

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

Rate and Service Changes to  
Implement Baseline Negotiated  
Service Agreement with Bookspan

Docket No. MC2005-3

PRESIDING OFFICER'S RULING  
REVISING PROCEDURAL SCHEDULE

(Issued September 28, 2005)

The Postal Service has filed a request to modify the procedural schedule to accommodate the unavailability of Bookspan witnesses for the previously scheduled October 17-19, 2005 hearings.<sup>1</sup> The proposed modification would necessitate delaying other key dates throughout the remainder of the procedural schedule.

Scheduling of the omnibus rate case, the upcoming holidays, and other Commission commitments do not allow the Commission to adopt the Postal Service's schedule proposal. However, Postal Service and Bookspan witnesses can be accommodated by changing the hearing dates for cross-examination of the proponent's direct case to October 19-20, 2005. This causes a minimal disruption to the schedule. The remainder of the procedural schedule following the hearing will remain unchanged.

The Postal Service also informs the Commission that the settlement conference originally planned for October 6, 2005 will occur on October 11, 2005, 2 p.m., at Postal Service Headquarters. This will delay the filing of the settlement conference report, motion to limit issues, and report on the availability of witnesses until October 12, 2005. The identification of expected amount of oral cross-examination will be due on October 14, 2005. Comments on the motion to limit issues will be due on October 17, 2005. The Commission is aware that this is an abbreviated time for parties to reply to the

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<sup>1</sup> Request of the United States Postal Service for Modification of the Procedural Schedule, September 27, 2005.

motion to limit issues. However, it is anticipated that the parties will discuss their positions on issues at the settlement conference, and should be able to file a timely reply.

### RULING

A Revised Procedural Schedule is established as shown in the Attachment.

George Omas  
Presiding Officer

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**PROCEDURAL SCHEDULE**  
**(Revised September 28, 2005)**

Settlement conference (2 p.m. at Postal Service Headquarters)	Oct. 11, 2005
Filing of second settlement conference report, motion to limit issues and report on the availability of witnesses	Oct. 12, 2005
Identification of expected amount of oral cross-examination	Oct. 14, 2005
Comments on motion to limit issues	Oct. 17, 2005
Hearings for cross-examination of the Proponent's direct case	Oct. 19-20, 2005
Filing of the case-in-chief of each participant, including rebuttal to the Postal Service	Oct. 24, 2005
Completion of discovery directed to intervenors and the OCA	Nov. 22, 2005
Evidentiary hearings on the cases-in-chief of intervenors and the OCA	Dec. 12, 2005 (and Dec. 13, 2005, if needed)
Notice of intent to file surrebuttal testimony	Dec. 14, 2005
Filing of initial briefs (if no surrebuttal)	Jan. 6, 2006
Filing of reply briefs (if no surrebuttal)	Jan. 13, 2006
<i>Filing surrebuttal testimony (if requested)</i>	<i>Dec. 21, 2005</i>
<i>Hearings on surrebuttal testimony (if necessary)</i>	<i>Jan. 10, 2006</i>
<i>Filing of initial briefs (if surrebuttal)</i>	<i>Jan. 19, 2006</i>
<i>Filing of reply briefs (if surrebuttal)</i>	<i>Jan. 26, 2006</i>