Postal Rate Commission
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BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268–0001

POSTAL RATE AND FEE CHANGES, 2006	Docket No. R2006-1

RESPONSES OF POSTAL SERVICE WITNESS BERKELEY
TO INTERROGATORIES OF DOUGLAS F. CARLSON
(DFC/USPS-T39-36-42)

The United States Postal Service hereby files the responses of witness Berkeley (USPS-T-39) to the above listed interrogatories, filed on June 22, 2006.

Each interrogatory is stated verbatim and is followed by the response.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

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DFC/USPS-T39-36. Please refer to your response to DFC/USPS-T39-21. Please confirm that you are aware of no actual, specific legal requirements for an "original pen and ink signature" on a green Form 3811 return receipt, as opposed to an electronic return receipt, to establish proof of delivery. If you do not confirm, please specifically identify the legal requirements of which you are aware and whose existence you can confirm.

RESPONSE:

I am aware, based on Internet research, that in order to process certain legal actions, certified mail or registered mail with a Form 3811 return receipt is considered a legal requirement.

DFC/USPS-T39-37. Please refer to your response to DFC/USPS-T39-21. Please provide the basis for your general awareness that "some customers are concerned that court systems, in certain instances, will only accept a green card return receipt, as opposed to an electronic return receipt."

RESPONSE:

Based on my experience and discussions with colleagues in the Marketing Department and Law Department, I am generally aware of a belief by some portion of the population that a pen and ink signature provides the ultimate assurance when it comes to proving someone received something. The portion of the population feeling comfortable with a pen and ink signature may also be concerned about legibility issues in reading an electronic signature.

DFC/USPS-T39-38. Please refer to your response to DFC/USPS-T39-22. Please state the basis for your belief about the development of the law on the acceptance of electronic return receipt service as a substitute for green card return receipt service.

RESPONSE:

I believe that high-volume certified mail with green card return receipt customers are looking for lower-cost options that will still satisfy any existing legal requirements. An example is the state of Ohio Supreme Court system. Wanting to save money and improve efficiency, the court system implemented a pilot program using electronic return receipt service in conjunction with certified mail, as opposed to using the green card return receipt service. The Ohio Supreme Court evaluated the Rules of Civil Procedure to see if an electronic return receipt was a legal substitute for the Form 3811, green card return receipt. The ruling was that electronic return receipt service was a viable legal substitute. The practice of determining legal eligibility and then using electronic return receipt service over green card return receipt service appears to be spreading throughout the state of Ohio and perhaps to other court systems in the United States.

DFC/USPS-T39-39. Please refer to your response to DFC/USPS-T39-25. Please confirm that you are aware of no specific instance in which a sender needed a copy of the recipient's signature faster than, under normal conditions, the signature would have arrived by mail on a green Form 3811 return receipt. If you do not confirm, please provide specific examples.

RESPONSE:

Not confirmed. Please see my response to DFC/USPS-T39-38. One judge in Ohio commented that the use of electronic return receipt service saved time getting information, along with saving money. In turn, defendants can get served quicker and hearings can happen faster.

DFC/USPS-T39-40. For any service for which the Postal Service collects a signature upon delivery on a Form 3849 and electronically attaches or connects an image of this signature to the electronic delivery record or article number, does the Postal Service possess any electronic record of either the date on which any Forms 3849 were scanned or the date on which the image of a signature from a Form 3849 was electronically attached or connected to the delivery record or article number?

RESPONSE:

Yes.

DFC/USPS-T39-41. Please refer to your response to DFC/USPS-T39-29. Please provide examples of the Postal Service conservatively spreading out large price decreases over time.

RESPONSE:

Following are examples of fee proposals in past omnibus proceedings where an attempt was made to spread out what were presumed to be large price decreases over time.

Docket No. R97-1:

BRM non-advance per piece

BRM advance deposit per piece

Money orders

Docket No. R2000-1:

Checking a meter in or out of service

Periodicals additional entry

Reserve number

Docket No. R2001-1:

Return receipt after mailing

BRM QBRM high volume per piece

Post office boxes

DFC/USPS-T39-42. Please refer to your response to DFC/USPS-T39-29. Please explain how conservatively spreading out large price decreases over time would benefit postal customers.

RESPONSE:

I believe that the term “rate shock” or, in this case “fee shock” can apply to both large price increases and decreases, and the avoidance of this type of shock should be of a benefit to postal customers. Another benefit to postal customers in spreading out a large price decrease over time would be avoiding a (potentially large) fee increase later on if some factor came into play which made a price increase necessary. Especially in this instance, i.e., the current proposal for electronic return receipts, it is believed that it is prudent to keep the price as stable as possible while the service is developing.