

PRESIDING OFFICER'S
RULING NO. MC2005-2/2

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

Rate and Service Changes To Implement
Functionally Equivalent Negotiated Service
Agreement With HSBC North America Holdings Inc.

Docket No. MC2005-2

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

(Issued April 25, 2005)

On April 19, 2005, the Postal Service filed a motion requesting that the Direct Testimony of Jessica A. Dauer on Behalf of the United States Postal Service (USPS-T-1) (including attachments and errata filed on March 11, March 22, and April 14, 2005), the designated written cross-examination of witness Dauer, and the responses to POIRs by witness Dauer be entered into the record.¹ The Postal Service attached to its motion a declaration from witness Dauer supporting the authenticity of her direct testimony, her written cross-examination, and her responses to POIRs, and provided the Commission with the original declaration in hard copy. The Postal Service motion also requests that the only designated institutional response, OCA/USPS-1, be placed in evidence.

On this same date, HSBC North America Holdings Inc. (HSBC) filed a motion requesting that the Direct Testimony of John H. Harvey (HSBC-T-1), the designated written cross-examination of witness Harvey, and the responses to POIRs by witness

¹ Motion of the United States Postal Service for Inclusion of Direct Testimony, Designated Written Cross-Examination, and Responses to POIRs into the Record, April 19, 2005.

Harvey be entered into the record.² HSBC attached to its motion a declaration from witness Harvey 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.

The American Postal Workers Union, AFL-CIO (APWU), the Office of the Consumer Advocate, and Valpak have designated written cross-examination in this docket.³ The Commission has designated the responses to POIR Nos. 1 and 2.⁴

The Postal Service and the HSBC motions are unopposed. Both motions are granted. The written testimonies of witnesses Dauer and Harvey (including attachments and errata), the designated interrogatory responses, and the responses to POIRs shall be transcribed into the record.

APWU filed Motion of the American Postal Workers Union, AFL-CIO, to Designate Additional Interrogatories, April 18, 2005. The motion, and separately filed designations, were filed one business day late, but prior to the filing of witness Dauer's affidavit attesting to her testimony. This motion is granted.

The OCA filed Office of the Consumer Advocate Motion for Late Acceptance of Comments on the HSBC NSA, April 21, 2005, requesting acceptance of late-filed comments. The delay in filing was due to computer difficulties. This motion is granted.

Presentation of further evidence for the record in this docket is not anticipated. The record in Docket No. MC2005-2 is hereby closed.

² Motion of HSBC North America Holdings Inc. to Enter Into the Record Testimony of John H. Harvey, April 19, 2005 [errata filed April 22, 2005].

³ American Postal Workers Union, AFL-CIO, Designation of Written Cross-Examination of USPS Witness Dauer, April 18, 2005; Office of the Consumer Advocate Designation of Written Cross-Examination of United States Postal Service Witness Jessica A. Dauer, USPS-T-1, April 15, 2005; Office of the Consumer Advocate Designation of Written Cross-Examination of HSBC Witness John H. Harvey, HSBC-T-1, April 15, 2005; Office of the Consumer Advocate Designation of Written Cross-Examination of the United States Postal Service, April 15, 2005; Valpak Direct Marketing Systems, Inc. and Valpak Dealers' Association, Inc. Designation of Written Cross-Examination of United States Postal Service Witness Jessica A. Dauer (USPS-T-1), April 11, 2005.

⁴ Presiding Officer's Ruling No. MC2005-2/1, March 29, 2005.

RULING

1. Motion of the United States Postal Service for Inclusion of Direct Testimony, Designated Written Cross-Examination, and Responses to POIRs into the Record, April 19, 2005, is granted.
2. Motion of HSBC North America Holding Inc. to Enter Into the Record Testimony of John H. Harvey, April 19, 2005, [errata filed April 22, 2005] is granted.
3. Motion of the American Postal Workers Union, AFL-CIO, to Designate Additional Interrogatories, April 18, 2005, is granted.
4. Office of the Consumer Advocate Motion for Late Acceptance of Comments on the HSBC NSA, April 21, 2005, is granted.
5. The record in Docket No. MC2005-2 is closed.

George Omas
Presiding Officer