

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

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POSTAL RATE COMMISSION  
OFFICE OF THE SECRETARY  
Docket No. R97-1

POSTAL RATE AND FEE CHANGES, 1997

OBJECTION OF UNITED STATES POSTAL SERVICE TO INTERROGATORIES OF  
DOUGLAS F. CARLSON DIRECTED TO THE UNITED STATES POSTAL SERVICE  
(DFC/USPS-30-32, 34)  
(December 15, 1997)

In accordance with Rules 25 and 26 of the Commission's Rules of Practice and Procedure, the Postal Service hereby objects to interrogatories DFC/USPS-30-32, and 34, directed to the Postal Service and filed by Douglas F. Carlson on December 10, 1997. The grounds for objection to each of these discovery requests is relevance of the requested information to the current proceedings, and the significant burden that would be involved in providing this information to Mr. Carlson.

Interrogatory DFC/USPS-30 refers to nationally aggregated figures reflecting the number of comments recorded by the Postal Service from consumer service cards, and asks "the extent to which [these] data accurately reflect the number of Consumer Service Cards that customers actually submitted and the number of telephone, written, or in-person complaints that actually were transferred to Consumer Service Cards in accordance with the procedures described in [a Management Instruction regarding complaint resolution which was provided to Mr. Carlson in response to DFC/USPS-15]." Interrogatory DFC/USPS-31 asks the Postal Service to "discuss the extent to which postal employees follow the procedures described [in the Management Instruction provided to Mr. Carlson] in transferring customer complaints to Consumer Service Cards." Interrogatory DFC/USPS-32 asks the Postal Service to

describe its procedures for auditing its employees' actions related to consumer service cards, and seeks copies of any audit results and copies of such procedures.

Each of these discovery requests evince an apparent apprehension on Mr. Carlson's part regarding the accuracy of the figures that the Postal Service provided to him in response to DFC/USPS-17-18. While this current endeavor may be of interest to him, the bearing that the information requested by DFC/USPS-30-32 has on the propriety of the rates and fees at issue in this proceeding is attenuated at best. The Postal Service, in its responses to DFC/USPS-17-18, provided the figures that it collects nationally regarding comments collected from consumer service cards regarding, respectively, return receipts and post office boxes and caller service. In response to DFC/USPS-29, the Postal Service will be providing similar information for each of the categories for which it is collected. To now ask the Postal Service to go behind these figures to investigate the degree to which they are an accurate reflection of consumer sentiment steps significantly away from material that will enhance the record and permit the Commission to make an informed decision regarding the Postal Service's proposal.

In addition, the burden that would be involved in providing the information sought by Mr. Carlson would be significant. Mr. Carlson is asking the Postal Service to survey each its offices, with no apparent limitation, in order to determine the extent to which the directions specified in a Postal Service Management Instruction regarding the treatment of customer comments are followed, and the results of any Postal Service management reviews of such treatment. Such an inquiry would obviously consume hundreds of hours of work time, and it is unlikely that anyone could ever be certain that the response would be complete.

Interrogatory DFC/USPS-34 lists eight instances where Mr. Carlson submitted consumer service cards to the Postal Service, and asks the Postal Service to research the reasons for the Postal Service's lack of communication regarding them. Like DFC/USPS-30-32, this line of inquiry would do little or nothing to add to the record in this proceeding, while consuming an inordinate amount of time and effort to track down. Responding to his discovery request would require tracking down a copy of the complaint control logs he requests, reviewing each requested page for information that may be withheld as proprietary or confidential,<sup>1</sup> and locating and discussing with each responsible official the reasons for the lack of response of which Mr. Carlson. Such an effort could easily entail at least two hours per site listed, for a total of sixteen hours of research time. To require this effort is plainly inappropriate, particularly in the interest of producing information that will be of so little utility to the record.

As the Postal Service indicated in its objection to other discovery requests submitted by Mr. Carlson,<sup>2</sup> the interrogatories to which the Postal Service objects here are not proper under Special Rule 2E. Presiding Officer's Ruling No. MC96–3/36 at 2, concluded that Special Rule 2E “is limited to when a participant needs data available only from the Postal Service in order to prepare testimony to rebut participants other than the Postal Service.”<sup>3</sup> As with the interrogatories to which the

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<sup>1</sup> Regardless of Mr. Carlson's consent to disclosure of all information regarding him and his complaint, the Postal Service cannot reveal confidential information about other individuals.

<sup>2</sup> See *Objection of United States Postal Service to Interrogatories of Douglas F. Carlson Directed to the United States Postal Service (DFC/USPS-24-28, and 35)*, December 12, 1997.

<sup>3</sup> That ruling, at page 2, also stated that:

(continued...)

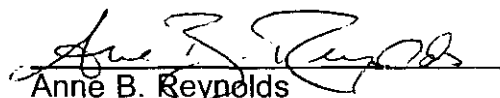
Postal Service objected on Friday, it is unclear how Mr. Carlson intends to utilize the responses to these interrogatories in his own testimony, especially in order to rebut the testimony of intervenors yet to be filed. Moreover, the questions do not request readily available “data” or “operating procedures”, but seek to test the accuracy of information filed earlier in response to other discovery requests. Providing this information would, moreover, require the Postal Service to develop new information based on inquiries to the Field.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

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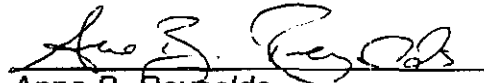
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<sup>3</sup> (...continued)

Special Rule 2.E. applies for the limited purpose of allowing parties to develop evidence for submission as rebuttal to the direct cases of participants other than the Postal Service. Discovery for the purpose of developing evidence for submission as rebuttal to the direct case of the Postal Service is generally to be completed before oral cross-examination of Postal Service witnesses.

**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.

  
Anne B. Reynolds

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