

BEFORE THE POSTAL RATE COMMISSION  
WASHINGTON, DC 20268

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POSTAL RATE COMMISSION  
OFFICE OF THE SECRETARY

Complaint on Charges for the )  
Bulk Parcel Return Service ) Docket No. C99-4

CONTINUITY SHIPPERS ASSOCIATION  
OPPOSITION TO POSTAL SERVICE'S MOTION TO  
SUPSEND OR CONSOLIDATE PROCEEDINGS WITH R2000-1

The Continuity Shippers Association opposes the motion of the Postal Service to suspend or consolidate this Docket with Docket No. R2000-1.

The ignoble history and burdens caused by the delays of the Postal Service to remedy the anomaly from the R94-1 rate case have been well documented and will not be repeated in full in this response. In short, these now BPRS mailers endured a 65% increase in the Third Class single piece rate for returns for over 1,000 days (from January 1, 1995 until October 12, 1997) when BPRS was created. The return service provided under the Third Class single piece rate and BPRS are the same. During that time, the Postal Service delayed action while acknowledging the existence and inequity of the rate.

After the first year of BPRS service, the Postal Service issued a study showing that the attributable costs for BPRS did not support the rate. The BPRS mailers again requested action, but none was forthcoming. The CSA finally filed this complaint to obtain interim relief.

While the CSA acknowledges the reasons for suspension or consolidation of dockets, those reasons do not apply here where the docket is so close to completion and there is substantial prejudice if the case is suspended.

The R2000-1 case is at its infancy. These BPRS users should not have to wait another year for additional relief from the burdens of an overpriced rate. The prejudice to the BPRS users (especially where the Postal Service argues for a decrease in the rates in its R2000-1 submittal from \$1.75 to \$1.65) is significant.

In addition, the inefficiencies due to duplication of effort are very small. As of the time of this filing, the CSA filed its entire case, and will have responded to all discovery to its case. In addition, the parties designated evidence and testimony from other cases for incorporation in this case.

The Postal Service will also not have any rebuttal testimony as to the attributable costs. For purposes of this proceeding, the CSA stated that it would accept the Postal Service BPRS cost study. The OCA already submitted interrogatories on the BPRS cost study, and the Postal Service has answered those interrogatories. There should also be no rebuttal testimony on the roll forward because no interrogatories were directed to the CSA's roll forward and the

CSA's roll forward was higher than the Postal Service's roll forward for BPRS in its R2000-1 submittal.

Thus, the only possible rebuttal testimony could be on the cost coverage. Given that these are judgmental factors, the CSA does not believe that it would need discovery on the Postal Service's rebuttal testimony for purposes of this docket.

In addition, the schedule set by the Commission in this docket should enable it to complete this case without any interruption by the R2000-1 docket. The parties to R2000-1 would be conducting discovery without substantial participation by the Commission while the Commission completes and issues its Recommended Decision in this case.

The other cases, which were suspended or consolidated, did not involve these circumstances. Here, the Commission ordered a cost study for the obvious purpose of determining whether the initial negotiated rate was proper. The cost study showed that it was not. To obtain the proper rate, a complaint was filed. That complaint proceeding is near completion. The filing of an omnibus rate case at the late hour in the proceedings does not cancel the need for complaint case, especially given that any relief obtained in the omnibus rate case will not be felt for another year or so.

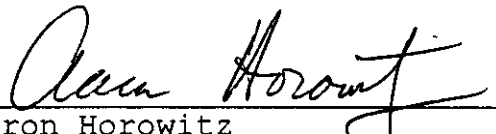
The suspension or consolidation of this complaint case would also set the wrong precedent. The Postal Service as a

policy is moving towards more frequent (but less large) omnibus rate cases. If a complaint case will always be suspended whenever an omnibus rate case is filed, the time window in which a complaint case could be brought and resolved would be significantly narrowed. It could also create a perverse incentive for the Postal Service to delay the resolution of complaint cases knowing that the complaint case will be suspended or consolidated into the next omnibus rate case which will always be coming shortly.

The Continuity Shippers Association requests that the Commission deny the Postal Service's motion to suspend or consolidate this docket with Docket No. R2000-1.

Dated: January 18, 2000

Respectfully Submitted,



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CERTIFICATE OF SERVICE

This will certify that the foregoing Opposition of the Continuity Shippers Association to the Postal Service's Motion to Suspend or Consolidate was served on January 18, 2000, by first class mail, on the following:

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