

BEFORE THE  
POSTAL REGULATORY COMMISSION  
WASHINGTON, DC 20268-0001

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

DOCKET NO. N2010-1

RESPONSES OF PUBLIC REPRESENTATIVES' WITNESS BROWN  
TO UNITED STATES POSTAL SERVICE INTERROGATORIES  
(USPS/PR-T1-1 THROUGH USPS/PR-T1-10)

The Public Representatives hereby provide the responses of witness Kate Brown to United States Postal Service interrogatories USPS/PR-T1-1 through USPS/PR-T1-10, submitted on August 10, 2010. The interrogatories are reproduced in their entirety and are followed by a response.

Respectfully submitted,

PUBLIC REPRESENTATIVES

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**RESPONSE OF PUBLIC REPRESENTATIVE WITNESS BROWN TO  
UNITED STATES POSTAL SERVICE INTERROGATORY USPS/PR-T1-1**

**USPS/PR-T1-1**

Please refer to page 1, lines 26-29 of your testimony.

- (a) Identify statutory restrictions on future decisions about nationwide delivery changes that you are concerned about the Postal Service seeking to have eliminated.
- (b) Provide citations to Postal Service expressions of intent to pursue elimination of these provisions.

**Response:**

- (a) It is my understanding that, for some time, a rider to annual appropriations authorizations has effectively precluded the Postal Service from reducing its service below the levels established in 1983, and that this has been interpreted as preventing, among other things, the elimination of Saturday delivery. I consider this rider a “statutory restriction,” as it has the force and effect of federal law, even if it does not appear in title 39.
- (b) Given my explanation in subpart (a) that the annual appropriations rider constitutes the statutory restrictions I was referring to, citations to Postal Service expressions of intent to pursue elimination of Congressional restrictions include:

- Docket No. N2010-1, Request of the United States Postal Service for an Advisory Opinion on Changes in the Nature of Postal Services (March 30, 2010) at 6-7.
- Docket No. N2010-1, Tr. 2/116  
Postal Service witness Pulcrano’s response to PR/USPS-T1-7, stating “The Postal Service has routinely responded to the annual inclusion of appropriations legislation language requiring 1983 service levels by requesting that such language be removed, since the removal of such language would permit the Postal Service to exercise its authority to change the current six-day delivery model. ...”

**RESPONSE OF PUBLIC REPRESENTATIVE WITNESS BROWN TO  
UNITED STATES POSTAL SERVICE INTERROGATORY USPS/PR-T1-1 (continued)**

- Docket No. N2010-1, Tr. 2/117

Postal Service witness Pulcrano's response to PR/USPS-T1-8, stating:  
"The Postal Service prefers that Congress not enact legislation in any form (such as the annually recurring appropriations bill riders ... ) that limit the exercise of its broad authority to determine how to fulfill its service mandate ..."

- Docket No. N2010-1, Tr. 2/277 (lines 1 through 14)

Postal Service witness Pulcrano exchange with Public Representative agreeing that what the Postal Service wants Congress to do is eliminate any restriction on reduction in days of delivery

- Postmaster General Potter's testimony before the Senate Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security on April 22, 2010
- The Statement of Robert F. Bernstock before the House Subcommittee on Federal Workforce, Postal Service, and the District of Columbia of the Committee on Oversight and Government Reform on November 5, 2009.

**RESPONSE OF PUBLIC REPRESENTATIVE WITNESS BROWN TO  
UNITED STATES POSTAL SERVICE INTERROGATORY USPS/PR-T1-2**

**USPS/PR-T1-2**

Please indicate whether, to your knowledge, “above and beyond the call of duty” postal operations of the type described from page 5, line 29 to page 6, line 2 of your testimony are a statewide phenomenon in Oregon or are isolated to the service area of the Portland Processing and Distribution Center.

**Response:**

My experience to date does not provide me with a sufficient basis to provide a definitive answer to this question at this time.

**RESPONSE OF PUBLIC REPRESENTATIVE WITNESS BROWN TO  
UNITED STATES POSTALSERVICE INTERROGATORY USPS/PR-T1-3**

**USPS/PR-T1-3**

In reference to page 6, lines 30-31 of your testimony, please provide any information available to your office that would explain why Pierce County, Washington is the only county in that state not offering voting by mail.

**Response:**

The referenced portion of my testimony refers to counties in Washington State that vote exclusively by mail (as opposed to voting at the longstanding alternative that citizens have been offered, such as polling places). Therefore, Pierce County *does* offer voting by mail, but does not do so exclusively in the sense that term is used in my testimony; instead, it offers vote by mail as part of a dual system which includes both vote by mail and poll voting.

