

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

RATE AND SERVICE CHANGES TO IMPLEMENT
BASELINE NEGOTIATED SERVICE AGREEMENT
WITH BANK OF AMERICA CORPORATION

Docket No. MC2007-1

**RESPONSE OF UNITED STATES POSTAL SERVICE IN OPPOSITION TO
MOTION OF AMERICAN POSTAL WORKERS UNION, AFL-CIO, TO COMPEL
ANSWER TO INTERROGATORY APWU/USPS-T1-1**

(May 1, 2007)

On April 25, 2007, the American Postal Workers Union, AFL-CIO (APWU), moved for the Commission to issue an order compelling the Postal Service to answer interrogatory APWU/USPS-T1-1. The APWU indicated in its motion that:

On April 13, 2007, three days late, the Postal Service filed responses to APWU/USPS-T1-2-3. These responses were accompanied by a Motion for Late Acceptance by the Postal Service. This Motion stated that "the Postal Service's response to APWU/USPS-T1-1 will be forthcoming." To date, no response has been filed by the Postal Service. The response is now two weeks past due and the Postal Service has provided no indication when or if it intends to produce this information.

The Postal Service regrets the delay in responding to this interrogatory. The Postal Service has been working to develop a timely response, and has encountered a variety of internal scheduling, resource, and co-ordination problems. The Postal Service seeks to put these difficulties aside, and has developed a partial response to APWU/USPS-T1-1 filed on May 1, 2007. The Postal Service is developing further responsive information to APWU/USPS-T1-

1(a), which includes, among other things, responsive portions of the Decision Analysis Reports (DARs) related to certain equipment purchases. Since pre-decisional procurement information is included in these DARs in addition to the information sought by APWU, the Postal Service is seeking to file the material under protective conditions. The Postal Service also provided the parallel information sought by APWU in its Requests for Admission of April 24, 2007, filed on April 30, 2007. Furthermore, the Postal Service is making Brent Raney, Manager, Technology Development/Apps, Engineering available during hearings on the Postal Service's direct case on May 8, 2007, for cross-examination concerning the requested materials. APWU, and other participants, will have a full opportunity to cross examine Mr. Raney on the requested information and the related issue of improvements in letter mail read/accept rates since 1999. For these reasons, the Motion to compel an answer to APWU/USPS-T1-1 either is moot, or will be satisfied fully through materials to be provided shortly and through the appearance of a witness for cross examination on these materials at hearings scheduled for May 8, 2007. For these reasons, the Postal asks that APWU's motion to compel an answer to interrogatory APWU/USPS-T1-1 be denied.

UNITED STATES POSTAL SERVICE

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