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BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

SPECIAL SERVICES REFORM, 1996

Docket No. MC96-3

MOTION OF THE UNITED STATES POSTAL SERVICE FOR PERMISSION TO
RESPOND TO ANY OCA SUPPLEMENTAL ARGUMENTS FILED PURSUANT TO
PRESIDING OFFICER'S RULING NO. MC96-3/16
(September 27, 1996)

The United States Postal Service hereby requests that it be permitted to file a response to any supplemental arguments filed by the Office of the Consumer Advocate pursuant to Presiding Officer's Ruling Granting in Part OCA Motion to Compel, Presiding Officer's Ruling No. MC96-3/16, September 26, 1996 ("*Ruling No. MC96-3/16*").

In Ruling No. MC96-3/16, the Presiding Officer found that he could not rule on the OCA's Motion to Compel regarding interrogatory OCA/USPS-53(b) and (c) which requested certain actual costs and estimated costs for each FY 1995 IOCS sample office by quarter since the "pleadings are too general to allow me to make an informed judgment about the value of the cost comparison that the OCA proposes to make." *Ruling No. MC96-3/16, at 4.* The Presiding Officer then ruled that the OCA could supplement its Motion to Compel "with a more detailed explanation of how it plans to assess reliability of the IOCS using the requested data." *Id.* The OCA was allowed until September 30, 1996 to file any such comments. *Id. at 7.*

The Postal Service respectfully suggests that if the OCA, in essence, gets its "second bite of the apple," so should the Postal Service. Had OCA made more specific arguments in its Motion to Compel concerning the subject interrogatory,

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the Postal Service would have had an opportunity to address those arguments in its opposition. It should not be denied this opportunity now.

Accordingly, the Postal Service requests that it have until October 2, 1996 to respond to any supplemental comments filed by the OCA.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

Daniel J. Foucheaux, Jr.
Chief Counsel, Ratemaking



Susan M. Duchek

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon all participants of record in this proceeding in accordance with section 12 of the Rules of Practice.



Susan M. Duchek

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