

RECEIVED  
SEP 8 2 32 PM '00  
POSTAL RATE COMMISSION  
OFFICE OF THE PRESIDING OFFICER

PRESIDING OFFICER'S  
RULING NO. R2000-1/143

UNITED STATES OF AMERICA  
POSTAL RATE COMMISSION  
WASHINGTON, D.C. 20268-0001

Postal Rate and Fee Changes

Docket No. R2000-1

PRESIDING OFFICER'S RULING DENYING  
MOTION FOR RECONSIDERATION

(Issued September 8, 2000)

An Association of Priority Mail Users, Inc. Motion to Reconsider APMU and Postal Service Objections to the Admissibility into Evidence of UPS Cross-examination Exhibit by the Colography Group was filed September 1, 2000. A Response of United States Postal Service in Support of APMU Motion to Reconsider APMU and Postal Service Objections to the Admissibility into Evidence of UPS Cross-examination Exhibit by the Colography Group was filed September 5, 2000. On September 6, 2000, United Parcel Service filed both a timely opposition to these pleadings, Response of United Parcel Service in Opposition to Association of Priority Mail Users, Inc. Motion to Reconsider APMU and Postal Service Objections to the Admissibility into Evidence of UPS Cross-examination Exhibit by the Colography Group; and a Response of United Parcel Service to Request of Presiding Officer During Hearings (UPS Response).

The material at issue is a report provided to United Parcel Service by the Colography Group. UPS used this report in the cross-examination of APMU rebuttal witness Haldi. At the close of cross-examination on this subject, the UPS request that it be admitted into evidence was granted.

APMU and the Postal Service argue this report was not properly authenticated. APMU further contends that UPS should have presented this material as part of its rebuttal case. This report has been used to challenge the testimony provided on

August 14, 2000 as rebuttal testimony by APMU. It is not reasonable to expect parties to predict the subject of other parties rebuttal testimony, and put into the record responsive material prior to seeing that testimony.

The report is material and relevant to the weight to be given to the testimony of witness Haldi that cites the Colography Group as a source for Priority Mail market share. Therefore, I will allow the report to remain in the record for that purpose. I will also designate for inclusion in the record the UPS Response that explains the report.

### RULING

The Association of Priority Mail Users, Inc. Motion to Reconsider APMU and Postal Service Objections to the Admissibility into Evidence of UPS Cross-examination Exhibit by the Colography Group, filed September 1, 2000, is denied.



Edward J. Gleiman  
Presiding Officer