

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

RETAIL ACCESS OPTIMIZATION
INITIATIVE, 2011

DOCKET NO. N2011-1

DAVID B. POPKIN MOTION NUMBER 18

November 4, 2011

Respectfully submitted,

N20111MOTION18

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

On November 3, 2011, Presiding Officer's Ruling No. N2011-1/24 was issued indicating that, subject to objection, the library references shown on the Attachment to the Ruling would be entered into the evidentiary record.

I wish to object to the inclusion of Library Reference USPS-LR-N2011-1/13 being entered into the evidentiary record. To the extent that the corresponding non-public version USPS-LR-N2011-1/NP8 has the same condition, I also object to its inclusion in the record.

On September 9, 2011, I filed Interrogatory DBP/USPS-74 pointing out a significant defect in the library reference. The Postal Service has had 55 days to correct the defect and has chosen not to.

The interrogatory and the Postal Service's response are as follows [see subpart b]:

**RESPONSE OF THE UNITED STATES POSTAL SERVICE
TO POPKIN INTERROGATORY
DBP/USPS-74**

Please refer to your Library Reference USPS-LR-N2011-1/13 and the corresponding non-public version NP8.

[a] Please advise the method by which the entries have been sorted.

[b] The entries do not appear to be consistently correct. For example, on page 52 it shows entries for PM Central Islip / Fort George / PVDCranston Finance Unit as being in the Northern NJ PFC when they are located in NY, NY, and RI. That worksheet is PART of the data used to answer the request to provide a count of offices by CAG (Cost Ascertainment Group). Please explain what appears to be an obvious error in these three entries and also please discuss the validity of the remaining entries.

[c] Please explain the criteria for an office being categorized in each of the CAG levels.

RESPONSE

(a) The entries were sorted on the basis of the Facility ID number from the Facilities Data Base, which was redacted.

(b) The sort by CAG is correct. The columns for Area and District were not used in the sort because they were extraneous to the data sort needed to answer the question and should not have accompanied the summary worksheet that reflects the number of offices by CAG and the aggregate CAG percentage total. Please continue to rely on other Library References for Area and District affiliations.

(c) Cost Ascertainment Group levels are based upon revenue unit *classification*. As of October 1 of each year, Post Offices are categorized through a cost ascertainment grouping (CAG) process based on allowable postal revenue units for the second preceding fiscal year as follows:
One revenue Unit is \$387.55

(1) CAG A–G. Post offices having 950 or more revenue units.

(2) CAG H–J. Post offices at least 190 but fewer than 950 revenue units.

(3) CAG K. Post offices having at least 36 but fewer than 190 revenue units.

(4) CAG L. Post offices having fewer than 36 revenue units.

On September 26, 2011, I filed follow-up interrogatory DBP/USPS-79 in an effort to have the Postal Service correct the library reference.

**RESPONSE OF THE UNITED STATES POSTAL SERVICE
TO INTERROGATORY OF DAVID POPKIN
DBP/USPS-79**

Please refer to your response to Interrogatory DBP/USPS-74 subpart [b].

[a] Please confirm that it is the policy of the Postal Service when providing a spreadsheet as part of a PRC pleading that all of the data that appears on a specific horizontal line in that spreadsheet will refer to the same activity.

[b] If you are unable to confirm subpart [a] of this interrogatory, please explain whether the Postal Service believes that it could be confusing to the recipient of a spreadsheet to have data on the same horizontal line refer to different activities particularly when there is no indication of this in the spreadsheet.

[c] Please advise whether you believe that it could be misleading to show Northern New Jersey in the same horizontal line as three facilities that are not in that district regardless of the method used for sorting the data.

[d] Please advise why the Postal Service is not correcting the spreadsheet so that data that appears on the same horizontal line will refer to the same activity.

RESPONSE

(a) The Postal Service has no policy that addresses this issue. However, the question does describe an objective that is vigorously, albeit imperfectly pursued by those who act on behalf of the Postal Service.

(b) The Postal Service has not conducted sufficient analysis to form a belief as to whether, in a spreadsheet, the inadvertent immaterial horizontal misalignment in the presentation of a sliver of extraneous data having no bearing on the core purposes of the docket in which it is filed could confuse someone focused on the material issues in this docket, but concedes the possibility of such a result.

(c) The suggestion that one has been misled implies intent on the part of another to have done so. Since no such intent exists in reference to the subject of this interrogatory, please see the response to subpart (b).

(d) The Postal Service is of the view that the trivial misalignment that is the focus of this interrogatory has no material bearing on the ability of the Commission to issue an advisory opinion addressing the numerous material issues raised by the Request of the Postal Service and, as amply demonstrated by the conduct of the other parties in this docket, has no bearing on their ability to focus on those issues, examine the evidence and offer their views to the Commission.

Based on the above, the Library Reference with its obvious and significant errors should not be entered into the record.