

COVINGTON & BURLING

1201 PENNSYLVANIA AVENUE NW WASHINGTON, DC
WASHINGTON, DC 20004-2401 NEW YORK
TEL 202.662.6000 LONDON
FAX 202.662.6291 BRUSSELS
WWW.COV.COM SAN FRANCISCO

RECEIVED
DANA T. ACKERLY II
TEL 202.662.7996
FAX 202.662.6291
DACKERLY@COV.COM
JUN 23 4 01 PM '00
POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

June 23, 2000

OPEN LETTER TO PARTICIPANTS IN PRC DOCKET NO. R2000-1

FROM: Dana T. Ackerly II, Counsel to Direct Marketing Association, Inc.

RE: Portions of Transcript in Electronic Form

I am writing this letter to gauge the interest of R2000-1 participants in sharing the cost of scanning/OCRing the non-oral portion of the R2000-1 transcript, thereby permitting it to be electronically searched on a full-text basis.

Background

As you know, the Commission has a contract with a reporting company, Ann Riley & Associates ("AR&A"), pursuant to which the official record of the pending rate case is being created. Participants may purchase from AR&A the transcript in written ("hard copy") form; participants may also purchase from AR&A in electronic form (on floppy disks) the oral portion of the transcript. However, AR&A does not offer in electronic form the portions of the transcript that it receives in hard-copy form; these portions consist largely of written cross-examination, but they also include documents such as intervenor testimony and cross-examination exhibits.

In past PRC cases, we have found it extremely valuable to have access to the entire record in electronic form, thereby permitting full-text searches of the record with available litigation-support software. The Commission itself has created this capability through its "Laserfiche" system. However, this system is available to members of the public only for past cases. Although the Commission is creating this capability for R2000-1, the terms of its contract with AR&A prohibit the Commission from making the R2000-1 record publicly available in electronic form soon enough to permit participants to utilize it when briefing the case.

Accordingly, over the past several months, we have been discussing with AR&A possible ways in which we and all other R2000-1 participants may acquire in electronic form the hard-copy-based portion of the R2000-1 record. Recently, AR&A negotiated an arrangement with a vendor whereby the vendor would perform the necessary scanning and OCRing functions, and AR&A would sell the resulting electronic files to participants. In our opinion, however, the cost was excessive; it was greater than other vendors currently charge for similar services.

Are You Interested in Cost-Sharing?

As a result, we are considering retaining directly an outside vendor to perform the services in question. In order to reduce the cost to our client of participating in this case, we would like to know whether any other R2000-1 participants would be interested in sharing the costs of these scanning/OCRing services. I emphasize that our interest is limited to the portion of the transcript that is paper-based. We are not proposing to create an electronic version of the oral portion of the transcript, which is currently available from AR&A directly.

A Brief Survey

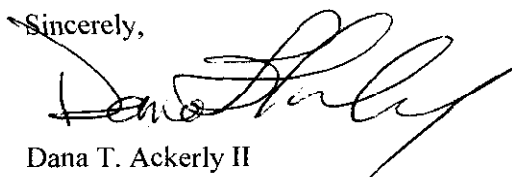
In this connection, would you please respond to the following questions. It would be most efficient if you would simply "reply" in electronic form to this letter (which is being emailed to each participant who has an email address shown on the service list), and add the answers following each respective question. A response via any medium, however, would be most helpful.

1. Do you or your client currently purchase the entire R2000-1 transcript in hard-copy form? If so, how many copies are purchased? [Perhaps, one for the lawyers and one for the economic consultants?]
2. Do you or your client currently purchase the oral portion of the entire R2000-1 transcript in electronic form? If so, how many copies are purchased?
3. Do you or your client currently purchase some, but not all, volumes of the R2000-1 transcript in hard-copy form? If so, approximately how many volumes will have been purchased by the end of this proceeding? If you anticipate that more than one copy of any of these volumes will be purchased, please so indicate.
4. If you answered question 3 in the affirmative, do you anticipate that the oral portions of any these volumes will be purchased in electronic form?
5. Do you use litigation support software with full-text search capabilities? If so, please describe your system's technical requirements especially as regards the types of files that can be loaded into the database. For example, does your system accept Word files, Wordperfect files, PDF files, etc.?
6. Would you be interested in sharing the cost of obtaining the non-oral portion of the transcript in electronic form? Please assume for this purpose that your share of the costs would be less than 10 cents per page plus an amount per CD that will not exceed \$50; the exact amount is yet to be determined.
7. Any additional comments would be welcome.

Your response is greatly appreciated.

I hereby certify that I have served this letter upon all participants of record in accordance with the Commission's rules.

Sincerely,



Dana T. Ackerly II
Counsel to Direct Marketing Association, Inc.