

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

Six-Day to Five-Day Street Delivery
and Related Service Changes

Docket No. N2010-1

PRESIDING OFFICER'S RULING ADJUSTING
PROCEDURAL SCHEDULE

(Issued October 19, 2010)

Monday, October 18, 2010, the American Postal Workers Union, AFL-CIO (APWU), filed a motion for late acceptance of its initial brief in this docket.¹ APWU cited the "press of other business and coordination between responsible parties" as reason for the delay. Motion at 1. While only one business day, the abbreviated intervening time between initial briefs and reply briefs makes the delay significant.

The Postal Service filed a reply to the Motion, detailing the prejudice it may endure if it must conform to the reply brief deadline of October 21, 2010.² The Postal Service asks the Commission for relief "[o]n the assumption that the Commission intends to bind the parties to the current October 21st Reply Brief deadline." Specifically, the Postal Service "moves that the Commission...declar[e] its intent to consider only those arguments submitted by APWU that are not unique to its late Initial Brief and...were already reflected in the timely-filed Initial Briefs of the other parties."

¹ American Postal Workers Union, AFL-CIO, Motion for Late Acceptance of Initial Brief, October 18, 2010 (Motion).

² Reply of the United States Postal Service to Motion of the American Postal Workers Union for Late Acceptance of the Filing of its Initial Brief, October 19, 2010 (Reply).

The Commission is sympathetic to the parties' need for time to review the briefs in preparation of the reply briefs. However, the Commission is not inclined to reject parties' arguments due to a one day delay in filing. To mitigate any potential harm, the deadline for reply briefs, currently set for Thursday October 21, 2010, shall be moved to Monday October 25, 2010.

RULING

It is Ordered:

1. The American Postal Workers Union, AFL-CIO, Motion for Late Acceptance of Initial Brief, filed October 18, 2010, is granted.
2. The deadline for reply briefs is adjusted to Monday, October 25, 2010.

Ruth Y. Goldway
Presiding Officer