

BEFORE THE
POSTAL RATE COMMISSION

RECEIVED
FEB 14 11 17 AM '00

POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

POSTAL RATE AND FEE CHANGES, 2000

DOCKET NO. R2000-1

SUGGESTED MODIFICATIONS OF
UNITED PARCEL SERVICE
TO THE PROCEDURAL SCHEDULE
(February 14, 2000)

United Parcel Service ("UPS") hereby responds to Presiding Officer's Ruling No. R2000-1/1, issued January 27, 2000, which invited suggestions to the proposed procedural schedule for this docket.

UPS is generally in agreement with the comments of the Alliance of Non-Profit Mailers, et al. ("ANM"), in their filing of February 9, 2000. First, UPS agrees that the period for discovery on the Postal Service's direct case should be extended. This additional time is necessary because discovery on the Postal Service's direct case is probably the most crucial part of the proceeding for participants. The Postal Service is in control of almost all of the relevant data. Without an adequate opportunity for discovery, participants cannot meaningfully evaluate the Postal Service's proposals, nor can they develop recommendations of their own.

In Docket No. R97-1, the schedule provided for almost an additional week for discovery on the Postal Service's direct case. At the very least, the schedule in this case should provide the same opportunity for discovery. In light of the possibility that the parties may decide to propose, and that the Commission may decide to use,

FY 1999 data in arriving at recommended rates in place of the FY 1998 data used by the Postal Service, see Notice of Inquiry No. 1 Concerning Base Year Data (February 2, 2000), the parties may need additional time to complete discovery. Accordingly, UPS proposes that the discovery period be extended by two weeks, to March 30, 2000.

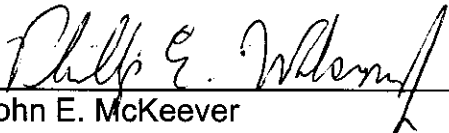
UPS also believes that the short interval of time after hearings on the Postal Service's direct case for preparation of the direct cases of participants severely limits the participants' ability to adequately respond to the issues and arguments raised by the Postal Service. The proposed schedule provides only seven days between completion of cross-examination on the Postal Service's direct case and the date on which participants must file their cases in chief. By way of comparison, in both Docket No. R97-1 and Docket No. R94-1 participants were given 26 days. To require participants to file their cases only seven days after the close of hearings on the Postal Service's case would impose an undue obstacle on the participants' ability to make use of the results of the hearings and present their proposals to the Commission. Therefore, UPS proposes that the period between hearings and the filing of participants' cases be extended by 21 days (to May 26, 2000).

UPS does not agree with the suggestion of ANM that, at this stage of the case, oral argument be eliminated. That question should be reserved until later, when the Commission and the parties are in a better position to determine whether oral argument may be helpful to a thorough review of the issues in the case. See Docket No. RM98-3, Order No. 1274, at 14-15.

A procedural schedule incorporating these suggestions is contained in

Attachment A.

Respectfully submitted,



John E. McKeever
William J. Pinamont
Phillip E. Wilson, Jr.
Attorneys for United Parcel Service

Piper Marbury Rudnick & Wolfe LLP
3400 Two Logan Square
18th & Arch Streets
Philadelphia, PA 19103-2762
(215) 656-3310
(215) 656-3301 (FAX)

and

1200 Nineteenth Street, NW
Washington, DC 20036-2430
(202) 861-3900

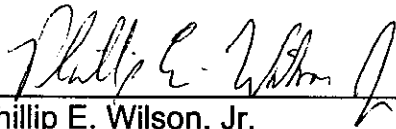
Of Counsel.

PROCEDURAL SCHEDULE PROPOSED BY UNITED PARCEL SERVICE

January 12, 2000	Postal Service Request files due
February 16, 2000	Prehearing conference
March 30, 2000	Identify expected amount of oral cross-examination. Report on the availability of witnesses
March 30, 2000	Completion of discovery on the Postal Service's direct case
April 3, 2000	Trial brief of the Postal Service due
April 13 - May 5, 2000	Hearings for cross-examination of the Postal Service's direct case
May 26, 2000	Filing of the case-in-chief of each participant, including rebuttal to the Postal Service
June 26, 2000	Identify expected amount of oral cross-examination. Report on the availability of witnesses
June 26, 2000	Completion of discovery directed to intervenors and the OCA
July 7, 2000	Trial briefs of intervenors and the OCA due
July 17 - August 2, 2000	Evidentiary hearings on the cases-in-chief of intervenors and the OCA
August 3, 2000	Completion of discovery directed to the Postal Service
August 14, 2000	Filing of evidence in rebuttal to the cases-in-chief of participants other than the Postal Service (no discovery permitted on this rebuttal evidence; only oral cross-examination)
August 22-31, 2000	Hearings on rebuttal to participants' direct evidence (9:30 a.m. in the Commission hearing room)
September 13, 2000	Filing of initial briefs
September 21, 2000	Filing of reply briefs
September 27 - 28, 2000	Oral argument (if requested)

CERTIFICATE OF SERVICE

I hereby certify that I have this date served the foregoing document by first class mail, postage prepaid, in accordance with Section 12 of the Commission's Rules of Practice.



Phillip E. Wilson, Jr.
Attorney for United Parcel Service

Dated: February 14, 2000
Philadelphia, Pa.

59245