

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

Complaint on Electronic Postmark®

Docket No. C2004-2

RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO PRESIDING OFFICER'S RULING NO. C2004-2/1  
REGARDING SCHEDULING MATTERS  
(May 1, 2006)

On April 24, 2006, in Ruling No. C2004-2/1, the Presiding Officer solicited input regarding the development of a further procedural schedule in this proceeding. The Postal Service hereby responds.

Although the Postal Service is still considering how best to respond to the multifaceted allegations contained in the testimony of Mr. Borgers, it seems likely that discovery will ultimately be among the necessary avenues of response. In light of other proceedings that are likely to soon be occupying substantial attention from both the Postal Service and the Commission, an additional four weeks would seem to constitute an adequate period for initial discovery in this proceeding. Therefore, the Postal Service requests leave to file initial discovery questions through Friday, May 26.

Depending on the nature of the answers received, the Postal Service deems it unlikely that oral cross-examination will be required. Nevertheless, the Postal Service wishes to reserve its right to conduct oral cross-examination, pending the opportunity to review responses to any written cross-examination.

The Postal Service at this time plans to submit rebuttal testimony in response to that submitted by Mr. Borgers. Once again, without yet having the opportunity to review

discovery responses, it seems somewhat premature to commit to any specific amount of time necessary to prepare such testimony. In general, however, assuming no oral cross-examination, the Postal Service anticipates that it would be able to file rebuttal testimony approximately four to six weeks from the date of receipt of final discovery responses.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

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May 1, 2006

### **CERTIFICATE OF SERVICE**

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

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May 1, 2006