

DOCKET SECTION

PRESIDING OFFICER'S
RULING NO. R97-1/33
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UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268

POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

Postal Rate and Fee Changes

Docket No. R97-1

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

(October 1, 1997)

On September 26, 1997, the Postal Service filed two motions for extension of time to file responses.¹ The responses were filed on September 29th and 30th respectively, one day out of time. I will grant these extensions of time.

Additionally, the Postal Service filed six motions acceptance of interrogatory responses one day out of time.² The Postal Service indicates that witness Moden's

¹ Response of United States Postal Service Witness Nieto to Interrogatories of United Parcel Service and Motion for Extension of Time to File Portions of Responses to UPS/USPS-T2-12 and -13 (UPS/USPS-T2-10, 12-13, 15-26); and Response of United States Postal Service Witness Crum to Interrogatories of United Parcel Service (UPS/USPS-T28-22(A) & (B), 23-38) and Motion for Extension of Time to Respond to 22(C) & (D).

² Motion for Late Acceptance of and Response of United States Postal Service Witness Moden to Interrogatory of Time Warner, Inc. TW/USPS-T4-22(F) and Correction of Cover Sheets, filed September 26, 1997; Response of United States Postal Service Witness Alexandrovich to Interrogatories of the Office of the Consumer Advocate and Motion for Late Acceptance (OCA/USPS-T12-61 and 62), filed September 26, 1997; Response of United States Postal Service to Interrogatory of Direct Marketing Association, Inc. Redirected from Witness Bradley (USPS-T-14) and Motion for Late Acceptance (UPS/USPS-T14-43), filed September 29, 1997; Response of United States Postal Service Witness Alexandrovich to Interrogatories of the Office of the Consumer Advocate and Motion for Late Acceptance (OCA/USPS-T5-36(a) and (d)-(e), and 37-39), filed September 29, 1997; Response of United States Postal Service Witness Alexandrovich to Interrogatory of National Newspaper Association Redirected from Witness Taufique and Motion for Late Acceptance (NNA/USPS-T34-9), filed September 29, 1997; and Responses of the United States Postal Service to Interrogatories of ABA & EEI & NAPM Redirected from Witness Hatfield and Motion for Late Acceptance (ABA & EEI & NAPM/USPS-T25-5, 16-20, and 23-25), filed September 29, 1997.

response to TW/USPS-T4-22(F) was inadvertently omitted from the set which was timely filed on September 25, 1997. Witness Degen's responses to OCA/USPS-T12-61 and 62 were delayed due to the discovery of minor errors in the premium pay adjustment and the extra time was used to prepare an Attachment showing the impact on base year volume variable costs. Interrogatory UPS/USPS-T14-43 was redirected from witness Bradley to the Postal Service, and the response was filed one day out of time due to the need to ascertain the availability of data. Witness Alexandrovich's responses to OCA/USPS-T5-36(a) and (d)-(e), and 37-39 and NNA/USPS-T34-9, were submitted one day out of time as they were completed too late in the day to allow for printing and filing by the deadline. Witness Hatfield's responses to ABA & EEI & NAPM/USPS-T25-5, 16, 20, and 23-25 were also filed one business day out of time due to the responses not being available prior to the printing deadline. Postal Service counsel provided copy of the responses to ABA&EEI&NAPM counsel via facsimile to mitigate any delay. I will grant these motions.

On September 26 and 29, 1997, the Postal Service filed three additional motions for late acceptance of interrogatory responses.³ In all cases, the motions indicate that the delay in responding was occasioned by the need to consult with various departments within Postal Service headquarters. In the case of the NDMS interrogatories, Postal Service counsel forwarded copies to NDMS counsel via facsimile to mitigate the impact of the delay. I will grant these motions.

³ Responses of the United States Postal Service to Interrogatories of Nashua, District, Mystic & Seattle Redirected from Witness Fronk and Motion for Late Acceptance (NDMS/USPS-T32-44 and 45), filed September 26, 1997; Responses of United States Postal Service to Interrogatories of the Office of the Consumer Advocate and Motion for Late Acceptance (OCA/USPS-T25-33, 35, 39, 40), filed September 29, 1997; and Responses of United States Postal Service to Interrogatories of the Office of the Consumer Advocate and Motion for Late Acceptance (OCA/USPS-54, 61, 69), filed September 29, 1997.

RULING

1. Response of United States Postal Service Witness Nieto to Interrogatories of United Parcel Service and Motion for Extension of Time to File Portions of Responses to UPS/USPS-T2-12 and -13 (UPS/USPS-T2-10, 12-13, 15-26), filed September 26, 1997, is granted.

2. Response of United States Postal Service Witness Crum to Interrogatories of United Parcel Service (UPS/USPS-T28-22(A) & (B), 23-38) and Motion for Extension of Time to Respond to 22(C) &(D), filed September 26, 1997, is granted

3. Motion for Late Acceptance of and Response of United States Postal Service Witness Moden to Interrogatory of Time Warner, Inc. TW/USPS-T4-22(F) and Correction of Cover Sheets, filed September 26, 1997, is granted.

4. Response of United States Postal Service Witness Alexandrovich to Interrogatories of the Office of the Consumer Advocate and Motion for Late Acceptance (OCA/USPS-T12-61 and 62), filed September 26, 1997, is granted.

5. Response of United States Postal Service to Interrogatory of Direct Marketing Association, Inc. Redirected from Witness Bradley (USPS-T-14) and Motion for Late Acceptance (UPS/USPS-T14-43), filed September 29, 1997, is granted.

6. Response of United States Postal Service Witness Alexandrovich to Interrogatories of the Office of the Consumer Advocate and Motion for Late Acceptance (OCA/USPS-T5-36(a) and (d)-(e), and 37-39), filed September 29, 1997, is granted.

7. Response of United States Postal Service Witness Alexandrovich to Interrogatory of National Newspaper Association Redirected from Witness Taufique and Motion for Late Acceptance (NNA/USPS-T34-9), filed September 29, 1997, is granted.

8. Responses of the United States Postal Service to Interrogatories of ABA & EEI & NAPM Redirected from Witness Hatfield and Motion for Late Acceptance (ABA & EEI & NAPM/USPS-T25-5, 16-20, and 23-25), filed September 29, 1997, is granted.

9. Responses of the United States Postal Service to Interrogatories of Nashua, District, Mystic & Seattle Redirected from Witness Fronk and Motion for Late Acceptance (NDMS/USPS-T32-44 and 45), filed September 26, 1997, is granted.

10. Responses of United States Postal Service to Interrogatories of the Office of the Consumer Advocate and Motion for Late Acceptance (OCA/USPS-T25-33, 35, 39, 40), filed September 29, 1997, is granted.

11. Responses of United States Postal Service to Interrogatories of the Office of the Consumer Advocate and Motion for Late Acceptance (OCA/USPS-54, 61, 69), filed September 29, 1997, is granted.


Edward J. Gleiman
Presiding Officer