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POSTAL RATE COMMISSION
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PRESIDING OFFICER'S
RULING NO. R2000-1/107

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
DISMISSING AS MOOT THE UNITED STATES POSTAL SERVICE
MOTION TO COMPEL E-STAMP TO RESPOND TO INFORMATION REQUEST

(Issued August 2, 2000)

On July 20, 2000, the Postal Service filed a motion to compel E-Stamp to respond to a cross-examination question directed to witness Jones at the July 17, 2000 hearing.¹ The question requests information on the average monthly amount of postage purchased by an E-Stamp customer. Witness Jones indicated that he did not know the answer, but stated that the information is available. However, counsel to witness Jones objected to E-Stamp providing a further response because the information is regarded by E-Stamp as highly sensitive. (See Tr. 13714-16).

P.O. Ruling No. R2000-97/1, issued on July 25, 2000, concerned a separate discovery dispute between the Postal Service, Stamps.com and E-Stamp.² This ruling requires E-Stamp and Stamps.com to provide certain customer demographic information under protective conditions. E-Stamp filed a notice on July 28, 2000, suggesting that the instant Postal Service motion to compel is moot because production

¹ United States Postal Service Motion to Compel E-Stamp to Respond to Information Request (filed July 20, 2000).


² Ruling Partially Granting Motions of the United States Postal Service to Compel Answers to Interrogatories Concerning Customer Demographic Information Requested From Stamps.com and E-Stamp (issued July 25, 2000). Errata Notice to Presiding Officer's Ruling No. R2000-1/97 (issued July 26, 2000).

of the data sought has already been compelled by P.O. Ruling No. R2000-97/1.³ E-Stamp has indicated that it will comply with this ruling.

Because E-Stamp has indicated that it is providing the requested information in compliance with P.O. Ruling No. R2000/97-1, the Postal Service motion to compel is moot. The Postal Service shall retain the right to renew this motion to compel without prejudice if E-Stamp fails to provide the requested information.

RULING

The United States Postal Service Motion to Compel E-Stamp to Respond to Information Request (filed July 20, 2000) is dismissed as moot.


Edward J. Gleiman,
Presiding Officer

³ E-Stamp Corporation's Suggestion of Mootness of United States Postal Service Motion to Compel (filed July 28, 2000).