

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

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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

Complaint on Charges for the Bulk Parcel)
Return Service)

Docket No. C99-4

OFFICE OF THE CONSUMER ADVOCATE REQUEST FOR DEFERRAL OF
PROCEEDING PENDING RULING ON MOTION OF UNITED STATES POSTAL
SERVICE FOR SUSPENSION OF PROCEEDINGS OR CONSOLIDATION OF THIS
DOCKET WITH DOCKET NO. R2000-1 AND
NOTICE OF DESIRE TO CONDUCT CROSS-EXAMINATION
(January 24, 2000)

The Office of the Consumer Advocate ("OCA") hereby requests deferral of this proceeding pending a Commission ruling on the motion of the United States Postal Service, filed January 12, 2000, for suspension of proceedings or consolidation of this docket with Docket No. R2000-1. The OCA also hereby provides notice of its desire to conduct cross-examination in these proceedings.

The Commission's order of December 28, 1999 in this proceeding provides that notice of the desire to cross-examine witness Buc is to be provided by January 24, 2000. If no party desires to cross-examine a witness, initial briefs on the complaint are to be filed on January 28, 2000.¹

The OCA's has previously made clear its strong preference that the complaint case be suspended or consolidated with Docket No. R2000-1.² For the numerous

¹ "Order Revising Procedural Schedule," December 28, 1999, ordering para. 3.

² "Office of the Consumer Advocate Response to United States Postal Service Motion for Suspension of Proceedings or Consolidation of this Docket with Docket No. R2000-1" filed January 19, 2000.I

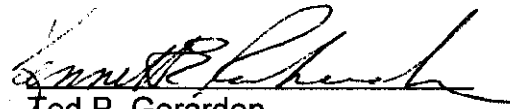
reasons set forth in the OCA's pleading, consolidation is the more desirable course at this time. Absent suspension or consolidation of this proceeding, the OCA wishes to cross-examine witness Buc when hearings are convened .

The OCA has also directed several interrogatories to the Postal Service relating to its recommendation for the appropriate BPRS cost coverage. The interrogatories were filed and answered prior to the filing of the rate case in Docket No. R2000-1. The responses did not recommend a particular cost coverage. However, the Postal Service has filed prepared testimony in Docket No. R2000-1 that recommends essentially a system-wide cost coverage for BPRS. In the current procedural posture of this proceeding, OCA does not have a means to follow-up on the Postal Service's interrogatory responses even though they plainly are relevant to a determination in the current complaint case. Absent that testimony, the record does not now contain Postal Service testimony as to the currently appropriate cost coverage for BPRS service. The Postal Service testimony in the record relates only to the Postal Service's view at the time it initially filed for approval of the BPRS service. Therefore, unless this proceeding is consolidated with the omnibus rate proceedings, OCA expects to request a Postal Service witness on cost coverage to discuss its responses to the OCA interrogatories in view of the Postal Service's proposed testimony filed in Docket No. R2000-1 with respect to BPRS cost coverage.

At this time OCA does not intend to submit rebuttal testimony in this proceeding.

Respectfully submitted,

OFFICE OF THE CONSUMER ADVOCATE

A handwritten signature in black ink, appearing to read "Ted P. Gerarden", is written over a horizontal line.


Ted P. Gerarden
Director

Kenneth E. Richardson
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CERTIFICATE OF SERVICE

I hereby certify that I have this date served the foregoing document upon all participants of record in this proceeding in accordance with section 12 of the rules of practice.



Stephanie S. Wallace

Washington, D.C. 20268-0001
January 24, 2000