of the imprinted stamp.

What I am trying to show is that the Postal Service has in the past sold items which have a similarity and relationship to the proposed PSC and PSS items and that these items were sold at the value of the imprinted stamp without any premium price.

From my recollection, the cards issued in 1972 were of a larger size than the standard postal card of the time and also had pictures on the reverse side and a provision to place the message on the left side of the front of the card. This is identical to the currently issued PSC items.

Recently issued Aerogrammes are sheets that have pictures on them and fold and have flaps that seal the item into a mailing piece. This is identical to the currently issued PSS

items. I am not concerned with the rate of postage that appears on the Aerogramme that apparently was set by international treaty; what I am concerned about is that the Aerogramme was sold by the Postal Service for the value of that imprinted stamp.

The Postal Service states that I should be filing testimony to introduce information on postal products that have been sold by the United States Postal Service. While I obviously am free to file any testimony that I feel may be appropriate, the Postal Service should be required to respond to Interrogatories that relate to their actions and which are relevant to the issues at hand.

The Postal Service states that I should not be shifting the burden of doing historical research from myself to them. Many if not most of the interrogatories that are asked in every proceeding relate to doing historical research of some nature. If it is a postal activity, then it is the Postal Service that the obligation to do the research.

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.