

STATION AND BRANCH OPTIMIZATION AND
CONSOLIDATION INITIATIVE, 2009

DOCKET NO. N2009-1

DAVID B. POPKIN MOTION TO COMPEL RESPONSE TO INTERROGATORIES

DBP/USPS-40, 41, 43[b], 44, and 45

I move to compel response to the interrogatory submitted to the United States Postal Service that has been objected to by them.

September 30, 2009

Respectfully submitted,

N20091MTC3

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

On September 9, 2009, I submitted Interrogatories DBP/USPS-40, 41, and 43[b]. On September 21, 2009, the Postal Service filed an objection to these interrogatories.

The interrogatory reads as follows:

DBP/USPS-40 Please refer to your response to Interrogatory DBP/USPS-28. Please confirm, or explain if you are unable to confirm, that the final collection time at the blue collection box located at the facility should be based on the final trip to the Processing Center including any trip which is utilized for dispatch of mail collected by delivery carriers along their route.

The Postal Service bases its Objection to this Interrogatory because it is irrelevant.

This Interrogatory when taken in conjunction with Interrogatories DBP/USPS-38 and 39 becomes relevant. The need for such a timely dispatch to the Processing Center is required to achieve the same day dispatch of mail which delivery carriers collect from customers along their routes.

The interrogatory reads as follows:

DBP/USPS-41 Please refer to your response to Interrogatory DBP/USPS-28. Please confirm, or explain if you are unable to confirm, that

1. Scans are made when scheduled collections are made at blue collection boxes and lobby drops.
2. These scans are evaluated and if a collection is missed or made early, an employee will be dispatched to that collection point.
3. Mail which is collected will then be brought to the Processing Center to receive the same dispatch it would have had it been properly collected.

If you cannot confirm the above procedure taking place at all facilities, please provide the best estimate of the extent to which it does take place.

The Postal Service bases its Objection to this Interrogatory because it is irrelevant and is improper follow-up..

This Interrogatory is attempting to show that what I believe to be an existing procedure which would allow me to show that the Postal Service as already taking steps to achieve same day processing of timely deposited mail as a result of unforeseen circumstances as related in the response to Interrogatory DBP/USPS 28.

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.

RESPONSE

Please see the responses to interrogatories DBP/USPS 75 in Postal Rate Commission proceeding R2000-1 and DBP/USPS 43 in Postal Rate Commission proceeding R2001-1, which asked these same questions. While the Postal Service would normally seek to conform its operations to this objective to the extent possible, because of unforeseen circumstances, natural disasters, accidents, etc., no such requirement has been identified.

The Postal Service claims that this Interrogatory is improper follow-up. Since Interrogatory DBP/USPS-41 was filed prior to the deadline for filing Interrogatories, there was no requirement to meet the criteria for proper follow-up.

The interrogatory reads as follows:

DBP/USPS-43 Please refer to your response to Interrogatory DBP/USPS-29. Your response is not clear as to whether the origin Post Office will utilize the current time [the time that the carrier presents the mail to the acceptance clerk] or will, in effect, be backdated to the time the customer gave the mail to the carrier.

[a] Please clarify your response.

[b] What time and corresponding delivery standard is utilized on Express Mail collected from a blue Express Mail collection box? Please advise whether the origin Post Office will utilize the current time [the time that the carrier presents the mail to the acceptance clerk] or will, in effect, be backdated to the time shown on the blue collection box.

The Postal Service bases its Objection to subpart [b] of this Interrogatory because it is irrelevant.

The object of subpart [b] was to ascertain whether similar operating procedures exist for mail collected by delivery carriers from customers along their routes as referenced in subpart [a] which is relevant to mail which is collected from blue collection boxes as referenced in subpart [b]. If it is not the same, it may require further evaluation.

On September 11, 2009¹, I submitted Interrogatories DBP/USPS-44 and 45. On September 25, 2009, the Postal Service filed responses to these interrogatories.

The interrogatories and their response read as follows:

¹ The response is incorrectly dated as August 20, 2009

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

DBP/USPS-44 Please refer to your response to Interrogatory DBP/USPS-9. My original intent was to have a response in the form of chart with three columns. The first column would be the level of the Postmaster. The second column would be the total number of post offices that have a Postmaster in that salary level. The total of the entries in the second column would be the some thirty thousand post offices in the country. The third column would be the total number of subordinate facilities [branches, stations, etc.] that are associated with the main post offices that are at each level.

Please provide the desired response including the total of columns two and three.

RESPONSE

The response to DBP/USPS-9 was provided as directed by, and in accordance with, Presiding Officer's Ruling No. N2009-1/2.

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

DBP/USPS-45 Please refer to your response to Interrogatory DBP/USPS-10. Please provide a listing of all of the factors that are considered in determining the Postmaster's EAS level. For each of these factors, please provide the weighting factor that is utilized to convert to a point value. Please provide the minimum number of points that are required for Level 24.

RESPONSE:

The response to DBP/USPS-10 was provided as directed by, and in accordance with, Presiding Officer's Ruling No. N2009-1/2

These Interrogatories were asked to ascertain the number of facilities at each EAS Postmaster level and the method by which the levels are calculated. Whether the original responses to Interrogatories DBP/USPS 9 and 10 fully satisfy my inquiries or not is irrelevant. Interrogatories DBP/USPS-44 and 45 were timely filed and the Postal Service should be required to either respond to the Interrogatory AS ASKED or to file an objection to responding.

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.