

PRESIDING OFFICER'S
RULING NO. MC2002-2/20

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 GRANTING
POSTAL SERVICE MOTION

(Issued February 20, 2003)

Presiding Officer's Ruling No. MC2002-2/18 established the remaining procedural dates for this case. Presiding Officer's Ruling No. MC2002-2/19 granted a Postal Service request to adjust that schedule slightly. A Further Request of United States Postal Service to Adjust the Procedural Schedule was submitted on February 19, 2003. That motion also is granted.

The Postal Service states it needs additional time to complete the preparation of its rebuttal testimony. It notes that inclement weather closed government offices one day, and interfered with those planning to work in their office during the previous weekend. It suggests new schedule dates as follows:

	Current Schedule	Proposed Schedule
Rebuttal Testimony	February 20	February 25
Hearings	February 26-28	March 5-6
Briefs	March 17	March 20
Reply Briefs	March 27	March 31

The Postal Service accompanied its Request in this case with a request for expedition, and it voluntarily attempted to answer discovery requests more quickly than required by Commission rules. Nonetheless, the potential harm from briefly delaying the transmission of the Commission Opinion and Recommended Decision in this case to the Governors is clearly outweighed by the potential harm from not having access to complete and cogent rebuttal testimony.¹

A slight adjustment will be made in the dates suggested by the Postal Service. Hearings for the receipt of rebuttal testimony will be delayed by one additional day. Hearings will begin on March 6, 2003, and extend, if necessary, to March 7, 2003. Participants submitting testimony due on February 25, 2003, shall indicate the availability of their witnesses to appear on those days.

RULING

- (1) The procedural schedule for the remainder of this case is set out as Appendix A to this Ruling.
- (2) Participants submitting testimony due on February 25, 2003, shall indicate the availability of their witnesses to appear on March 6 and 7, 2003.

George Omas
Presiding Officer

¹ The Postal Service also requested expedition in the recently completed Docket No. MC2002-3. The Governors chose an implementation date five months after issuance of the Commission's Opinion and Recommended Decision.

PROCEDURAL SCHEDULE
Docket No. MC2002-2

February 25, 2003	Evidence in rebuttal to opposition to the Request and to the Presiding Officer's witness
March 6-7, 2003	Hearings to receive rebuttal testimony
March 20, 2003	Initial briefs
March 31, 2003	Reply briefs