

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

Complaint on First-Class Mail
Service Standards

Docket No. C2001-3

MOTION OF THE UNITED STATES POSTAL SERVICE CONCERNING
SCHEDULED HEARINGS AND PROPOSAL FOR NEXT STAGE OF PROCEEDINGS
(January 26, 2004)

In accordance with Rule 30(g) of the Rules of Practice and Procedure of the Postal Rate Commission and for the reasons discussed below, the United States Postal Service hereby proposes that the Presiding Officer establish certain procedures for the receipt of testimony of the Complainant in this proceeding, in lieu of the formal hearing currently scheduled for January 30, 2004. The Postal Service also gives notice of its desire to file rebuttal testimony. Accordingly, the Postal Service requests that the Presiding Officer authorize the filing of such testimony in accordance with the deadline proposed below.

Complainant's Testimony

Having contacted all parties in this proceeding, the Postal Service has determined that none intends to object to any motion that the testimony filed by Complainant on December 8, 2003 be entered into evidence in this docket. Also, the Postal Service has determined that no party intends to conduct oral cross-examination of that testimony or the interrogatory responses filed on January 2, 2004.

Accordingly, the Postal Service moves: (a) that the Presiding Officer permit the Complainant to file a motion moving the testimony into evidence, accompanied by a declaration attesting to the testimony in a manner and form consistent with past Commission practice; and (b) that any other party seeking to designate any of

Complainant's interrogatory responses into the record in this docket file an appropriate motion on the same or some other appropriate date in a manner and form consistent with Commission practice.¹

The Postal Service is authorized to state that no party to this proceeding objects to this motion.

Postal Service Rebuttal Testimony

The Postal Service has reviewed the various assertions in Complainant's testimony and hereby moves that the Presiding Officer grant it permission to file rebuttal testimony in this docket. The primary purposes of such testimony would be to provide the Presiding Officer and the Commission with an accurate and more complete factual basis upon which to judge some of the major assertions contained in Complainant's testimony. Given the scope of the rebuttal testimony being contemplated, and taking into account ongoing postal obligations of personnel who would be involved in drafting and reviewing it, the Postal Service proposes that it not be required to file such testimony before March 8, 2004.

The Postal Service is authorized to state that no party to this proceeding objects to this motion.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

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Chief Counsel
Ratemaking

Michael T. Tidwell
Attorney

¹ See, for instance, Presiding Officer's Ruling No. C2001-1/19 (May 2, 2002).

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 in this proceeding.

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