

UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

Before Commissioners:

Edward J. Gleiman, Chairman
W.H. "Trey" LeBlanc III, Vice Chairman;
Dana B. Covington, Sr.; Ruth Y. Goldway;
and George A. Omas

Classification and Fees for Weight-Averaged
Nonletter-Size Business Reply Mail

Docket No. MC99-2

ORDER REGARDING CONSIDERATION
OF STIPULATION AND AGREEMENT

(June 3, 1999)

The Postal Service, on behalf of itself and other signatories, has filed a motion seeking the Commission's consideration of a stipulation and agreement in settlement of all issues raised in this case. June 1, 1999 [Postal Service] Motion for Consideration of Stipulation and Agreement. The Commission appreciates participants' cooperation in negotiating this agreement. It also appreciates the Postal Service's efforts in acting as settlement coordinator.

Before taking final action on the motion, the Commission brings two matters to the attention of participants. One relates to the evidentiary record, as addressed in paragraph no. 2 of the stipulation and agreement. The other relates to a minor discrepancy between Fee Schedule 931 in Attachment B to the Service's Docket No. MC99-2 Request and this schedule as it appears at page 4 of the attachment to the stipulation and agreement.

Material for inclusion in the evidentiary record. A footnote to paragraph no. 2 of the stipulation and agreement indicates that in addition to the four pieces of direct testimony filed in this case, the signatories intend that material incorporated by reference therein is also to be included in the evidentiary record of this proceeding. The Commission finds that the following material qualifies for inclusion in the record under this clause: Docket No. MC97-1 testimony of Postal Service witness DeMay (USPS-T-1), Docket No. MC97-1 testimony of Postal Service witness Schenk (USPS-T-2), Docket No. MC97-1 testimony of Postal Service witness Fronk (USPS-T-3), and Docket No. MC99-1 testimony of Postal Service witness Kiefer (USPS-T-1).

Absent a timely objection, the Commission proposes entering this material into the record of this proceeding, along with the other material the signatories have specifically identified. Objections to this proposed course of action shall be filed no later than June 10, 1999.

Minor discrepancy in the wording of Fee Schedule 931. Review of Fee Schedule 931 in the attachment to the stipulation and agreement reveals a minor discrepancy as compared to the schedule in Attachment B to the Service's Docket No. MC99-2 Request. Specifically, it appears that to conform to the stated intent of the Service's proposal, the words "a reverse manifest or" should be stricken through in the section of the schedule dealing with monthly fees, as they were in the Service's initial request.

Given the clear weight of the record, one way to address this matter is to delete the words referred to above as a minor technical and conforming change, in the event the Commission adopts the stipulation and agreement as the basis for its decision in this case. The Commission asks that the Postal Service, as settlement coordinator, address this matter and provide a response no later than June 10, 1999.

It is ordered:

1. Objections to the inclusion of the material cited in the body of this order in the evidentiary record are to be filed no later than June 10, 1999.
2. The Postal Service's comments on appropriate methods of addressing the discrepancy in the fee schedules referenced in the body of this order shall be filed no later than June 10, 1999.

By the Commission.

S E A L

Cyril J. Pittack
Acting Secretary