

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

Rate and Service Changes To Implement )  
Functionally Equivalent Negotiated Service ) Docket No. MC2004-3  
Agreement with Bank One Corporation )

**REPLY COMMENTS OF  
BANK ONE CORPORATION  
ON LIMITATION OF ISSUES AND  
REQUESTS FOR HEARING**

Bank One Corporation respectfully submits its reply comments on the need for a hearing and the limitation of issues. For the reasons explained in Bank One's July 29 comments, the July 29 comments of Valpak Direct Marketing Systems, Inc., and Valpak Dealers' Association, Inc. ("Valpak"), and the Office of Consumer Advocate ("OCA") have failed to identify any material issue of fact, and thus have failed to justify a hearing on any issue under the Administrative Procedure Act, 5 U.S.C. §§ 556 and 557 (incorporated by 39 U.S.C. § 3624(a)).

As previously noted, however, Bank One does not ask the Commission to rule yet on whether a hearing is warranted on the financial effects of the July 1 merger between Bank One and J.P. Morgan Chase. This question can be

deferred until August 17, the date by which the OCA and Valpak have agreed to state whether they are seeking to cross-examine the witnesses of Bank One and the Postal Service.

Respectfully submitted,

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August 5, 2004

**CERTIFICATE OF SERVICE**

I hereby certify that I have today served this document in accordance with  
Section 12 of the Commission's Rules of Practice

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David M. Levy

August 5, 2004