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POSTAL SERVICE
OFFICE OF THE SECRETARY

PRESIDING OFFICER'S
RULING NO. R2001-1/48

UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, DC 20268-0001

Postal Rate and Fee Changes

Docket No. R2001-1

PRESIDING OFFICER'S RULING ON
DESIGNATION OF RESPONSES
FOR INCLUSION IN THE EVIDENTIARY RECORD

(Issued February 7, 2002)

In response to P.O. Rulings R2001-1/23 and 30, participants have designated for inclusion in the record responses to discovery requests filed by Postal Service witnesses and the Postal Service as an institution. P.O. Ruling R2001-1/38 provided for review of the compiled designations during the week of January 28-February 1, 2002. Corrections were to be filed by February 4, 2002.

The following corrections to the designations of discovery responses of Postal Service witnesses and the Postal Service as an institution will be made prior to publication of the transcript.

UPS/USPS-T30-1, 3. The response to interrogatory 1 was designated by United Parcel Service (UPS) and the responses to both interrogatories 1 and 3 were designated by the Office of the Consumer Advocate (OCA) as designated written cross-examination of witness Scherer.¹ However, in errata filed November 16, 2001, the Postal Service indicated that these responses were prepared by the Postal Service as an institution, rather than by witness Scherer.² These responses will be included with responses of the Postal Service as an institution.

¹ Office of the Consumer Advocate Designation of Written Cross-Examination to United States Postal Service Witness: Scherer (USPS-T-30), filed January 2, 2002; Designation of Written Cross-Examination of Postal Service Witness Thomas M. Scherer (USPS-T-30) by United Parcel Service, filed January 14, 2002.

² Response of Postal Service Witness Scherer to UPS Interrogatories - Errata (UPS/USPS-T30-1, 3).

DFC/USPS-T26-6. This response was designated by the OCA.³ Witness Nieto filed a revision to this response on November 19, 2001 and the revised response will be included in the package of designated material for witness Nieto.

OCA/USPS-T35-1, redirected to the Postal Service. This response was included in the OCA's designation of institutional responses of the Postal Service.⁴ On October 30, 2001 this response was revised and the October 30th response will be included in the package of institutional responses of the Postal Service.

VP/USPS-T5-14(a). The NAA and Val-Pak designated the response to this Interrogatory which was redirected from witness Harahush to the Postal Service.⁵ When the response was provided it included only the number of the interrogatory in lieu of the entire interrogatory label - VP/USPS-T5-14. The copy included in the transcript has been corrected to include the entire label.

On January 16, 2002, UPS filed a motion⁶ designating both the original⁷ and revised responses of witness Moeller to Presiding Officer's Information Request No. 2, Question 6. The revised response, filed January 11, 2002, was included in the record when witness Moeller (T-28) appeared on the stand. See Tr. 9/2601-09. Counsel for the Postal Service does not object to the inclusion of the original response and it will appear with witness Moeller's (T-28) designated written cross-examination.

³ Office of the Consumer Advocate Designations of Written Cross-Examination to United States Postal Service Witness: Norma B. Nieto (USPS-T-26), filed January 7, 2002.

⁴ Office of the Consumer Advocate Designation of Written Cross-Examination of the United States Postal Service, filed January 7, 2002.

⁵ Newspaper Association of America Designation of Institutional Interrogatory Responses of the United States Postal Service, filed January 7, 2002; Val-Pak Direct Marketing Systems, Inc. and Val-Pak Dealers' Association, Inc. Designation of Institutional Interrogatory Responses of the United States Postal Service to be Admitted into Evidence and Incorporated into the Record, filed January 7, 2002.

⁶ Motion of United Parcel Service to Supplement the Designation of Written Cross-Examination of United States Postal Service Witness Joseph D. Moeller (USPS-T-28).

⁷ Response of United States Postal Service witness Moeller to Question 6 of Presiding Officer's Information Request No. 2, filed November 5, 2001.

RULING

The responses designated for inclusion in the evidentiary record as modified in the body of this ruling will be incorporated into a volume of transcript.

A handwritten signature in black ink, appearing to read "George Omas". The signature is fluid and cursive, with the first name "George" written in a larger, more prominent script than the last name "Omas".

George Omas
Presiding Officer