

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

RESPONSE OF UNITED STATES POSTAL SERVICE
TO MPA MOTION TO RESCHEDULE THE APPEARANCES
OF WITNESSES BARON AND RAYMOND
AND FOR A DELAY IN FILING REBUTTAL TESTIMONY
(April 27, 2000)

On April 25, 2000, the Magazine Publishers of America (MPA) filed a motion asking that the oral cross-examination of Postal Service witnesses Baron and Raymond be postponed one week to April 9, 2000, and that the date for filing of intervenor direct testimony rebutting the testimony of these two witnesses also be delayed by one week. The Postal Service hereby responds to the MPA motion.

The Postal Service acknowledges that due to the extraordinarily large number of interrogatories directed to these witnesses, and the unique circumstances relating to the voluminous and sensitive documentation underlying the Engineered Standards (ES) data developed by witness Raymond and used by witness Baron, that it has not been possible to respond to all interrogatories directed to these witnesses in a timely manner, and that many responses still remain to be filed. The Postal Service and its witnesses are diligently working to address this backlog, and to respond to the many follow-up interrogatories that have also been filed. It should also be noted that to offset any disadvantage experienced by parties interested in the testimony of witnesses Baron and Raymond, the Postal Service has also gone to great lengths, on numerous different occasions, to informally provide access to the ES documentation pursuant to the conditions established in Presiding Officer's Ruling No. R2000-1/27.

In order to afford to the parties a more ample opportunity to examine the testimony of witnesses Baron and Raymond, and to further alleviate any problems that may have been experienced by delays in producing requested information, the Postal Service is willing to accommodate the MPA request to delay the appearance of these witnesses until April 9, 2000. Furthermore, in a spirit of cooperation, the Postal Service does not oppose the MPA request to delay by one week the filing of intervenor testimony relating to the ES data at issue in the testimony of witnesses Baron and Raymond.

However, the Postal Service requests that, if the filing date for this intervenor testimony is to be delayed by a week, that the end date for discovery on this intervenor testimony likewise be extended, and that such intervenor witnesses be schedule to appear towards the end the time period set aside for oral cross-examination of intervenor witnesses.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

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April 27, 2000

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.


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April 27, 2000