

SIX-DAY TO FIVE-DAY STREET DELIVERY
AND RELATED SERVICE CHANGES

DOCKET NO. N2010-1

DAVID B. POPKIN MOTION TO COMPEL RESPONSE TO INTERROGATORY
DBP/USPS-25

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

May 6, 2010

Respectfully submitted,

N20101MTC25

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On April 13, 2010, I submitted Interrogatory DBP/USPS-25. On April 23, 2010, the Postal Service filed an objection to this interrogatory.

The interrogatory reads as follows:

DBP/USPS-25 Please provide a listing of the city delivery post offices that have been granted a waiver of the requirement to have a weekday collection time at the blue collection box in front of the post office and all classified stations and branches of 5 PM or later and/or a Saturday collection time of 1 PM or later. The response should indicate the name and ZIP Code of the post office and the current time of the collection.

The Postal Service objects to this interrogatory because it is irrelevant to the issues raised by the request in this docket, as well as overly burdensome. They claim that this docket concerns a Postal Service plan to eliminate or reduce certain operations, including collections from collection boxes along delivery routes on Saturdays. They further claim that it is not apparent how providing the data requested by this interrogatory is relevant to the proposal concerning Saturday service. In addition, even if the nature of the information sought by this interrogatory were relevant, the names of each post office are immaterial.

This Interrogatory is very relevant to this Docket. The offices that have been granted a waiver of having a final weekday collection time at the blue collection box in front of the post office and all classified stations and branches of 5 PM or later presently have the Saturday dispatch to mitigate the effects of having a final collection on Friday that is earlier than mandated.

If one is to assume the following scenario - a blue collection box located at a city delivery post office for which a 5 PM or later weekday collection time is mandated based on the location of that box being in front of the post office or a classified station or branch, however, a waiver has been granted to permit the final weekday collection time to be posted and made at 3 PM. The box also has a Saturday collection.

[a] Under the present conditions if a mailer deposits a letter in this collection box at 4 PM on a Friday and the letter is destined to an overnight area that letter will be delivered on Monday; if destined to a 2-day delivery area that letter will be delivered on Monday, and if destined to a 3-day delivery area that letter will be delivered on Tuesday.

[b] Under the proposed conditions if a mailer deposits a letter in this collection box at 4 PM on a Friday and the letter is destined to an overnight area that letter will be delivered on Tuesday; if destined to a 2-day delivery area that letter will be delivered on Wednesday, and if destined to a 3-day delivery area that letter will be delivered on Thursday.

[c] If the Postal Service followed its own policies and not granted the waiver and collected this box at 5 PM and if a mailer deposits a letter in this collection box at 4 PM on a Friday and the letter is destined to an overnight area that letter will be delivered on Saturday; and if destined to a 2-day or 3-day delivery area that letter will be delivered on Monday.

The granting of the waiver can delay the delivery of a First-Class Mail letter by up to three days. The availability of having or not having mail processing on a Saturday [as proposed by this Docket] can delay the delivery by up to two days. The extent to which these waivers have been granted is certainly relevant to the effect that this proposed docket will have on the customers whose mail is delayed beyond which a customer not affected by a waiver will have.

The extent to which a waiver of the 1 PM or later collection on a Saturday will show what is being proposed to be eliminated in this docket.

The names of the post office that has the waiver is material. Having five waivers granted in a single area as opposed to having a single waiver granted in each of five separate areas will have a much different effect on the ability of a customer to obtain service.

The Postal Service makes a claim of undue burden to assemble this information. First of all, the Postal Service does not quantify the extent of the burden as required so I cannot comment on it in my Motion. It would appear that the staff in each of the Area offices could provide the needed data to respond to my Interrogatory. In my recent Rate and Service Inquiry at the Commission, there were two Headquarters staff members - Mark Richards and Philip Knoll - who were involved in granting a waiver to Susanville and Alturas, California post offices.

For the reasons stated, I move to compel response to the referenced interrogatory since it is reasonably calculated to lead to the discovery of admissible evidence.