

PRESIDING OFFICER'S
RULING NO. MC2002-2/4

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

Experimental Rate and Service Changes
To Implement Negotiated Service Agreement
With Capital One Services, Inc.

Docket No. MC2002-2

PRESIDING OFFICER'S RULING
ESTABLISHING THE INITIAL PROCEDURAL SCHEDULE

(Issued October 29, 2002)

Attached as Appendix A is the Initial Procedural Schedule for this case. The schedule is designed to balance the desirability of expedition and the need to provide all participants with a fair opportunity to explore relevant issues.

The schedule takes account of the requests for discovery made during the Prehearing Conference. See Tr. 1/22-23. It allows for follow-up interrogatories before hearings, which are set to begin after the Thanksgiving holiday. It is my current intention to schedule the appearance of Capital One Services, Inc. witnesses on the first day of hearings, December 3, 2002, and Postal Service witnesses on subsequent days.

The schedule lists alternative procedural dates depending on whether any participant determines to file evidence in opposition to the request. Based on the representations of counsel at the prehearing conference, it is possible that participants may be able to effectively present their views through legal briefs, without presenting testimony in opposition to the Request. The schedule also reflects that the holiday season falls during this case. Discovery on testimony in opposition, or if there is no such testimony the period for preparation of reply briefs have been extended. The time allotted should enable all participants to carefully explore relevant issues while allowing the Commission to arrive at a prompt decision on the joint Postal Service/Capital One request.

RULING

The procedural schedule for this case is set out as Appendix A to this Ruling.

George Omas
Presiding Officer

**INITIAL PROCEDURAL SCHEDULE
POSTAL RATE AND FEE CHANGES
Docket No. MC2002-2**

September 19, 2002	Postal Service Request filed
October 23, 2002	Prehearing Conference
November 15, 2002	Completion of discovery on the direct case
December 3-5, 2002	Hearings for cross-examination of the direct case (9:30 a.m. in the Commission hearing room)
December 6, 2002	Indication of intent to file evidence in opposition to the Request
December 20, 2002	Filing of the case-in-chief of other participants (if no evidence in opposition)
December 23, 2002	Initial Briefs if no evidence in opposition to the Request
January 9, 2003	Reply Briefs if no evidence in opposition to the Request
January 17, 2003	Completion of discovery directed to evidence in opposition to the Request
February 5-8, 2003	Evidentiary hearings on evidence in opposition to the Request