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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

PRESIDING OFFICER'S
RULING NO. R2000-1/108

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 GRANTING MOTION
OF UNITED PARCEL SERVICE FOR LEAVE TO FILE
SUPPLEMENTAL TESTIMONY CONCERNING
PARCEL POST RPW ESTIMATES

(Issued August 2, 2000)

On July 24, intervenor United Parcel Service filed a motion for leave to submit supplemental testimony on the subject of RPW-based estimates for Parcel Post. Motion of United Parcel Service for Leave to File Supplemental Testimony Concerning Parcel Post RPW Estimates, July 24, 2000. Citing the extensive motions practice that culminated in my Ruling No. R2000-1/72, which directed the Postal Service to produce certain data derived from the PERMIT System and other information, UPS states that it has been attempting to analyze that information since it was obtained in late June and early July.

While UPS reports some success, and states that it continues to work with the Postal Service to advance its analysis, it notes that the delay in producing the information contained in Library References USPS-LR-I-401 and -403 prevented UPS from including any analysis of this material in the testimony it filed on May 22. For this reason, UPS asks that it be allowed to submit supplemental testimony regarding the data contained in the library references no later than August 14, the deadline for testimony updating intervenor presentations to take account of the availability of FY


1999 data. UPS submits that allowing such supplemental testimony "would aid in the development of a clear, correct, and complete record." *Id.* at 2. No party has filed an opposition to this request.

I shall grant the motion of UPS, with one qualification. I agree that the supplemental testimony UPS seeks to submit would tend to contribute to making a more complete record on this controversial issue, and that the sequence of events leading to production of the information to be used in that analysis precluded its presentation in the preceding round of intervenor testimony. However, I also recognize the necessity of providing the Postal Service an adequate opportunity for response to the supplemental testimony. Accordingly, while I shall grant the motion to permit filing of supplemental UPS testimony no later than August 14, I will also direct that UPS make the witness or witnesses sponsoring that testimony available for oral cross-examination on August 22, 2000, one day prior to the date established for the opening of hearings on rebuttal testimony. I will also direct that the Postal Service, and any other party intending to present evidence in rebuttal to the supplemental UPS testimony, give notice of that intention no later than August 23, 2000. In the process of scheduling the appearances of other rebuttal witnesses, the Service will be allowed adequate time to incorporate responsive material into the testimony of its rebuttal witness on the subject of RPW-derived volume estimates.¹

¹ In transmitting institutional responses to parts (a) and (b) of question two posed in Presiding Officer's Information Request No. 15, the Postal Service explained that the responses "relate directly to planned rebuttal testimony that has not been completed[,]" and that "a rebuttal witness will be available to stand cross-examination regarding these responses." Responses on Behalf of United States Postal Service to Presiding Officer's Information Request No. 15, Question 2, July 7, 2000.

RULING

1. The Motion of United Parcel Service for Leave to File Supplemental Testimony Concerning Parcel Post RPW Estimates, filed July 24, 2000, is granted. The supplemental testimony shall be filed no later than August 14, 2000.
2. A witness or witnesses designated by United Parcel Service to sponsor its supplemental testimony shall be made available for oral cross-examination on Tuesday, August 22, 2000.
3. Any participant who wishes to present evidence in rebuttal to the supplemental testimony of United Parcel Service shall give notice of that intention no later than August 23, 2000.


Edward J. Gleiman
Presiding Officer