

PRESIDING OFFICER'S
RULING NO. MC2004-3/4

UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, DC 20268-0001

Rate and Service Changes To Implement
Functionally Equivalent Negotiated Service
Agreement With Bank One Corporation

Docket No. MC2004-3

PRESIDING OFFICER'S RULING
CANCELLING HEARING AND OTHER MISCELLANEOUS MATTERS

(Issued September 3, 2004)

OCA concludes that there is now sufficient evidence in the record to perform a financial analysis of the Bank One Negotiated Service Agreement, and therefore no longer requests oral cross-examination of any witness in regard to the proponents' direct case.¹ No other participant has requested oral cross-examination of a witness. This obviates the need to conduct the hearing scheduled for September 8, 2004 at 10:00 AM in the Commission's hearing room. The hearing is cancelled.

Presiding Officer's Information Request No. 5 was filed on August 25, 2004. Presiding Officer's Information Request No. 6 was filed on September 3, 2004. The Commission designates the responses to POIR Nos. 5 and 6 to be included as record evidence in this docket.

The Postal Service filed Motion for Late Acceptance of Response of United States Postal Service to Presiding Officer's Information Request No. 3, August 24, 2004. The Postal Service also filed Motion for Late Acceptance of Response of the United States Postal Service Witness Plunkett to Interrogatory of the Office of the

¹ Office of the Consumer Advocate Statement Concerning the Need for a Hearing, September 2, 2004.

Consumer Advocate (OCA/USPS-T1-50), September 1, 2004. These motions are granted.

RULING

1. The hearing scheduled for September 8, 2004 at 10:00 AM in the Commission's hearing room is cancelled.
2. The Commission designates the responses to POIR Nos. 5 and 6 to be included as record evidence in this docket.
3. Motion for Late Acceptance of Response of United States Postal Service to Presiding Officer's Information Request No. 3, August 24, 2004, is granted.
4. Motion for Late Acceptance of Response of the United States Postal Service Witness Plunkett to Interrogatory of the Office of the Consumer Advocate (OCA/USPS-T1-50), September 1, 2004, is granted.

George Omas
Presiding Officer