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PRESIDING OFFICER'S
RULING NO. MC2000-2/7

POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

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

Mailing Online Experiment

Docket No. MC2000-2

PRESIDING OFFICER'S RULING ON
ENTERING DESIGNATED TESTIMONY INTO THE RECORD

(February 11, 2000)

Designation of Testimony and Cross-Examination from Docket No. MC98-1.

POR No. MC2000-2/4, issued on December 21, 1999, described the procedure and schedule for parties to designate relevant testimony and cross-examination from Docket No. MC98-1 for use in Docket No. MC2000-2. Mail Advertising Service Association International (MASA), the Office of the Consumer Advocate (OCA), and Pitney Bowes Inc. (Pitney Bowes) have filed notices of designations.¹ MASA and the Postal Service have filed notices of counter-designations.² The Postal Service included objections to designations in its notice of counter-designation.³

¹ Mail Advertising Service Association International's Designation of Record from MC98-1. Office of the Consumer Advocate Designation of Evidence from Docket No. MC98-1 Pursuant to P.O. Ruling No. MC2000-2/4. Pitney Bowes Inc. Designation of Testimonial Material from MC98-1.

² Mail Advertising Service Association International's Counter-Designation of Record from MC98-1. United States Postal Service's Counter-Designation of Record from Docket No. MC98-1.

³ United States Postal Service's Counter-Designation of Record from Docket No. MC98-1 at 2.

In its notice of counter-designation, the Postal Service questions the propriety of MASA's designation of witness Stirewalt's testimony from Docket No. MC98-1.⁴ MASA designated witness Stirewalt's testimony referenced as Docket No. MC98-1, Tr. 3/713-7, Tr. 3/757-63, and Tr. 5/965-70. The Postal Service claims that witness Lim's new testimony supersedes witness Stirewalt's old testimony and the inclusion of witness Stirewalt's testimony will only confuse the record. If witness Stirewalt's testimony is included in the MC2000-2 record, the Postal Service would like to also include witness Stirewalt's testimony referenced as Docket No. MC98-1, Tr. 4/849-50, Tr. 4/854-7, and Tr. 5/959-60.

This issue will be resolved at the February 24, 2000, hearing. MASA shall submit two copies of the designated witness Stirewalt testimony and the Postal Service shall submit two copies of the counter-designated Stirewalt testimony to the Commission by February 18, 2000. This material shall be segregated from other submissions of designated material required by this ruling. MASA will have the opportunity at the hearing to overcome the Postal Service objection and explain why this material should be included in the record.

The OCA has designated testimony from witness Rothschild referenced as Docket No. MC98-1, Tr. 1265-72. This material is already part of the record in MC2000-2, Tr. 3/347-54. The OCA shall omit this redundant material from the material that it submits for transcription into the record.

⁴ Ibid.

The parties shall submit to the Commission two copies of the testimony that each has previously designated and/or counter-designated by February 18, 2000. The Commission will collate and remove redundant pages from this material. This material will be transcribed into the record as evidence at the February 24, 2000, hearing.

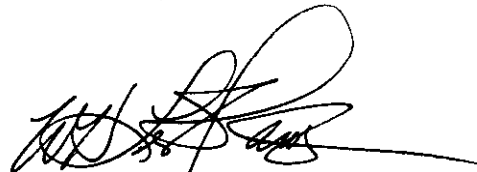
Rothschild Testimony. The written cross-examination of witness Rothschild, Docket No. MC98-1, Tr. 2/428-79 and Tr. 1265-72, was transcribed into the MC2000-2 record during the January 13, 2000 hearing. The Postal Service indicated a preference to have the direct testimony of witness Rothschild, Docket No. MC98-1, USPS-T-4, transcribed into the MC2000-2 record. That material has not yet been transcribed. However, if the Postal Service still prefers to transcribe the witness Rothschild direct testimony into the MC2000-2 record, please provide two copies of that testimony with its designated materials to the Commission by February 18, 2000, for inclusion into the record at the hearing scheduled for February 24, 2000. If this is no longer necessary, please provide an explanation.

RULING

1. MASA and the Postal Service shall provide two copies of the respective witness Stirewalt material to the Commission by February 18, 2000. Whether or not to include this material in the MC2000-2 record will be discussed at the February 24, 2000 hearing.

2. Parties that have designated or counter-designated material from Docket No. MC98-1 shall provide two copies of the designated material to the Commission by February 18, 2000 (subject to the instructions in the body of this ruling).

3. The Postal Service shall provide two copies of the direct testimony of witness Rothschild, Docket No. MC98-1, USPS-T-4, for transcription into the MC2000-2 record with its designated materials, or provide an explanation why this is no longer necessary at the February 24, 2000 hearing.

A handwritten signature in black ink, appearing to read 'W. H. LeBlanc III', with a long horizontal flourish extending to the right.

W. H. "Trey" LeBlanc III
Presiding Officer