

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

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

DOCKET NO. N2010-1

RESPONSES OF PUBLIC REPRESENTATIVES' WITNESS LUTTRELL  
TO UNITED STATES POSTAL SERVICE INTERROGATORIES  
(USPS/PR-T-2-8, 12 AND 13)

The Public Representatives hereby provide the response of witness Edward Luttrell to United States Postal Service interrogatories USPS/PR-T2-8, 12 and 13 submitted on August 6, 2010. The interrogatories are reproduced in their entirety and are followed by a response.

Respectfully submitted,

PUBLIC REPRESENTATIVES

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August 20, 2010

**RESPONSE OF PUBLIC REPRESENTATIVES' WITNESS LUTTRELL  
TO UNITED STATES POSTAL SERVICE INTERROGATORY USPS/PR-T2-8**

**USPS/PR-T2-8**

Please refer to your testimony at page 4, line 13 and explain how the service changes under review in this docket, if implemented, would result in a "loss of the inherent statutory protections that postal delivery provides."

**RESPONSE:**

If Saturday street delivery is eliminated, some persons may find that they must use private carriers. If so, it is my understanding that statutory protections under 18 U.S.C. § 1341 and 39 U.S.C. § 3005 would not apply.

**RESPONSE OF PUBLIC REPRESENTATIVES' WITNESS LUTTRELL  
TO UNITED STATES POSTAL SERVICE INTERROGATORY USPS/PR-T2-12**

**USPS/PR-T2-12**

Please refer to your testimony at page 4, lines 3-5. Provide citations to the “[s]tatutes related to postal fraud” to which you refer. Explain your understanding of whether any United States federal or state statutes currently provide protection or remedies for persons from whom other parties have used non-postal delivery services to obtain money or property through fraud or misrepresentation.

**RESPONSE:**

The statutes I was referring to are 18 U.S.C. § 1341 and 39 U.S.C. § 3005. As for protection or remedies in the type of situations referred to involving non-postal delivery services, my understanding is that other statutes may provide protection under more general terms related to dishonesty, fraud and misrepresentation, but may not necessarily be worded as specifically as the postal statutes.

**RESPONSE OF PUBLIC REPRESENTATIVES' WITNESS LUTTRELL  
TO UNITED STATES POSTAL SERVICE INTERROGATORY USPS/PR-T2-13**

**USPS/PR-T2-13**

For documents mailed, shipped or otherwise transmitted to courts and government agencies, are postmarks applied by the United States Postal Service the exclusive "evidence of legal compliance" with court or agency filing deadlines?

**RESPONSE:**

In my experience, other complementary forms of date verification may be recognized and accepted by courts, but post marks are the most widely-known form of verification among the public. It is my understanding that a postmark is the commonly accepted form of verification for mail-in ballots in elections. Also, while a notarized form may be accepted by various courts and agencies, this may involve additional cost and expenditure of time.