

**UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, DC 20268-0001**

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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

Before Commissioners: Edward J. Gleiman, Chairman;
George A. Omas, Vice Chairman;
Dana B. Covington; Ruth Y. Goldway;
And W. H. "Trey" LeBlanc, III

In the Matter of:

Roanoke, WV 26423 : Docket No. A2000-1
(Robert J. Conley, Petitioner) :

**MOTION OF INTERVENOR OLIVER R. POSEY
TO MODIFY PROCEDURAL SCHEDULE**

Comes now the intervenor, Oliver R. Posey, by counsel, who moves the Postal Rate Commission to modify the Procedural Schedule previously established in the above-referenced proceeding.

In support of this motion, the intervenor, by counsel, represents that the Postal Rate Commission, by Order No. 1292, ordered the U.S. Postal Service to file a copy of the administrative record in the above-referenced matter by May 25, 2000. The U.S. Postal Service failed to comply with that order. Pursuant to the Procedural Schedule incorporated into that order, the initial brief by the intervenor was to be filed by June 15, 2000. Although the U.S. Postal Service did not file the administrative record before initial briefs were due, the intervenor filed an initial brief, based on the limited evidence then before the Postal Rate Commission, on June 14, 2000. In Order No. 1296, the Postal Rate Commission again ordered the U.S. Postal Service to file the administrative record, this time by June 23, 2000. The U.S. Postal service chose to comply with this order, but some twenty-nine (29) days after the date it was originally supposed to do so

and eight (8) days after the initial brief by the intervenor was due. The failure of the U.S. Postal Service to produce the administrative record prejudiced the ability of the intervenor and the petitioner to prepare an initial brief and to respond to the procedural and substantive issues in this matter.

Wherefore, the intervenor proposes that the Procedural Schedule be modified as follows:

July 14, 2000	Petitioner's (Intervenor's) Participant Statement or Initial Brief;
July 21, 2000	Postal Service's Answering Brief;
August 4, 2000	Petitioner's (Intervenor's) Reply Brief should Petitioner (Intervenor) choose to file one;
August 21, 2000	Expiration of the Commission's 120-day decisional schedule.

Respectfully submitted,

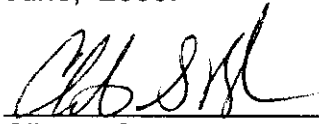
OLIVER R. POSEY
Intervenor
By counsel



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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, specifically by mailing true copies to the U.S. Postal Service and to Robert J. Conley, Petitioner, by depositing same in the U. S. Mail, postage paid, on the 28th day of June, 2000.



Clinton G. Bush, Esquire