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POSTAL RATE INFORMATION  
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PRESIDING OFFICER'S  
RULING NO. R2000-1/94

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

Postal Rate and Fee Changes

Docket No. R2000-1

PRESIDING OFFICER'S RULING DENYING A POSTAL SERVICE MOTION  
TO RESTRICT WRITTEN DISCOVERY

(Issued July 20, 2000)

Yesterday, July 19, 2000, the Postal Service filed a Motion to Disallow Written Discovery on Updated Testimony and Related Materials (Motion). The Postal Service contends that written discovery on these materials will be burdensome in the context of the amended schedule, and that no written discovery should be allowed. I am denying that Motion.

Although the request for a blanket prohibition on written discovery related to the testimony and supporting documentation filed in response to Order No. 1294 is denied, the Postal Service may still interpose objections to specific written discovery requests that are inappropriate for any standard or generally accepted grounds, including the ground that a specific discovery request may be unduly burdensome.

Presiding Officer's Ruling No. 71, revising the Procedural Schedule in light of Order No. 1294, retained a final date for the submission of discovery directed to the Postal Service. Discovery was to be permitted through July 31, 2000 for the purpose of allowing participants to obtain information from the Postal Service to enable the preparation of rebuttal testimony.

Order No. 1294 contemplated that parties, including the Postal Service, would be permitted to submit testimony incorporating the updates called for in that Order as a

part of their rebuttal testimony to be filed on August 14, 2000. Therefore, discovery on testimony and related materials submitted by the Postal Service was obviously contemplated by Order No. 1294. Furthermore, focused written discovery will help the participants and the Commission to develop a cogent and complete record for the evaluation of the Postal Service's rate proposals.

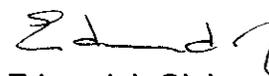
The Postal Service suggests that responding to written discovery may impede its preparation for remaining phases of this case. Again, I will consider specific objections that a particular discovery request would impose an unreasonable burden on the Service. However, in the past, it has always been viewed as helpful for parties to identify particular areas of interest through written questions submitted prior to technical conferences. The written discovery requests should be of assistance to the Postal Service in preparing for the technical conferences to be held next week.

I have been able to comment favorably several times during this case on the willingness of counsel to work together cooperatively to resolve potential procedural problems. The Postal Service complains about the scope of Time Warner interrogatory TW/USPS-ST44-3. Motion at 4. Perhaps counsel could discuss whether the scope of that question might be narrowed, or whether the availability of particular data at the technical conference might be satisfactory for some purposes.

The Postal Service also suggests that interrogatory OCA/USPS-ST44-1 is inappropriate, yet, it then proceeds to indicate it has already submitted the requested information for the record. Motion at 6. Under that circumstance, it would seem that the Postal Service could simply provide an answer identifying the relevant library reference.

**RULING**

The Motion of the United States Postal Service to Disallow Written Discovery On Update Testimony and Related Materials, filed July 19, 2000, is denied.

  
Edward J. Gleiman  
Presiding Officer