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POSTAL RATE COMMISSION  
OFFICE OF THE SECRETARY

PRESIDING OFFICER'S  
RULING NO. MC2000-2/8

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

Mailing Online Experiment

Docket No. MC2000-2

PRESIDING OFFICER'S RULING ON  
FEBRUARY 24, 2000 HEARING

(February 22, 2000)

On February 18, 2000, the Office of the Consumer Advocate (OCA) filed a conjoined notice of intent to withdraw witness Callow's testimony, and a motion to suspend witness Callow's requirement to file answers to Postal Service interrogatories by February 22, 2000. Office of the Consumer Advocate (1) Notice of Intent to Withdraw the Testimony of Witness James F. Callow and (2) Motion to Suspend Procedural Deadlines Relating to the Callow Testimony. The withdrawal of witness Callow's testimony is contingent upon a Stipulation and Agreement concerning proposed DMCS language that the Postal Service is now preparing. The OCA indicates that it will sign the Stipulation and Agreement. The OCA also states that Pitney Bowes has indicted support and believes that no other party will oppose the Stipulation and Agreement.

The Commission has a Mailing Online Experiment hearing scheduled for February 24, 2000. Witness Callow is the only witness scheduled to appear and the

Postal Service is the only party that has indicated a desire for cross-examination. If witness Callow's testimony is withdrawn prior to the hearing, witness Callow does not have to appear and there will be no cross-examination.

On February 10, 2000, the Postal Service filed a set of interrogatories directed to witness Callow. United States Postal Service Interrogatories and Requests for Production of Documents to the Office of Consumer Advocate Witness Callow (USPS/OCA-T100-1-13). The OCA has indicated that the Postal Service will withdraw this set of interrogatories when the witness Callow testimony is withdrawn. Witness Callow's requirement to respond to the Postal Service interrogatories shall be deferred until the February 24, 2000 hearing. Witness Callow shall be prepared to orally answer all Postal Service interrogatories during the hearing. If the Callow testimony is withdrawn prior to the hearing, witness Callow shall be relieved of the obligation to answer the interrogatories.

The hearing shall convene at 9:30 AM on February 24, 2000. If the Callow testimony is withdrawn, the hearing will be limited to entering designated testimony into the record, resolving the issue of designating witness Stirewalt's testimony, and setting dates for initial and reply briefs. Any other final procedural issues should also be addressed at this time.

**RULING**

1. Witness Callow's requirement to respond to the Postal Service interrogatories shall be deferred until the February 24, 2000 hearing. Witness Callow shall be prepared to orally answer all Postal Service interrogatories during the hearing. If the Callow testimony is withdrawn prior to the hearing, witness Callow shall be relieved of the obligation to answer the interrogatories.
  
2. The hearing scheduled for February 24, 2000 shall be convened. Assuming that witness Callow's testimony is withdrawn, the hearing will be limited to entering designated testimony into the record, resolving the issue of designating witness Stirewalt's testimony, and setting dates for initial and reply briefs.



W.H. "Trey" LeBlanc III  
Presiding Officer