

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  
SCHEDULING WITNESSES FOR HEARING

(Issued October 13, 2005)

Presiding Officer's Ruling No. MC2005-3/10 established October 19-20, 2005 as the dates for hearing proponents' direct case. Bookspan indicates that witnesses Epp and Posch are only available on October 20, 2005.<sup>1</sup> The Postal Service indicates that witness Plunkett is available for both dates, but witness Yorgey is only available on October 19, 2005.<sup>2</sup> The October 19, 2005 hearing will begin at 9:30 a.m. in the Commission's hearing room. The first witness shall be Postal Service witness Yorgey, followed by Postal Service witness Plunkett. The October 20, 2005 hearing also will begin at 9:30 a.m. in the Commission's hearing room. The first witness shall be Bookspan witness Posch, followed by Bookspan witness Epp.

Participants are reminded that the identification of expected amount of oral cross-examination is due by October 14, 2005.

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<sup>1</sup> Notice of Bookspan Regarding Availability of Witnesses for Hearing, October, 12, 2005.

<sup>2</sup> Notice of United States Postal Service Regarding Availability of Witnesses, October 13, 2005. The Postal Service's notice was accompanied by Motion of United States Postal Service for Late Acceptance of Notice Regarding Availability of Witnesses, October 13, 2005. This motion is granted.

Participants may designate interrogatory responses to be included in the record as written cross-examination. Rule 30(e)(2) requires designation of written cross-examination to be served no later than three working days before the scheduled appearance of a witness. However, because of the limited time available before the hearing, designations shall be due two working days before the scheduled appearance of the witness. Two copies of the designated material shall be provided to the Commission at that time.

The Commission designates the responses provided by witnesses Epp, Plunkett, and Yorgey to POIR Nos. 1 and 2:

Witness Plunkett:	POIR No. 1	Question 1(c)
	POIR No. 2	Question 1(a), 1(b), 1(c), 1(d), and 1(e)(ii) Question 3
Witness Yorgey:	POIR No. 1	Question 1(a) and 1(b) Question 2
		Question 3(a), 3(b), and 3(c) Question 4(b)
	POIR No. 2	Question 5 Question 2
		Question 4
Witness Epp:	POIR No. 1	Question 4(a) and 4(c)
	POIR No. 2	Question 1(b), 1(c), 1(d), and 1(e)(i)

In an unrelated matter, Bookspan filed Motion of Bookspan for Acceptance of Late-Filed Response to Interrogatory of the Office of the Consumer Advocate (OCA/Bookspan-T1-4), September 23, 2005. This motion is granted.

### RULING

1. The October 19 and 20, 2005 hearings will begin at 9:30 a.m. in the Commission's hearing room. On October 19, 2005, the first witness shall be witness Yorgey, followed by witness Plunkett. On October 20, 2005, the first witness shall be witness Posch, followed by witness Epp.
2. Participants may designate interrogatory responses to be included in the record as written cross-examination. Designations shall be filed two working days before the scheduled appearance of the witness.
3. The Commission designates the responses provided by witnesses Epp, Plunkett, and Yorgey to POIR Nos. 1 and 2.
4. Motion of United States Postal Service for Late Acceptance of Notice Regarding Availability of Witnesses, filed October 13, 2005, is granted.
5. Motion of Bookspan for Acceptance of Late-Filed Response to Interrogatory of the Office of the Consumer Advocate (OCA/Bookspan-T1-4), filed September 23, 2005, is granted.

George Omas  
Presiding Officer