

# DOCKET SECTION

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

POSTAL RATE AND FEE CHANGES, 1997

RECEIVED  
Nov 12 4 49 PM '97  
POSTAL RATE COMMISSION  
OFFICE OF THE SECRETARY  
Docket No. R97-1

MOTION OF UNITED STATES POSTAL SERVICE FOR LATE ACCEPTANCE OF  
ITS OBJECTION TO INTERROGATORIES OF DAVID B. POPKIN  
(DBP/USPS-88 AND 92)  
(November 12, 1997)

The United States Postal Service hereby moves for late acceptance of its objection to follow-up interrogatories DBP/USPS-88 and 92, filed on November 10, 1997, but received by the Postal Service on October 31, 1997. Presiding Officer's Ruling No. R97-1/59, issued today, stated that while the Commission did not receive Mr. Popkin's follow-up interrogatories until November 10, 1997, Mr. Popkin mailed them so that they were postmarked October 28, 1997. The Postal Service did in fact receive these interrogatories on October 31, 1997. Presiding Officer's Ruling No. R97-1/59 ruled that, while generally the period for responses is measured from the date of filing with the Commission, in this case the Postal Service is to object or respond to the interrogatories as if they had been filed on the date they were received by the Postal Service.

Given that the Postal Service received the interrogatories on October 31, 1997, Presiding Officer's Ruling No. R97-1/59 makes the objections due on November 10, 1997. While the Postal Service had its objection ready then, counsel believed it would be confusing to file the objection before the interrogatories had been filed with the Commission. Counsel learned today that the interrogatories were filed with the Commission on November 10, and is filing the objections today. To avoid prejudice to Mr. Popkin, the objections will be sent by facsimile copy to him today.

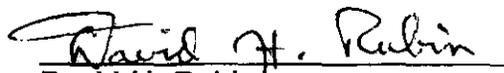
- 2 -

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

Daniel J. Foucheaux, Jr.  
Chief Counsel, Ratemaking

  
David H. Rubin

### 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.

  
David H. Rubin

475 L'Enfant Plaza West, S.W.  
Washington, D.C. 20260-1137  
(202) 268-2986; Fax -5402  
November 12, 1997