

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

Rate and Service Changes To Implement
Functionally Equivalent Negotiated Service
Agreement With Discover Financial Services, Inc.

Docket No. MC2004-4

PRESIDING OFFICER'S RULING
PLACING TESTIMONY INTO EVIDENCE
AND CLOSING THE RECORD

(Issued September 9, 2004)

On September 3, 2004, the Postal Service filed a motion requesting that the Direct Testimony of Ali Ayub on Behalf of the United States Postal Service (USPS-T-1) (including attachments and errata), the designated written cross-examination of witness Ayub, and the responses to POIRs by witness Ayub be entered into the record.¹ The Postal Service filed a separate declaration from Witness Ayub supporting the authenticity of his direct testimony, his written cross-examination, and his responses to POIRs, and provided the Commission with the original declaration in hard copy.² On this same date, Discover Financial Services, Inc. filed a motion requesting that the Direct Testimony of Karin Giffney on Behalf of Discover Financial Services, Inc. (DFS-T-1), the designated written cross-examination of witness Giffney, and the responses to POIRs by witness Giffney be entered into the record.³ Discover attached to its motion a declaration from witness Giffney supporting the authenticity of her direct

¹ United States Postal Service Motion for Inclusion of Direct Testimony, Designated Written Cross-Examination, and Responses to POIRs into the Record, September 3, 2004.

² Notice of the United States Postal Service Regarding Filing of Original Declarations of Authenticity of Witness Ali Ayub, September 3, 2004.

³ Motion of Discover Financial Services, Inc. (DFS) to Enter Testimony, Designated Written Cross-Examination, and POIR Responses and Answers into the Record, September 3, 2004.

testimony, her written cross-examination, and her responses to POIRs, and provided the Commission with the original declaration in hard copy. The American Postal Workers Union, AFL-CIO, the Office of the Consumer Advocate, and Valpak have designated written cross-examination in this docket.⁴ The Commission has designated the responses to POIR Nos. 1 and 2.⁵ The Postal Service and the Discover motions are unopposed. Both motions are granted.

The Postal Service filed Motion for Late Acceptance of Response of United States Postal Service to Presiding Officer's Information Request No. 2, August 24, 2004. This motion is granted.

Presentation of further evidence for the record in this docket is not anticipated. The record in Docket No. MC2004-4 is hereby closed.

RULING

1. United States Postal Service Motion for Inclusion of Direct Testimony, Written Cross-Examination, and Responses to POIRs into the Record, September 3, 2004, is granted.
2. Motion of Discover Financial Services, Inc. (DFS) to Enter Testimony, Designated Written Cross-Examination, and POIR Responses and Answers into the Record, September 3, 2004, is granted.

⁴ American Postal Workers Union, AFL-CIO Designation of Written Cross-Examination of USPS Witness Ali Ayub (USPS-T-1), September 1, 2004; American Postal Workers Union, AFL-CIO Designation of Written Cross-Examination of Discover Financial Services Witness Karin Giffney (DFS-T-1), September 1, 2004; Office of the Consumer Advocate Designation of Interrogatory Responses, September 1, 2004; Office of the Consumer Advocate Supplemental Designation of Interrogatory Responses of Ali Ayub, September 3, 2004; Valpak Direct Marketing Systems, Inc. and Valpak Dealers' Association, Inc. Designation of Written Cross-Examination, August 31, 2004; Valpak Direct Marketing Systems, Inc. and Valpak Dealers' Association, Inc. Supplemental Designation of Written Cross-Examination, September 7, 2004.

⁵ POR No. MC2004-4/3, August 25, 2004.

3. Motion for Late Acceptance of Response of United States Postal Service to Presiding Officer's Information Request No. 2, August 24, 2004, is granted.
4. The record in Docket No. MC2004-4 is closed.

George Omas
Presiding Officer