

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

STATION AND BRANCH OPTIMIZATION AND  
CONSOLIDATION INITIATIVE, 2009

Docket No. N2009-1

OBJECTIONS OF THE UNITED STATES POSTAL SERVICE TO  
PUBLIC REPRESENTATIVE INSTITUTIONAL INTERROGATORIES  
PR/USPS-2(a), 3(c), 4(c), 5, AND 7(b)  
(July 20, 2009)

In accordance with Rule 26(c) of the Postal Regulatory Commission's Rules of Practice and Procedure, the United States Postal Service hereby files the following objections to the interrogatories below submitted by the Public Representative on July 10, 2009.

PR/USPS-2(a)

This interrogatory seeks confirmation that the Postal Service will provide the Commission with a "complete list" of all "stations and branches proposed for consolidation or closure" and that the list will be accompanied by "associated potential changes in postal services." The Postal Service objects to this interrogatory, but only to the extent that the clause "pursuant to section 3661(c)" can be interpreted as requesting affirmation of a legal conclusion that the Postal Service is required by 39 U.S.C. § 3661(c) to provide the Commission with the requested list of the individual stations and branches that are subject to the Station and Branch Optimization and Consolidation Initiative and/or the associated potential changes in service that could result at each

individual station or branch.

PR/USPS-3(c)

This interrogatory asks the Postal Service to identify, describe and provide all documents relating to cost savings and hypothecated revenue loss that could result from the Station and Branch Optimization and Consolidation Initiative. As such it is both redundant and overbroad. The request fails to recognize that any such documents would be available only after facility-specific studies are completed and aggregated. The Postal Service objection is only partial as an answer to the thrust of the question can be provided.

PR/USPS-4(c)

The interrogatory requests identification, descriptions and copies of all documents that either have been or will be transmitted to the 74 postal administrative District offices with respect to the Station and Branch Optimization and Consolidation Initiative. The Postal Service intends to respond to this and other subparts of interrogatory PR/USPS-4 by providing documents reflecting instructions and guidance disseminated by Headquarters to the field for purposes of conducting station and branch discontinuance studies generally, as well as specific instructions developed for purposes of the Station & Branch Optimization and Consolidation Initiative. And, the Postal Service will seasonally update such documents to ensure that any material changes are brought to the attention of the Commission and the parties during this docket.

Otherwise, the Postal Service objects to this interrogatory as overly broad,

unduly burdensome, and as requesting information that is either irrelevant to or that has no bearing on any material issue raised by the filing of the request in this docket. In addition, the interrogatory also is objectionable to the extent that it seeks access to privileged pre-decisional and/or attorney-client communications.

To identify records relevant to the Station and Branch Optimization and Consolidation Initiative responsive to this interrogatory, the Postal Service would be required to compile and search through all hard-copy and electronic documents generated since the early part of this year by employees of such Headquarters departments as Delivery & Post Office Operations, Network Operations, Facilities, Employee Resource Management, Labor Relations, Government Relations & Public Policy, Finance & Planning, Corporate Communications, Government Relations, the Office of the General Counsel. Next, the Postal Service would be required to determine which of these documents may have been transmitted directly (or indirectly through one of 9 Area offices) to any employee at one of its 74 District offices. To be responsive to this interrogatory, the Postal Service also would be required to prepare descriptions of all such documents. Finally, the Postal Service would be required to provide copies of all such documents.

The same exercise would have to be repeated for all documents generated by each of the 9 Area Offices and transmitted to a District Office, all documents exchanged between employees at each of the 74 District Offices pertinent to the Initiative, as well as communications from all postal facilities under the command of each District Office pertaining to the Initiative. And, under the terms of the interrogatory, the Postal Service would be under an ongoing obligation to compile, review and disclose all such

documents generated in the future during the course of this docket.

The Postal Service estimates that thousands of workhours would need to be expended at Headquarters, in its 9 Area offices and its 74 District Offices simply to identify and locate any hard copy documents within the scope of this interrogatory that may have been transmitted to employees in its District Offices.

In order to be fully responsive to this interrogatory, the scope of the search would include records transmitted to each District office from thousands of Post Offices, stations and branches.

In addition to hard-copy documents, there also may be thousands of documents in the form of e-mails to District employees. Many of these e-mails are likely to have been generated in response to inquiries directed to Area and Headquarters personnel regarding various day-to-day aspects of executing and implementing the Station and Branch Optimization and Consolidation Initiative. And there is likely to be e-mail traffic from thousands of Post Offices, stations and branches to District employees regarding the Initiative. On a systemwide basis, the back-and-forth e-mail traffic could involve thousands of employees transmitting messages on a daily basis. All of their e-mails messages would need to be catalogued and examined to determine which were within the scope of this interrogatory. Putting aside the burden of compiling such documents, it is estimated that thousands of workhours would be necessary to review e-mail communications for the purpose of identifying which may fall within the scope of this interrogatory.

Some documents (or portions of thereof) generated at Headquarters or at the Area level and transmitted to employees in District offices may contains messages

subject to the attorney-client privilege. In whole or in part, such documents would have to be redacted or withheld from disclosure. An even larger universe of documents may consist of communications seeking and transmitting pre-decisional opinions and ideas, or responding to mundane inquiries from employees exploring how to approach or seeking clarification about how to execute various administrative tasks relevant to the Initiative.

The scope of the interrogatory is so broad as to include draft materials circulated within the agency for internal review and comment. The Postal Service objects to the disclosure of such draft documents as an unnecessary intrusion into pre-decisional thought processes and the deliberative process surrounding routine administrative functions of no relevance to the material issues raised by the request in this proceeding.

PR/USPS-5

The Postal Service objects to this interrogatory insofar as subpart (a) can be interpreted as seeking the assertion of a legal conclusion regarding whether the request in this proceeding is “consistent with” uncodified section 302(d) of the Postal Accountability and Enhancement Act. The Postal Service also objects to subpart (b) to the extent that it could be interpreted as seeking the assertion of a legal conclusion regarding a relationship between the Station and Branch Optimization and Consolidation Initiative and the PAEA Section 302 Network Plan that the Postal Service submitted to Congress on June 19, 2008.

PR/USPS-7(b)

The Postal Service objects to this interrogatory to the extent that the request for identification of “all members of the District Team” seeks the names of each of the individual postal employees at each of the 74 District offices who will be involved in the preparation of station and branch discontinuance studies. Such information is irrelevant to the issues raised by the request in this proceeding and unavailable at this time.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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