

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Postal Regulatory Commission
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STATION AND BRANCH OPTIMIZATION AND
CONSOLIDATION INITIATIVE, 2009

DOCKET NO. N2009-1

DAVID B. POPKIN MOTION TO COMPEL RESPONSE TO INTERROGATORIES DBP/USPS-
6, 9-10, 28-29

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

August 6, 2009

Respectfully submitted,

N20091MTC1

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

On July 13, 2009, I submitted Interrogatories DBP/USPS-6, 9-10, and 28-29.. On July 23, 2009, the Postal Service filed an objection to those interrogatories.

The interrogatories read as follows:

DBP/USPS-6 Please confirm, or explain if you are unable to confirm, that there is a program implemented or proposed to be implemented in part or all of Delaware, New Jersey, and Florida to consolidate the functions of a BMEU to a limited number of facilities. Please provide details of these consolidations including the results of the program and plans to reverse or expand the program.

The Postal Service bases its Objection that the consolidation of the BMEU functions in three states is an isolated local determination that is not related to the current Docket. The Postal Service agrees that the BMEU function may be associated with the current Docket. Even though this apparent BMEU consolidation is limited to three states, the Postal Service should not be allowed to "back into" a substantially nationwide change in the method of accepting bulk

mail. Furthermore, any of the functions that are affected by the consolidations contemplated in the current Docket are relevant.

DBP/USPS-9 For each level of the Postmaster, please provide a listing of the breakdown of the number of post offices and number of subordinate stations and branches in that level.

DBP/USPS-10 Please describe in detail how the level of the Postmaster is determined including the specifics of the values that go into ranking a post office at Level 24 or higher.

The Postal Service has claimed that by using Level 24 offices, they have captured the majority of the stations and branches. Providing the listing as requested in Interrogatory DBP/USPS-9 will allow the public to evaluate that choice by the Postal Service. The choice of using the level of the Postmaster and how that level is determined as well as using Level 24 as the cutoff for consideration is a critical part of this Docket.

DBP/USPS-28 Please confirm, or explain if you are unable to confirm, that all outgoing mail which a carrier collects while delivering mail along their route or which an employee picks-up in response to a request for a pick-up will be processed and dispatched to the Processing Center on the same day, including Saturday, that it is collected or picked-up from the customer and will receive the same delivery standards for that day being Day 0. If necessary, make any distinctions based on the type of mail or type of carrier.

DBP/USPS-29 With respect to Express Mail which a carrier collects while delivering mail along their route or which an employee picks-up in response to a request for a pick-up, please advise whether the time of receipt for purposes of determining the guaranteed delivery date and time will be the time the mail is turned over to the carrier or the time it is processed when the carrier returns to the office.

The Postal Service claims that the ability of a customer to give outgoing mail to their carrier will not change with the current Docket. While the ability to give outgoing mail to their carrier will not change, the closing of a station or branch as contemplated by this Docket will most

certainly increase the volume of mail that is inducted into the system by turning it over to the delivery carrier. Therefore, the conditions under which this service will be provided are certainly relevant.

The Postal Service states that a similar Interrogatory was asked and answered in an earlier Docket. The following Interrogatory was asked in Docket R2000-1.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE
TO INTERROGATORIES OF DAVID B. POPKIN**

DBP/USPS-75 [a] Does the USPS have a requirement that all mail which is placed into the system on a given day will be postmarked that day and will be processed that same day? [b] Does the USPS have a requirement that all mail turned in over a service window that is open to the public will be postmarked that day and will be processed that same day? [c] Does the USPS have a requirement that all mail turned into a city delivery, rural, or HCR carrier or which is collected by a carrier will be postmarked that day and will be processed on that day? [d] Does this apply to all delivery dates including Saturday? [e] Explain and elaborate on any negative answers.

RESPONSE:

- a. No, see b. below.
- b. No, see the response to DFC/USPS-6.
- c. Although the Postal Service would normally seek to conform its operations to this objective to the extent possible, no such requirement has been identified.
- d. Yes.
- e. See above.

The same Interrogatory was also asked and answered at DBP/USPS-43 in Docket R2001-1. The response referred back to the R2000-1 response.

The response to subpart c, made some 8 or 9 years ago but still apparently in effect, is troubling. Not only should there be a policy as to when outgoing mail will be processed, but the mailing public should be apprised of the policy. There is a requirement that customers who deposit their mail at a postal facility or a blue collection box will be aware of the times to achieve day 0 processing. The failure of the Postal Service to potentially not dispatch the mail on the same day as it is collected by carriers along their routes will in many cases create a problem for the mailer.¹

¹ Imagine a customer giving his/her tax return to their carrier on April 15th only to find that it was postmarked on the 16th,

The problem may be more prevalent on Saturdays than during the week since the final dispatch of mail is usually earlier on Saturday. While the time of the final dispatch of mail is not posted at carrier offices, the final collection time is posted. In many cases the time will be several hours earlier than the time that the carriers return to the office. The final collection time should be as late as possible to achieve dispatch on the existing transportation. Either the existing transportation is earlier than the return of the carriers to the office and the mail collected along their route will sit overnight until the next day or the later transportation exists but the final posted collection time on the blue collection box in front of the office has been shown too early for the actual dispatch time.

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.