

PRESIDING OFFICER'S
RULING NO. C99-1/26

Nov 9 3 57 PM '01
UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001
POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

Complaint on Post E.C.S.

Docket No C99-1

PRESIDING OFFICER'S RULING
GRANTING COMPLAINANT'S MOTION
TO SUSPEND PROCEEDINGS

(Issued November 9, 2001)

On November 8, 2001, Complainant United Parcel Service (UPS) filed a motion requesting that further proceedings in this docket be suspended until after the conclusion of the pending omnibus rate case, Docket No. R2001-1. Motion of United Parcel Service to Suspend Proceedings, November 8, 2001. The motion cites comments¹ UPS recently filed in the latter docket stating its belief that suspension of these proceedings is necessary to allow the Commission and the parties to focus on the rate case.

In its motion, UPS further notes that omnibus rate cases always present daunting challenges to participants and the Commission, and asserts that the need to address the Postal Service's current circumstances through settlement discussions in Docket No. R2001-1 increases the significance and complexity of that case. In addition to these exceptional circumstances, UPS argues that this is an opportune time for suspension of proceedings in this docket, as it has not yet filed its direct case,² and therefore hearings in this case would not necessarily commence for several months.

¹ Docket No. R2001-1, Comments of United Parcel Service on the Impact of Cases Pending Before the Commission on the Omnibus Rate Case, October 29, 2001.

² In Presiding Officer's Ruling No. C99-1/25, issued October 9, 2001, I directed UPS to submit a case-in-chief in support of its Complaint on issues currently before the Commission in this docket by December 14, 2001.

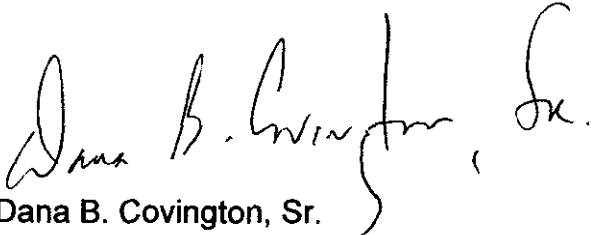
Given the demands facing the Commission and parties in Docket No. R2001-1, UPS argues that it is appropriate to enable participants to devote their time and resources to the more urgent issues in that case. If, to the contrary, this case were to go forward, UPS asserts that conflicts between this proceeding and the omnibus rate case would almost inevitably occur.

In view of the meritorious considerations advanced by UPS, I shall grant Complainant's motion to suspend proceedings in this docket pending completion of the omnibus rate case. Inasmuch as this procedural relief is sought by the Complainant in these proceedings, I find no party will be prejudiced by granting the motion.

Suspension of these proceedings necessarily involves rescinding the December 14 deadline for the filing of Complainant's case-in-chief, and I shall so order. Upon conclusion of the pending omnibus rate case, I will direct UPS to estimate the amount of time required to complete its direct case for submission in this docket.

RULING

1. The deadline of December 14, 2001, for submission of Complainant United Parcel Service's case-in-chief in this docket, adopted in Presiding Officer's Ruling No. C99-1/25, is hereby rescinded.
2. Proceedings in Docket No. C99-1 are suspended, pending the conclusion of proceedings in Docket No. R2001-1.


Dana B. Covington, Sr.
Presiding Officer