It is my understanding that Pierce County has a dual system because legislation enacted in Washington State in 2005 allows individual counties, through designated County authorities (such as county councils) and the County Auditor, to decide whether to use vote by mail exclusively. In response to the 2005 legislation, the Pierce County Council decided to keep poll voting as an option, in addition to vote by mail. However, even though Pierce County officially retains dual voting systems, a 2007 publication issued by the Washington Secretary of State entitled "Washington State's Vote-by-Mail Experience" includes the following statement:

Even in counties that continue to offer poll voting, the vast majority of voters choose to cast ballots by mail. For example, in Pierce County, which continues to offer poll voting, mail ballots comprised 90% of the ballots cast in the 2006 Primary and 84% of the ballots cast in the 2006 General.

*Washington's Vote-by-Mail Experience* (2007) at 6. (Accessible via <http://www.sos.wa.gov>.)

**RESPONSE OF PUBLIC REPRESENTATIVE WITNESS BROWN  
UNITED STATES POSTAL SERVICE INTERROGATORY TO USPS/PR-T1-4**

**USPS/PR-T1-4**

- (a) Please confirm that Oregon also requires that voters in each county be given the option of dropping off their completed ballots at designated places of deposit on Election Day.
- (b) What percentage of voters utilized this ballot deposit option in the most recent statewide election?
- (c) How many designated places of deposit were available in each county in Oregon for the November 2008 election?
- (d) What criteria are used to determine the number and location of such places for a given location?

**Response:**

- (a) Confirmed. Voters can drop off their completed ballot at an official drop site or directly at a county elections office until 8 p.m. on Election Day.
- (b) As of the date this question was filed, the most recent statewide election in Oregon was the general election held in May 2010, records show that 49% percent of voters used the ballot deposit option. [Source: Ballot Statistics by Return Date and Source - 5/19/2010]

**RESPONSE OF PUBLIC REPRESENTATIVE WITNESS BROWN TO  
UNITED STATES POSTAL SERVICE INTERROGATORY USPS/PR-T1-5**

**USPS/PR-T1-5**

Please refer to your testimony at page 8, lines 11-12 and provide a copy of the 2003 survey form and any related survey results and analysis.

Please summarize your understanding of why 20 percent of survey respondents reacted negatively to the process of voting by mail.

**RESPONSE:**

A copy of the 2003 survey instrument, which includes vote by mail questions, is being filed separately today in response to this discovery request as a Category 4 library reference (PR-LR-N2010-1/1, 2003 Survey Material). This library reference consists of eight files, including a summary report, entitled "Five Years Later: A Re-assessment of Oregon's Vote By Mail Electoral Process," by Priscilla L. Southwell of the University of Oregon.

Based on my understanding of the survey and the range of appropriate inferences, the claim that "20 percent of survey respondents reacted negatively to the process of voting by mail" is not correct. These respondents simply expressed a preference for poll voting. This preference may be associated with several things, such as the nostalgia for poll voting referred to in my testimony, that are viewed quite positively by some with respect to that type of voting system, and may not reflect anything negative about vote by mail.

**RESPONSE OF PUBLIC REPRESENTATIVE WITNESS BROWN  
UNITED STATES POSTAL SERVICE INTERROGATORY TO USPS/PR-T1-4**

(c)

May 2010 Election		
	Column A	Column B
	County (in Oregon)	No. of Designated Places of Deposit
1	Baker	5
2	Benton	12
3	Clackamas	21
4	Clatsop	5
5	Columbia	6
6	Coos	8
7	Crook	5
8	Curry	3
9	Deschutes	9
10	Douglas	9
11	Gilliam	2
12	Grant	5
13	Harney	6
14	Hood River	2
15	Jackson	5
16	Jefferson	5
17	Josephine	7
18	Klamath	9
19	Lake	2
20	Lane	23
21	Lincoln	9
22	Linn	13
23	Malheur	4
24	Marion	21
25	Morrow	4
26	Multnomah	25
27	Polk	6
28	Sherman	4
29	Tillamook	9
30	Umatilla	4
31	Union	7
32	Wallowa	3
33	Wasco	4
35	Washington	16
35	Wheeler	3
36	Yamhill	12

d) In accordance with Oregon Administrative Rule 165.007.0030:

- Each county must have no less than 2 dropsites for every countywide election.
- A dropsite must be maintained at each County Elections Office. In addition, for every countywide election, there must be at least one dropsite for every 30,000 active registered voters in the county.
- Each county must consider concentrations of population, geographic areas, security and available funding when determining a dropsite location other than the County Elections Office or the County Courthouse.

