

Before The
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

Rate and Service Changes to Implement)
Functionally Equivalent Negotiated Service)
Agreement with Bank One Corporation)

Docket No. MC2004-3

OFFICE OF THE CONSUMER ADVOCATE
ANSWER TO POSTAL SERVICE
MOTION TO LIMIT ISSUES
(July 29, 2004)

With the filing of its Request in this Docket, the Postal Service included a motion to limit issues.¹ As the Office of the Consumer Advocate (OCA) stated in a pleading filed last week,² the issues that concern the OCA at this point relate to the financial effect of the proposed NSA on the Postal Service. Thus, OCA has no problem with the Postal Service's motion to limit issues. The OCA also identified some specific issues that clearly warrant a hearing.

By "hearing," the OCA means an opportunity to present evidence and briefs. The OCA has not yet determined whether oral cross-examination of witnesses sponsored by the Postal Service or Bank One will also be needed. The OCA has agreed to make that determination by August 17, after responses to discovery have all been filed.³ If the

¹ United States Postal Service Proposal for Limitation of Issues, June 21, 2004.

² Office of the Consumer Advocate Request for a Hearing in Docket No. MC2004-3, July 23, 2004.

³ See Docket No. MC2004-4, Report of Settlement Coordinator, July 22, 2004, at 2.

OCA makes its determination earlier, it will notify the Commission and the participants at that time.

Respectfully submitted,

SHELLEY S. DREIFUSS
Director
Office of the Consumer Advocate

EMMETT RAND COSTICH
Attorney

1333 H Street, N.W.
Washington, D.C. 20268-0001
(202) 789-6830; Fax (202) 789-6819
e-mail: costicher@prc.gov