

**BEFORE THE  
POSTAL RATE COMMISSION  
WASHINGTON DC 20268-0001**

Rate and Service Changes To Implement )  
Functionally Equivalent Negotiated Service ) Docket No. MC2004-3  
Agreement with Bank One Corporation )

**JOINT MOTION OF THE UNITED STATES POSTAL SERVICE,  
BANK ONE CORPORATION, THE OFFICE OF CONSUMER ADVOCATE,  
VALPAK DIRECT MARKETING SYSTEMS, INC., AND VALPAK DEALERS'  
ASSOCIATION, INC., TO ADJUST PROCEDURAL SCHEDULE  
(September 30, 2004)**

The United States Postal Service ("Postal Service"), Bank One Corporation ("Bank One"), the Office of Consumer Advocate ("OCA"), and Valpak Direct Marketing Systems, Inc., and Valpak Dealers' Association, Inc. (collectively "Valpak") respectfully move for a five-day extension of the current briefing schedule to enable the parties to complete settlement discussions. Pursuant to Presiding Officer's MC2004-3/5 (issued Sept. 16, 2004), initial briefs are now due tomorrow, October 1, and reply briefs are due on October 8.

The parties have made substantial progress toward reaching a settlement and are working vigorously to resolve issues so that a modified stipulation and settlement can be filed by tomorrow. The parties are making best efforts to file a modified stipulation and settlement tomorrow but in any event will inform the Commission if a settlement is not possible by Monday, October 4, 2004. If settlement is reached, an extension would also enable the other parties who signed the previous stipulation and agreement to determine whether to sign the modified stipulation as well.<sup>1</sup>

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<sup>1</sup> In addition to the Postal Service, Bank One, and the OCA, the September 15 stipulation and agreement was signed by the Alliance of Nonprofit Mailers, American Bankers Association, American Postal Workers Union, AFL-CIO, Association for Postal Commerce, Magazine Publishers of America, Inc., National Association of Postmasters of the United States, National Postal Policy Council, and Parcel Shippers Association.

Accordingly, the undersigned participants respectfully request that the Commission establish October 6 as the new filing date for initial briefs, and October 13 as the filing date for reply briefs (if any). We also request that the Commission set a deadline of October 8 for the filing of signatures by other parties in support of the modified settlement agreement. In the unlikely event that any participant should oppose the modified settlement, we respectfully suggest that the opposition can be filed on October 6, as either a stand-alone document or as a part of the participant's initial brief.

To the extent that the relief requested herein requires the Commission to extend the period for issuing its Recommended Decision beyond the period otherwise allowed by Rule 196(d)(1), the Postal Service and Bank One, as the intended beneficiaries of this procedural deadline, hereby consent to waive Rule 196(d)(1) to the extent necessary to accommodate the proposed extension of briefing.

Respectfully submitted,

/s/

UNITED STATES POSTAL SERVICE

By its attorneys:

Daniel J. Foucheaux, Jr.  
Chief Counsel, Ratemaking  
Nan K. McKenzie  
475 L'Enfant Plaza West, S.W.  
Washington, D.C. 20260-1137  
(202) 268-3089; Fax -5402

OFFICE OF CONSUMER ADVOCATE

Shelley S. Dreifuss

Director, Office of the Consumer  
Advocate

Emmett Rand Costich

Attorney

1333 H Street, N.W.  
Washington DC 20268-0001  
(202) 789-6830  
Fax: (202) 789-6819  
[dreifusss@prc.gov](mailto:dreifusss@prc.gov)

BANK ONE CORPORATION

By its attorneys:

David M. Levy  
Joy M. Leong  
SIDLEY AUSTIN BROWN & WOOD LLP  
1501 K Street, N.W.  
Washington DC 20005  
(202) 736-8000  
[dlevy@sidley.com](mailto:dlevy@sidley.com)  
[jleong@sidley.com](mailto:jleong@sidley.com)

VALPAK DIRECT MARKETING  
SYSTEMS, INC., and VALPAK DEALERS'  
ASSOCIATION, INC.

By its attorneys:

William J. Olson  
John S. Miles  
WILLIAM J. OLSON, P.C.  
8180 Greensboro Drive, Suite 1070  
McLean, VA 22102-3860  
(703) 356-5070

September 30, 2004

## **CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the foregoing document upon all participants of record in this proceeding in accordance with section 12 of the Rules of Practice.

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Nan K. McKenzie

475 L'Enfant Plaza West, S.W.  
Washington, D.C. 20260-1137  
(202) 268-3089; Fax -5402  
September 30, 2004