

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

Rate and Service Changes to Implement )  
Functionally Equivalent Negotiated Service ) Docket No. MC2004-4  
Agreement with Discover Financial )  
Services, Inc. )

OFFICE OF THE CONSUMER ADVOCATE  
STATEMENT CONCERNING THE NEED FOR A HEARING  
(August 17, 2004)

In settlement discussions with the Postal Service and Discover Financial Services (Discover), the Office of the Consumer Advocate (OCA) made a commitment to review answers to discovery that would be filed on August 16, 2004, and make an immediate determination whether OCA would require additional procedures to develop the evidentiary record beyond evidence submitted in response to discovery requests.

At this time OCA has concluded that there is sufficient evidence in the record to perform a financial analysis of the Discover Negotiated Service Agreement (NSA). OCA believes that it can now proceed to the initial brief stage at which time OCA will state its

position on the Discover NSA and support its position based on legal and policy arguments as well as the testimony and discovery responses submitted by the Postal Service and Discover.

Respectfully submitted,

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