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PRESIDING OFFICER'S  
RULING NO. MC98-1/16

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POSTAL RATE COMMISSION  
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POSTAL RATE COMMISSION  
OFFICE OF THE SECRETARY

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Docket No. MC98-1

PRESIDING OFFICER'S RULING GRANTING  
MOTIONS FOR ACCEPTANCE OF LATE FILED RESPONSES

(November 30, 1998)

The Postal Service has filed several motions for late acceptance of interrogatory responses filed by witnesses Stirewalt, Hamm, Plunkett, and Garvey.<sup>1</sup> All responses either accompanied the motion for their late acceptance, or were filed by the date requested in the motion.

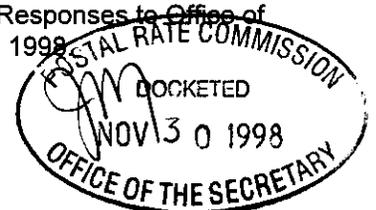
The interrogatories of witness Stirewalt were filed on November 10, 1998 and the delay was caused by the absence of information needed to complete the updating requested in the interrogatory. I will grant this motion.

Witness Hamm provided responses to MASA interrogatories 1 through 10 two business days late. The delay was occasioned by witness Hamm's travel schedule and other business commitments. As no party appears prejudiced by this delay, I will grant this motion.

Two of the motions requested the late acceptance of responses by witness Garvey to interrogatories from the Office of the Consumer Advocate. In the case of interrogatory 57(i), the report sought in the interrogatory was not available at the time

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<sup>1</sup> Motion of United States Postal Service for Extension of Time to Respond to Office of the Consumer Advocate Interrogatory OCA/USPS-T3-77, filed November 6, 1998; Motion of United States Postal Service for Late Acceptance of Responses of Witness Hamm to Interrogatories MASA/USPS-T6-10, filed November 12, 1998; Motion for Late Acceptance of and Response of United States Postal Service Witness Garvey to Interrogatory OCA/USPS-T1-57(i) and Revision to OCA/USPS-T1-57(g), filed November 17, 1998; Motion of United States Postal Service for Late Acceptance of Witness Garvey's Responses to Interrogatories of the Office of the Consumer Advocate, filed November 17, 1998; and Motion of United States Postal Service for Late Acceptance of Witness Plunkett's Responses to Office of the Consumer Advocate Interrogatories OCA/USPS-T5-47-50, filed November 23, 1998.



the response was originally due. It was filed two days out of time. In the case of interrogatories 58-70, the responses were filed one day late as they had not been completed by the November 16 filing deadline. I will grant these motions.

The responses of witness Plunkett were filed one business day late as both counsel and the witness were required to be in hearings when the responses were due. As no party appears prejudiced by the delay, I will grant this motion.

#### RULING

1. The Motion of United States Postal Service for Extension of Time to Respond to Office of the Consumer Advocate Interrogatory OCA/USPS-T3-77, filed November 6, 1998, is granted.

2. The Motion of United States Postal Service for Late Acceptance of Responses of Witness Hamm to Interrogatories MASA/USPS-T6-10, filed November 12, 1998, is granted.

3. The Motion for Late Acceptance of and Response of United States Postal Service Witness Garvey to Interrogatory OCA/USPS-T1-57(i) and Revision to OCA/USPS-T1-57(g), filed November 17, 1998, is granted.

4. The Motion of United States Postal Service for Late Acceptance of Witness Garvey's Responses to Interrogatories of the Office of the Consumer Advocate, filed November 17, 1998, is granted.

5. The Motion of United States Postal Service for Late Acceptance of Witness Plunkett's Responses to Office of the Consumer Advocate Interrogatories OCA/USPS-T5-47-50, filed November 23, 1998, is granted.



W.H. "Trey" LeBlanc III  
Presiding Officer