

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

Complaint of Time Warner Inc. et al.  
Concerning Periodicals Rates

Docket No. C2004-1

PRESIDING OFFICER'S RULING ON  
TESTIMONY AND DESIGNATED INTERROGATORY RESPONSES

(Issued October 28, 2004)

*Current stage.* Previous rulings set deadlines for filing designations of written cross-examination and stated that the testimony of witnesses who had been scheduled to appear at hearings (on October 21, 2004 and October 26, 2004) would be entered into the record administratively, along with designated interrogatory responses.

Participants sponsoring witnesses in this stage of the proceeding are directed to file a motion for the acceptance into the evidentiary record of each piece of testimony they are sponsoring, related designated written cross-examination, and any responses a witness has provided to Presiding Officer's Information Requests, along a statement attesting to the truth and accuracy of the testimony and of designated written cross-examination answers.<sup>1</sup> A motion for acceptance as evidence shall also be submitted for institutional responses designated for inclusion in the record. The deadline for filing such motions is November 5, 2004.

*Previous stage.* The Postal Service recently filed a motion designating into the record witness Stralberg's response to USPS/TW et al.-T2-27. This response was filed on July 14, 2004, following witness Stralberg's appearance at the June 29, 2004 hearing. United States Postal Service Motion for Designation of Written Cross-

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<sup>1</sup> Motion of the United States Postal Service to Place Direct Testimony into the Evidentiary Record, filed October 8, 2004, serves as an example of this procedure.

Examination of Time Warner et al. Witness Stralberg, October 18, 2004. The motion is granted.

#### RULING

1. Motions seeking to place material referenced in the body of this ruling into the evidentiary record of this proceeding, along with related attestations, are due November 5, 2004.
2. The United States Postal Service Motion for Designation of Written Cross-Examination of Time Warner et al. Witness Stralberg, filed October 18, 2004 is granted.

George Omas  
Presiding Officer