

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

POSTAL RATE AND FEE CHANGES, 2006

Docket No. R2006-1

**RESPONSE OF THE UNITED STATES POSTAL SERVICE IN OPPOSITION
TO THE MOTION OF DAVID B. POPKIN TO COMPEL RESPONSES
TO INTERROGATORIES DBP/USPS-553-555**
(September 18, 2006)

The Postal Service hereby opposes the motion of David B. Popkin to compel responses to interrogatories DBP/USPS-553-555.¹ The Postal Service had filed its objections on August 28, 2006. The Postal Service objected to these interrogatories on the ground of lack of relevance to the issues in this docket. Mr. Popkin's motion fails entirely to address this objection and should therefore be denied.

DBP/USPS-553

Mr. Popkin does not "believe that the *type* of data and information" in the Inspector General's report at issue ("Security Over Sensitive Customer Data on Automated Postal Center Kiosks") should be withheld from public disclosure,² even though the OIG has determined it is not appropriate for disclosure due to the nature of the topic. Mr. Popkin's argument that he needs to see the report in order to gauge its relevance³ is not persuasive. If such an argument were sufficient, all parties would win

¹ David B. Popkin Motion to Compel Response to Interrogatories DBP/USPS-553 through 555 (September 11, 2006) (hereinafter "Popkin MTC").

² Popkin MTC at 2.

³ *Id.*

all motions to compel. To support his motion, Mr. Popkin needed to explain, at least in general terms, why a report concerning the security of payment data in APC transactions (which encompass most mail services) may lead to the discovery of admissible evidence in a proceeding to determine the rates for postal services. Mr. Popkin has failed to make a persuasive argument (or any argument) to the contrary, and his motion to compel should be denied.

DBP/USPS-554

This interrogatory concerns an OIG report that the Postal Service provided, in response to an earlier interrogatory from Mr. Popkin, concerning “Balloon Rate and Parcel Surcharges.” The report was provided in the redacted form in which the OIG had previously made it public. Mr. Popkin now seeks to know the reason for each redaction. His argument is based only on his “beliefs,”⁴ rather than any cited authority. Given the lack of relevance of these reasons to the issues before the Commission and the fact that the problems addressed in the report have been addressed by changes in software and procedures (see the Postal Service’s responses to DBP/USPS-556-559), Mr. Popkin’s motion should be denied.

Respectfully submitted,
UNITED STATES POSTAL SERVICE
By its attorneys:

475 L'Enfant Plaza West, S.W.
Washington, D.C. 20260-1137
(202) 268-2999, Fax -5402
scott.l.reiter@usps.gov
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Daniel J. Foucheaux, Jr.
Chief Counsel, Ratemaking

Scott L. Reiter

⁴ Popkin MTC at 3.