

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

Complaint on Electronic Postmark®)

Docket No. C2004-2

Motion of DigiStamp to Be Permitted to Supplement
the Surrebuttal Testimony of Rick Borgers (DigiStamp-SRT-1)

I ask that the Presiding Officer permit me to supplement the surrebuttal testimony that I filed on September 14, 2006. I am doing so because I believe it is vital to the record in this proceeding that grossly erroneous, misleading statements made by the Postal Service in its initial brief be refuted. Testimony from me, DigiStamp's chief technologist (I am also an engineer), seems to be the best method to allow the Commission to base its decision in this case on a clear, technically accurate record.

The reason that I so move is that the Postal Service filed an initial brief on October 6 that introduced entirely new material that I never had a chance to refute in earlier stages of this proceeding. Specifically, at page 27, the Postal Service states that, "in this Microsoft application, use of the return receipt function is the purpose of the Microsoft application . . . but that is not the purpose of the USPS EPM." Nothing could be further from the truth. The attorneys who write the brief clearly lack the technical expertise to understand how EPM functions. Witness Foti never made the statements attributed to him by the Postal Service

attorneys. If witness Foti does, in fact, believe these statements to be true, then he lacks the technical credentials he ought to have as one of EPM's managers.

If the Presiding Officer grants this motion, then I will defer to his authority on the best way to allow the Postal Service to respond to my supplemental testimony. I suggest in another motion filed today that reply briefs be filed on October 20, 2006. This should allow the Postal Service time to read my short supplemental testimony and to respond in its reply brief.

Respectfully submitted,

Rick Borgers
Lead Technologist, CEO
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