

BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON DC 20268-0001

Postal Rate Commission
Submitted 9/5/2006 5:16 am
Filing ID: 53066
Accepted 9/5/2006

Postal Rate and Fee Changes, 2006]

DOCKET NO. R2006-1

DAVID B. POPKIN MOTION TO REQUIRE THE POSTAL SERVICE TO FILE MOTIONS FOR
LATE ACCEPTANCE OF INTERROGATORY RESPONSES

I move to require the United States Postal Service to file Motions for Late Acceptance of Interrogatory Responses. The Postal Service has filed the responses to many of my Interrogatories beyond the 14-day time frame contemplated by the Commission's Rules of Practice. I have noticed that a number of these late responses were not accompanied by a Motion for Late Acceptance.

The failure of the Postal Service to promptly respond to discovery has the obvious effect of delaying litigation of the case. Furthermore, I may even be unable to file a follow-up interrogatory due to the procedural schedule.

Apparently the Postal Service does not take their failure to respond on time seriously. Unfortunately, there does not appear to be any penalty for their failure to respond on time. The only choice that it would appear that I have would be to prohibit them from responding and that is not a solution.

Some of the late responses that have not been accompanied by the requested Motion are as follows:

Interrogatory Number	Date Filed	Response Due	Response Filed
DBP/USPS-293 through 364	July 17, 2006	July 31, 2006	August 7, 2006
DBP/USPS-488 through 518	August 11, 2006	August 25, 2006	August 28, 2006
DBP/USPS-269 through 270	July 12, 2006	July 26, 2006	September 1, 2006
DBP/USPS-418	July 25, 2006	August 8, 2006	September 1, 2006

September 5, 2006

Respectfully submitted,

R20061MTC24LATE

DAVID B. POPKIN, POST OFFICE BOX 528, ENGLEWOOD, NJ 07631-0528

CERTIFICATE OF SERVICE

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

David B. Popkin September 5, 2006
