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PRESIDING OFFICER'S  
RULING NO. R97-1/19  
OFFICE OF THE SECRETARY  
POSTAL RATE COMMISSION

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

Postal Rate and Fee Changes

Docket No. R97-1

PRESIDING OFFICER'S RULING  
GRANTING MOTIONS FOR LATE ACCEPTANCE  
AND MOTIONS FOR EXTENSION OF TIME

(September 17, 1997)

The Postal Service has filed two documents with respect to responses of witness Alexandrovich to interrogatories from the Office of the Consumer Advocate.<sup>1</sup> The September 5<sup>th</sup> filing requests late acceptance of the response to OCA/USPS-T5-10 and an extension, until September 8, 1997, to coordinate the responses to OCA/USPS-T5-11-13 with other Postal Service personnel. The September 5<sup>th</sup> filing also indicated that the Postal Service might not be able to provide data for all the years requested. On September 9<sup>th</sup>, the Postal Service filed the responses, including data for all the years requested, accompanied by a motion for late acceptance. I will grant these motions.

On September 5<sup>th</sup> the Postal Service filed the responses of witness Mayes to a number of OCA interrogatories and requested a one day extension of time,<sup>2</sup> until

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<sup>1</sup> Response of United States Postal Service Witness Alexandrovich to Interrogatory of the Office of the Consumer Advocate and Motion for Late Acceptance (OCS/USPS-T5-10) and Motion for Extension of Time to Respond to Remaining Interrogatories (OCA/USPS-T5-11-13), filed September 5, 1997; and Response of United States Postal Service witness Alexandrovich to Interrogatories of the Office of the Consumer Advocate and Motion for Late Acceptance (OCA/USPS-T5-11-13), filed September 9, 1997.

<sup>2</sup> Response of United States Postal Service Witness Mayes to Interrogatories of the Office of the Consumer Advocate (OCA/USPS-T37-5-7(c), 8-11) and Motion for Extension of Time to Respond to Interrogatories OCA/USPS-T37-1 and 4.

September 8<sup>th</sup>, to file responses to OCA/USPS-T37-1 and 4. The responses were filed on that date. *I will grant the Postal Service motion.*

The Postal Service filed two motions for late acceptance on September 9<sup>th</sup>.<sup>3</sup> Counsel for UPS has indicated that it does not oppose the acceptance of the responses of witness Nieto one day out of time. The Postal Service indicates that the OCA interrogatories addressed to witness Fronk required consultation with postal management at Headquarters in order to secure responsive information and that this coordination caused the delay in responding. *I will grant these motions.*

On September 11, 1997 the United States Postal Service filed four motions for late acceptance of responses to interrogatories from Douglas F. Carlson.<sup>4</sup> In each instance, the Postal Service indicates that the responses are being filed within 14 days of their receipt by the Postal Service, and filing at the Postal Rate Commission, despite the fact that they were mailed on August 25, 1997. The Postal Service has provided service of its responses to Douglas Carlson by Express Mail to minimize the delay. *I will grant these motions.*

On September 12<sup>th</sup> the Postal Service filed two motions for late acceptance of responses to interrogatories directed to witness Harahush and two motions for late acceptance of responses to interrogatories directed to witness Patelunas.<sup>5</sup> Each of

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<sup>3</sup> Response of United States Postal Service Witness Nieto to Interrogatories of United Parcel Service, and Motion for Their Late Acceptance (UPS/USPS-T2-1-9); and Responses of the United States Postal Service to Interrogatories of the Office of the Consumer Advocate and Motion for Late Acceptance (OCA/USPS-T32-32, 43, 46, 47 and 50).

<sup>4</sup> Response of United States Postal Service witness Alexandrovich to Interrogatories of Douglas F. Carlson (DFC/USPS-T5-1-3) and Motion for Late Acceptance; Response of United States Postal Service Witness Patelunas to Interrogatories of Douglas F. Carlson (DFC/USPS-T15-1-4) and Motion for Late Acceptance; Response of United States Postal Service Witness Patelunas to Interrogatories of Douglas F. Carlson Redirected from Witness Lion (DFC/USPS-T24-1-2) and Motion for Late Acceptance, and Response of United States Postal Service Witness Needham to Interrogatories of Douglas F. Carlson (DFC/USPS-T39-5-13 and DFC/USPS-T40-10-12 Redirected from Witness Plunkett), and Motion for Late Acceptance.

