

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

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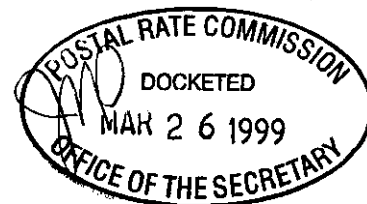
Mailing Online Service)

Docket No. MC98-1

OFFICE OF THE CONSUMER ADVOCATE
MOTION (1) TO COMPEL PRODUCTION OF ATTACHMENTS
TO EXHIBIT USPS-RT-1A AND (2) FOR AN EXPEDITED
RESPONSIVE PLEADING BY THE POSTAL SERVICE
(March 26, 1999)

The Office of the Consumer Advocate (OCA) requests that the Presiding Officer direct the Postal Service to produce the attachments to Exhibit USPS-RT-1A and to submit an expedited responsive pleading to this motion (either in writing or orally).¹ Exhibit USPS-RT-1A accompanied the rebuttal testimony of USPS witness Garvey, which was filed on March 22, 1999. This exhibit, a copy of which is attached hereto, consists of a one-page directive from Michael S. Coughlin, Deputy Postmaster General, dated March 9, 1999, informing Postal Service management that the Postal Service's "Year 2000 Executive Council" had imposed a Year 2000 moratorium, effective March 5, 1999, on any changes to "existing Postal component[s]" and "any new components," unless explicit approval for any changes first is secured from the "Year 2000 Change Control Board." This moratorium on changes to the Postal Service's computer systems was previously represented to be expected in July 1999.

¹ Undersigned counsel will hand deliver a copy of this motion to Postal Service counsel this morning.



Based upon this March 5 moratorium, witness Garvey testifies that witness Callow's proposal for computer-implemented pricing formulas to calculate Mailing Online (MOL) postage must be rejected. Witness Garvey's reasoning appears to be that changes to the MOL software to incorporate witness Callow's proposal would require a "non-trivial" effort and that expending this effort could cause the implementation of the MOL experiment to be delayed until March of 2000.² Implicit in witness Garvey's testimony is his belief that Postal management will be able to reconcile the Y2K moratorium "with the need to implement experimental Mailing Online service."³

The withheld attachments that are the subject of the instant motion set forth "details outlining the freeze policy . . . and the Freeze Exception Process."⁴ Unless OCA is given an opportunity to review the details of the freeze policy and the criteria for obtaining an exception, OCA will be deprived of the means to test the reasonableness of witness Garvey's implicit belief that an exception for the MOL experiment will be granted.

OCA contacted Postal Service counsel informally to request the attachments, but the OCA request was rejected. Contrary to the views of Postal Service counsel, the withheld attachments are highly relevant since, from all appearances, witness Garvey is not in a position to make a unilateral decision to proceed with the MOL experiment. On the contrary, as an advocate for expeditious implementation of MOL, he (or other

² USPS-RT-1 at 4.

³ Id.

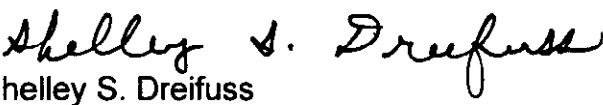
⁴ Exh. USPS-RT-1A.

officials) will be required to apply to the Year 2000 Change Control Board for an exemption from the freeze. Withholding this information denies OCA a full airing of the facts, due under the Administrative Procedure Act.

In the spirit of the extraordinary procedures adopted by the Commission in Order No. 1234, OCA proposes a procedure that would achieve a prompt, efficient resolution of the dispute over the missing attachments to Exhibit USPS-RT-1A. OCA asks (1) that the Presiding Office direct the Postal Service to bring the attachments to the hearing on witness Garvey's testimony on March 30, 1999; (2) that the Postal Service be directed to respond to OCA's motion either in writing, before the March 30 hearing, or orally, at the commencement of the March 30 hearing; (3) that the Presiding Officer rule on the instant motion for production of the documents at the commencement of the March 30 hearing; (4) that if the Presiding Officer rules in favor of the OCA, a short recess be provided to give OCA, the Commission, and other participants an opportunity to review the contents of the attachments; and (5) that the Commission then proceed with the oral cross-examination of witness Garvey. OCA is concerned that delay in obtaining access to the attachments could necessitate recalling witness Garvey to the stand, a step which would force delay in the procedural schedule adopted in Order No. 1234.

Wherefore, OCA requests that the procedures outlined above be the basis for resolving the dispute over attachments to Exhibit USPS-RT-1A.

Respectfully submitted,



Shelley S. Dreifuss

Attorney

Office of the Consumer Advocate

March 9, 1999

MANAGEMENT COMMITTEE

SUBJECT: Year 2000 Freeze Policy and Approach

Effective immediately, there will be a "freeze" of all planned changes to any existing Postal component (application, infrastructure, or mail processing equipment), nor will any new components be deployed into production without the explicit approval of the Year 2000 Change Control Board. The Change Control Board is a group of key executives assigned the responsibility for reviewing all proposed changes and/or new deployments. This freeze policy excludes those changes which are mandatory for Year 2000 remediation

This memo serves as the policy for limiting and controlling potential risks associated with changes and enhancements to our applications and infrastructure leading up to the Year 2000. This policy outlines the process for identifying and approving exceptions to this policy. As Postal executives, I know you share my interest, concern, and commitment in this area. A critical success factor in our efforts to be ready for the Year 2000 is our ability to control the changes in our applications and infrastructure. Our efforts in this area will minimize our risk and ensure the proper focus for our limited resources.

The March 5, 1999, Year 2000 Executive Council made three key decisions regarding the freeze policy:

1. The freeze policy and process are effective immediately.
2. The scope of the freeze policy encompasses all impacted component types including both Information Systems (IS) and non-IS supported applications, IS and non-IS supported hardware and software infrastructure, mail processing equipment and facility systems. The scope includes nationally supported and area supported components.
3. The freeze policy includes all projects not yet started and those currently underway, regardless of implementation date.

Further details outlining the freeze policy, the Change Control Board makeup and functioning, and the Freeze Exception Process are attached for your information and review. To move forward with the freeze policy, we need to immediately begin to review all of our projects and activities using the freeze criteria. Please contact your IS Portfolio Manager if you have any questions.

The successful conclusion to this critical initiative requires our combined commitment.

Michael S. Coughlin

Attachments

CERTIFICATE OF SERVICE

I hereby certify that I have this date served the foregoing document upon all participants of record in this proceeding in accordance with section 12 of the rules of practice.

Shelley S. Dreifuss
Shelley S. Dreifuss
Attorney

Washington, D.C. 20268-0001
March 26, 1999