

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

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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

POSTAL RATE AND FEE CHANGES, 2000

Docket No. R2000-1

UNCONTESTED MOTION OF THE UNITED STATES POSTAL SERVICE
REGARDING UPS INTERROGATORIES TO POSTAL SERVICE
WITNESS KAY (UPS/ USPS-T23-1 - 4)

On January 31, 2000, UPS filed interrogatories UPS/USPS-T23-1 - 4, directed to witness Kay. These questions seek information on the Postal Service product advertising in the base year. While the Postal Service recognizes the general relevance of this line of inquiry, it believes that some of the material sought, given the broad scope of the request, is likely not to be relevant for ratemaking purposes. More importantly, the Postal Service also has concerns regarding the extraordinary level of burden that would be required to respond to the requests as currently structured, as well as the proprietary nature of some of the details of its advertising efforts. Rather than file objections on those grounds (i.e., relevance, burden, and privilege) now, however, the Postal Service has contacted counsel for UPS in an attempt to arrange a mutually-satisfactory alternative approach to exploring the same issues.

As a consequence, UPS has authorized the Postal Service to represent its agreement that otherwise applicable discovery obligations regarding these questions be waived while the informal discussions are continuing, subject to the Presiding Officer's approval. This agreement does not prejudice any rights of the Postal Service, including the right to file formal objections later should the need arise, and does not prejudice any rights of UPS, including the right to terminate discussions and inform the Postal Service of a need to either respond to the questions as filed or file formal objections.

Wherefore, the Postal Service respectfully requests that the Presiding Officer suspend otherwise applicable discovery obligations with respect to UPS/USPS-T23-1 - 4 pending informal efforts by the parties to reach a mutually-acceptable resolution.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorney:



Eric P. Koetting

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.



Eric P. Koetting

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February 10, 2000