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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

PRESIDING OFFICER'S
RULING NO. R2000-1/95

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

(Issued July 24, 2000)

A number of participants have filed requests for procedural relief related to the general issue raised in Notice of Inquiry No. 3.

The American Bankers Association and National Association of Presort Mailers have asked the Commission essentially to reject the Postal Service presentation in response to Notice of Inquiry No. 3, and to prohibit the Service from relying on it in its other filings. Comments of American Bankers Association and National Association of Presort Mailers in Support of Major Mailers Association and Office of the Consumer Advocate Comments on Notice of Inquiry No. 3, filed July 19, 2000 at 2.

The Postal Service has filed a motion asking that the Office of the Consumer Advocate, and presumably all other participants, be prohibited from filing rebuttal to the testimony provided by the Service in response to Notice of Inquiry No. 3. Motion of the United States Postal Service Regarding the Office of the Consumer Advocate Declaration of Intent to File Testimony 28 Days Out of Time in Response to Notice of Inquiry No. 3, filed July 20, 2000 at 1.

Major Mailers Association included in comments in response to Notice of Inquiry No. 3 a suggestion that due process considerations should bar treatment of the Postal Service Response to Notice of Inquiry No. 3 as amending the Service's Request in this

case. Comments of Major Mailers Association on the Commission's Notice of Inquiry No. 3, filed July 17, 2000 at 6.

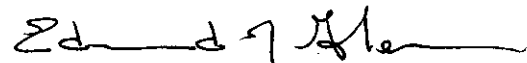
At the July 21, 2000 hearing, Major Mailer's Association (MMA) objected to the receipt into evidence of the testimony of Postal Service witness Fronk in response to Notice of Inquiry No. 3. That testimony was received into evidence subject to MMA's objection. MMA was given until close of business, July 24, 2000, to provide a written supplement to its arguments presented orally at the hearing.

I will set Thursday, July 27, 2000 as the date for responses to all of these procedural contentions.

At the July 21, 2000 hearing, Major Mailer's Association requested that these issues be certified to the full Commission. I find that ruling on these issues will involve questions of law or policy concerning which there is substantial ground for difference of opinion, and that a decision on these issues by the full Commission will materially advance these proceedings. Therefore, I will certify these matters to the Commission.

RULING

1. Responses to requests for procedural relief arising from Notice of Inquiry No. 3 are to be filed on or before July 27, 2000.
2. The pending requests for procedural relief arising from Notice of Inquiry No. 3 listed in the body of this ruling are certified to the full Commission for decision.


Edward J. Gleiman
Presiding Officer