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

POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

MAILING ONLINE EXPERIMENT

Docket No. MC2000-2

**MOTION FOR DESIGNATION OF TESTIMONY AND CROSS EXAMINATION FROM
PREVIOUS DOCKET AS EVIDENCE IN COMMISSION DOCKET NO. MC2000-2
(November 16, 1999)**

This docket proposes the conduct of a Mailing Online experiment, a service that also was the subject of a request to conduct a Mailing Online experiment in Docket No. MC98-1. Much of the Postal Service direct (and rebuttal) case in this docketed is the same as was previously presented in that docket. One exception is the evidence supporting the Mailing Online volume projections, USPS-T-4/MC98-1 and cross-examination of that testimony, Tr. 2/428-79. That testimony has not been updated or modified, and the Postal Service continues to rely upon it as the basis for volume projections. Accordingly, and for reasons explained more fully below, the Postal Service hereby moves to designate the direct testimony and cross examination of witness Rothschild as record evidence in Docket No. MC2000-1.¹

Bases for including witness Rothschild's evidence in this docket constitute a convergence among the legal, factual and practical. In essence, the legal standards are satisfied because expected participants (most, if not all, of whom also participated in the previous docket) have already taken extensive advantage of opportunities to review witness Rothschild's testimony and conduct discovery and cross examination; moreover, her evidence was properly admitted as record evidence in that previous

¹ Witness Rothschild's market research was also made available as a library reference, USPS-LR-2/MC98-1.

docket reflecting participants' full exercise of their due process rights. Tr. 2/428.

As previously noted, witness Rothschild's testimony has not been updated and the Postal Service continues to rely upon it as the best available indication of what volume Mailing Online will produce. The prior request for a Mailing Online experiment was intended to produce data suitable for use in projecting volume for any permanent version of Mailing Online, data that would be used to supplant the market research estimates; nothing in this regard has changed in the current Request.

In addition to these legal and factual bases for designation of and continued reliance upon witness Rothschild's market research volume estimates in this docket, a *practical set of reasons also applies*. The Postal Service is requesting expedition, consistent with participants' due process rights, based upon a self-interest in launching the experiment quickly, the previous Docket No. MC98-1 exploration of the case-in-chief, and the likelihood the resources available to the Commission and postal bar are likely soon to be stretched by the filing of a new omnibus rate request. Moreover, the Postal Service has no existing contract with witness Rothschild or her firm, National Analysts, to support the current Mailing Online Request. This is entirely reasonable *since she really has nothing new to add*. To the extent, however, that participants have more current questions regarding Postal Service use of her research, such questions are properly directed to the witnesses whose testimonies are being filed together with the Request. The basis for respective witness's reliance upon those estimates is now at issue, not the estimates themselves.

WHEREFORE, the Postal Service moves to designate the direct testimony of witness Rothschild from Docket No. MC98-1, USPS-T-1 (which is not by tradition transcribed into a volume of the transcript) together with her cross examination, Tr 2/428-79, as record evidence in this docket.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

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Kenneth N. Hollies

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.



Kenneth N. Hollies

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