

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

POSTAL RATE AND FEE CHANGES

Docket No. R2006-1

**Major Mailers Association's Motion To Strike Errata To Library References
And Rebuttal Testimony Of USPS Witness L. Paul Loetscher And For Order
Directing The Public Service To Supplement The Record**

Yesterday, December 13, 2006, the Postal Service filed errata to Library References USPS-LR-L-34 and USPS-LR-L-193. It also filed revised "final" rebuttal testimony of USPS witness L. Paul Loetscher, the witness who sponsored the referenced library references. The stated reason for these errata filings is set forth on the attachment to United States Postal Service Notice Of Errata Regarding USPS Library Reference L-34 [Errata], dated December 13, 2006. More specifically, the changes appear to flow from revisions to the following:

Alldata2 – duplicate records have been eliminated

Alldata2-xls – Excel version of alldata2 included.

The genesis for these changes, which are being made **over 6 months after the original Library Reference USPS-LR-L-34** was filed, is undersigned counsel's cross examination of witness Loetscher at the hearing held on December 6, 2006. Specifically, during cross examination USPS witness Loetscher was shown certain duplicate records from the Excel version of alldata2 file. The purpose of MMA counsel's cross examination on this point was to demonstrate that the Postal Service's study was flawed in several respects because, among other things, the results reported in the study were inaccurate.

During the hearing, MMA counsel asked the Postal Service to provide for the record an Excel version of the **original** alldata2 file. Counsel did **not** ask the Postal Service to make wholesale revisions¹ to Library References USPS-LR-L-

¹ The attachment also indicates that all output files from the Fortran program have been "changed." There is absolutely no explanation of the need for this change.

34 or and USPS-LR-L-193 or to file a “corrected” version of witness Loetscher’s rebuttal testimony.

The practical effect of accepting the errata filed by the Postal Service would be to expunge from the official record any trace of the duplicate entries that MMA counsel discussed with USPS witness Loetscher. The Postal Service cannot be permitted to revise its study results so long after the fact. Having relied on flawed study results until the day before the record is set to close, the Service must take the study results.

Finally, MMA has prepared other examples of errors and oversights contained in the Excel version of alldata2 that it asked be included in the record. it would be patently unfair and unduly burdensome to require that MMA redo all these analyses based on the errata version that attempts to obscure the extent and effect of the errors contained in the original alldata2 file.

For the foregoing reasons, the Commission should (1) reject or strike the referenced errata filings and (2) direct the Postal Service to furnish for the record Excel versions of the original alldata2 text file that was furnished to MMA counsel and used as the basis for cross examination of USPS witness Loetscher and any other text files for which no Excel file was submitted.

Respectfully submitted,

Major Mailers Association

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**Dated: Middleburg, Virginia
December 14, 2006**