<sup>5</sup> Response of United States Postal Service Witness Harahush to Interrogatories of the Office of the Consumer Advocate (OCA/USPS-T3-1(a)-(c), (e)-(g); 2-4) and Motion for Their Late Acceptance; Response of the United States Postal Service to Interrogatory of the Office of the Consumer Advocate Redirected from Witness Harahush and Motion for its Late Acceptance (OCA/USPS-T3-1(d)); Responses of the United States Postal Service to Interrogatories of the Office of the Consumer Advocate and Motion

these motions requests that the responses be received one-day out of time. As this one-day delay in filing should not prejudice any party, I will grant these motions.

### RULING

1. Response of United States Postal Service Witness Alexandrovich to Interrogatory of the Office of the Consumer Advocate and Motion for Late Acceptance (OCS/USPS-T5-10) and Motion for Extension of Time to Respond to Remaining Interrogatories (OCA/USPS-T5-11-13), filed September 5, 1997, is granted.

2. Response of United States Postal Service witness Alexandrovich to Interrogatories of the Office of the Consumer Advocate and Motion for Late Acceptance (OCA/USPS-T5-11-13), filed September 9, 1997, is granted.

3. Response of United States Postal Service Witness Mayes to Interrogatories of the Office of the Consumer Advocate (OCA/USPS-T37-5-7(c), 8-11) and Motion for Extension of Time to Respond to Interrogatories OCA/USPS-T37-1 and 4, filed September 5, 1997, is granted.

4. Response of United States Postal Service Witness Nieto to Interrogatories of United Parcel Service, and Motion for Their Late Acceptance (UPS/USPS-T2-1-9), filed September 9, 1997, is granted.

5. Responses of the United States Postal Service to Interrogatories of the Office of the Consumer Advocate and Motion for Late Acceptance (OCA/USPS-T32-32, 43, 46, 47 and 50), filed September 9, 1997, is granted.

6. Response of United States Postal Service witness Alexandrovich to Interrogatories of Douglas F. Carlson (DFC/USPS-T5-1-3) and Motion for Late Acceptance, filed September 11, 1997, is granted.

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for Late Acceptance (OCA/USPS-T32-55 and 561&b); and Response of United States Postal Service Witness Patelunas to Interrogatory of Parcel Shippers Assocaiton (PSA/USPS-T15-1) and Motion for Late Acceptance.

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7. Response of United States Postal Service Witness Patelunas to Interrogatories of Douglas F. Carlson (DFC/USPS-T15-1-4) and Motion for Late Acceptance, filed September 11, 1997, is granted.

8. Response of United States Postal Service Witness Patelunas to Interrogatories of Douglas F. Carlson Redirected from Witness Lion (DFC/USPS-T24-1-2) and Motion for Late Acceptance, filed September 11, 1997, is granted.

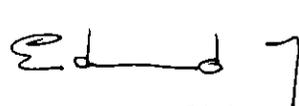
9. Response of United States Postal Service Witness Needham to Interrogatories of Douglas F. Carlson (DFC/USPS-T39-5-13 and DFC/USPS-T40-10-12 Redirected from Witness Plunkett), and Motion for Late Acceptance, filed September 11, 1997, is granted.

10. Response of United States Postal Service Witness Harahush to Interrogatories of the Office of the Consumer Advocate (OCA/USPS-T3-1(a)-(c), (e)-(g); 2-4) and Motion for Their Late Acceptance, filed September 12, 1997, is granted.

11. Response of the United States Postal Service to Interrogatory of the Office of the Consumer Advocate Redirected from Witness Harahush and Motion for its Late Acceptance (OCA/USPS-T3-1(d)), filed September 12, 1997, is granted.

12. Responses of the United States Postal Service to Interrogatories of the Office of the Consumer Advocate and Motion for Late Acceptance (OCA/USPS-T32-55 and 561&b), filed September 12, 1997, is granted.

13. Response of United States Postal Service Witness Patelunas to Interrogatory of Parcel Shippers Association (PSA/USPS-T15-1) and Motion for Late Acceptance, filed September 12, 1997, is granted.

  
Edward J. Gleiman  
Presiding Officer