

BEFORE THE  
POSTAL RATE COMMISSION  
WASHINGTON, DC 20268-0001

Postal Rate and Fee Changes,  
2006

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Docket No. R2006-1

MOTION OF MAGAZINE PUBLISHERS OF AMERICA, INC.,  
AND ALLIANCE OF NONPROFIT MAILERS  
FOR LEAVE TO FILE INTERROGATORIES  
CONCERNING JULY 13 ERRATA OF USPS  
(July 18, 2006)

Magazine Publishers of America, Inc., and Alliance of Nonprofit Mailers move for leave to file interrogatories MPA/USPS-T35-18-22, which MPA and ANM have submitted separately to the Commission today. These interrogatories are prompted by analysis of the errata filed by the Postal Service on Thursday, July 13, to Library Reference L-126 and the direct testimony of USPS witness Tang (USPS-T-35). For the reasons explained here, good cause exists for allowing the filing of the interrogatories today, two business days after the July 14 discovery cutoff established by Presiding Officer's Ruling No. R2006-1/12.<sup>1</sup>

1. On June 1, 2006, in response to POIR No. 2, USPS witness Tang announced that she had discovered errors in Library Reference L-126, the Periodicals Pricing Spreadsheets, and that a revised version of the library reference will "be filed shortly." Response to POIR No. 2, Questions 7, 9, and 10.

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<sup>1</sup> See *id.* at 4 ("should any participant believe that an adjustment in the attached schedule is required, I will entertain a motion to that effect").

2. The Postal Service did not actually file the errata until July 13, 2006—71 days after the filing of the Postal Service’s Request and case-in-chief, 42 days after the Postal Service stated that the errata needed to be filed, and only one day before the end of the initial discovery period set by the Commission in Presiding Officer’s Ruling No. R2006-1/12.

3. In addition to changing her model to correct mistakes that had been noted in interrogatories and Commission information requests,<sup>2</sup> Ms. Tang also incorporated errata filed by another witness that reduced Periodicals air transportation costs by \$10-\$15 million. The corrected calculations also reveal that the rate increases proposed by the Postal Service are noticeably higher in percentage terms than previously acknowledged. For Periodicals Outside County rates, the Postal Service had originally estimated that the average rate increase resulting from its proposals was 11.3 percent; the corrected data show that the average rate increase for the subclass will be 11.7 percent. For Periodicals Nonprofit, the average mailer now faces a rate increase of 12.6 percent, not the single-digit increase indicated by the Postal Service’s initial rate case filing.

4. Analysis of the revised library reference has identified a variety of methodological issues. Interrogatories MPA/USPS-T35-18-22 seek to shed light on certain of these issues. The potential importance of the answers sought, the belated filing of the errata, and the close proximity between their filing (on July 13) and the

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<sup>2</sup> Responses to POIR No. 2, Questions 7, 9, and 10; Responses to TW/USPS-T35-5 and 8.

discovery cutoff (July 14) collectively provide good cause for allowing MPA and ANM to file these questions today.<sup>3</sup>

WHEREFORE, Magazine Publishers of America, Inc., and Alliance of Nonprofit Mailers move for leave to file interrogatories MPA/USPS-T35-18-22.

Respectfully submitted,

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<sup>3</sup> The information sought by Interrogatory MPA/USPS-T35-20 is also responsive to POIR NO. 6, Question 1 (issued June 22, 2006). That information request, however, remains unanswered as of today.