Furthermore, the Secretary of State's office provides guidelines to the counties in our Vote By Mail Procedures Manual. As long as the Administrative Rule has been satisfied, the final criteria are decided at the county level.

**RESPONSE OF PUBLIC REPRESENTATIVE WITNESS BROWN TO  
UNITED STATES POSTAL SERVICE INTERROGATORY USPS/PR-T1-6**

**USPS/PR-T1-6**

Are “these kinds of problems” referenced at page 8, line 1 of your testimony the various matters listed on page 7 beginning at line 6?

**Response:**

Yes, the kinds of problems mentioned at the referenced portion of my testimony, which I state are associated with voting by absentee ballot, are the kinds of problems I believe the Vote By Mail system in Oregon successfully avoids.

**RESPONSE OF PUBLIC REPRESENTATIVE WITNESS BROWN  
UNITED STATES POSTAL SERVICE INTERROGATORY TO USPS-PR/T1-7**

**USPS/PR-T1-7**

Please refer to your testimony at page 8, lines 17-19.

(a) Indicate the time on election day by which mailed-in ballots must be in the custody of Oregon elections officials on Election Day in order for the ballots to be counted.

(b) For each of the past five statewide elections for which you have records, please indicate the percentage of total mailed-in ballots delivered to elections officials by the Postal Service in the 48 hours before the voting deadline.

**Response:**

(a) 8:00 p.m.

(b) Given the quick turnaround associated with these questions, I am unable to provide the answer to this question at this time. I have staff collecting the relevant data to help supply an adequate answer, and will file a supplemental response as soon as soon as the information is available.

**RESPONSE OF PUBLIC REPRESENTATIVE WITNESS BROWN TO  
UNITED STATES POSTAL SERVICE INTERROGATORY USPS/PR-T1-8**

**USPS/PR-T1-8**

Please indicate the number of Oregon counties in which mail-in-ballots are mailed by voters to a county elections board:

- (a) street address;
- (b) Post Office Box address.

Of the counties identified in compiling your response to subpart (b), please indicate whether any election boards use postal Caller Service.

**Response:**

- (a) 28
- (b) 8

Only one county uses Caller Service, but it is a service of the County as a whole, not specifically limited to the Clerk's office.

**RESPONSE OF PUBLIC REPRESENTATIVE WITNESS BROWN  
UNITED STATES POSTAL SERVICE INTERROGATORY TO USPS/PR-T1-9**

**USPS/PR-T1-9**

At page 8, lines 28-29 of your testimony, you express concern that higher mail volumes on a Monday before a Tuesday election resulting from the Postal Service's proposed service changes "would inevitably clog the process and slow down the processing of ballots." At page 4, lines 11-13, you explain that counties can begin processing, but not actually counting, ballots before Election Day. At lines 13-14 on that same page, you reveal that, during the last statewide election in Oregon, due to this ability to begin processing ballots before Election Day, Oregon officials "released more than three-quarters of the results within a half hour of the voting deadline." Please estimate roughly how many hours later election results would be released if the Postal Service puts its five-day proposal into effect.

**Response:**

I have no basis for estimating how many additional hours, if any, would be needed before election results could be released should the Postal Service implement the five-day proposal. My concern has been focused mainly on the impact of the Postal Service's proposal on other components I consider more central to the continued success of vote-by-mail, such as the convenience of using the Postal Service (for both voters and election officials) and delivery of completed ballots prior to the deadline. I see the release of voting results as tied mainly to county resources, rather than to the Postal Service's delivery frequency.

**RESPONSE OF PUBLIC REPRESENTATIVE WITNESS BROWN  
UNITED STATES POSTAL SERVICE INTERROGATORY TO USPS/PR-T1-10**

**USPS/PR-T1-10.** Please refer to your testimony at page 8, lines 26-31 and describe the processing of mailed-in ballots by Oregon county or municipal elections officials that typically takes place:

- (a) on the Saturday before a Tuesday election;
- (b) on the Sunday before a Tuesday election;
- (c) on the Monday before a Tuesday election.
- (d) on election Tuesday before the voting deadline.

**Response:**

(a)—(b) The processing of mailed in ballots does not change based on the given scenarios in (a)—(d). In all cases, as ballots are received, their barcodes are “wanded” in by elections staff. Ballots are then organized and taken to a station for signature verification. After verification, ballots are opened by an election board and inspected before heading off to be scanned.