

**BEFORE THE  
POSTAL RATE COMMISSION  
WASHINGTON, D.C. 20268-0001**

**EXPERIMENTAL RATE AND SERVICE CHANGES TO  
IMPLEMENT NEGOTIATED SERVICE AGREEMENT WITH  
Capital One Services, Inc.**

**Docket No. MC2002-2**

**POSTCOM et al. MOTION TO SCHEDULE REBUTTAL TESTIMONY**

The Association for Postal Commerce (“Postcom”), The Direct Marketing Association, Magazine Publishers Association, Mail Fulfillment Services Association, and Parcel Shippers Association make this motion for an expansion or clarification of the procedural schedule set forth in Presiding Officers ruling No. MC2002-2/4.

The existing schedule does not admit of the possibility that one or more parties might wish to rebut evidence submitted in opposition to the Capital One NSA. Although not all of the undersigned parties have yet come to a decision as to whether to file rebuttal evidence, we submit that, in the interest of due process, the schedule should be revised to provide for filing of rebuttal evidence; and that the date for the submission of such testimony be shortly after the conclusion of the hearings set for February 5 through 8 on the evidence submitted in opposition to the Request. We propose that the Commission follow its usual practice and permit oral cross-examination (but no discovery) of rebuttal witnesses.

The establishment of a schedule for the filing of rebuttal testimony may require a readjustment of the dates upon which final and reply briefs are due. We believe, however, that a grant of this motion will not impair the orderly, expeditious and fair consideration of this Request.

Respectfully submitted,

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January 3, 2003

## **CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the foregoing document upon all participants of record in this proceeding in accordance with Section 12 of the rules of practice.

Respectfully submitted,

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