

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

Complaint on First-Class Mail
Service Standards

Docket No. C2001-3

REPLY OF THE UNITED STATES POSTAL SERVICE TO MOTION FOR
RECONSIDERATION OF RULING NO. C-2001-3/37
(October 30, 2003)

The United States Postal Service hereby submits this reply to the motion for reconsideration filed by Complainant on October 23, 2003.

The motion addresses two discovery issues, DFC/USPS-7 and DFC/USPS-16.

DFC/USPS-7 is resolved by the formal filing today of USPS Library Reference C2001-3/16. The contents of the Library Reference were informally mailed to Complainant for receipt earlier this week. Complainant's motion cites a Postal Service status report regarding the anticipated filing of this Library Reference. That status report was prepared for electronic filing by undersigned counsel on October 17, 2003, but -- owing to counsel's rusty electronic filing skills -- was inadvertently not filed with the Commission. DFC/USPS-16 sought further confirmation of something the Postal Service thought was implicit in its earlier responses to DFC/USPS-13 and 15 (if the Postal Service has read these interrogatories correctly).

It seems fair to say that the intensive search undertaken in response to DFC/USPS-7 has produced far less information (USPS- LR C2001-3/16) in support of whatever point Complainant seeks to make with it than could have been made on the basis of the stipulation rejected by Complainant in favor of demanding that the search be undertaken. In light of the materials already provided by the Postal Service in response to discovery in this proceeding before today, the Postal Service defers to the judgment of the Presiding Officer as to whether the information that reasonably could have been anticipated in response to these final two interrogatories (DFC/USPS-7 and

16) adds materially to the record in this proceeding or whether Ruling No. C2001-3/37 merits reconsideration.

In any event, the requested information has been produced. The Postal Service takes no position on Complainant's request for reconsideration of the ruling.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

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CERTIFICATE OF SERVICE

I hereby certify that, in accordance with section 12 of the Rules of Practice, I have this day served the foregoing document upon all parties of record.

Michael T. Tidwell

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