

DOCKET SECTION

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

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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

POSTAL RATE AND FEE CHANGES, 1997

Docket No. R97-1

**MOTION FOR LATE ACCEPTANCE
OF OBJECTIONS OF THE UNITED STATES POSTAL SERVICE
TO INTERROGATORIES OF DAVID POPKIN
(December 23, 1997)**

The United States Postal Service hereby moves for late acceptance of its objections to the following interrogatories David Popkin dated November 24, 1997: DBP/USPS-96(a) and DBP/USPS-98.

A review of the electronic files of the Postal Service confirms that objections were prepared by undersigned counsel in a document bearing the date of December 8, 1997. However, the Docket Section has no record of these objections having been filed. The Postal Service's litigation file does not contain a date-stamped duplicate original received back from the Commission. It was undersigned counsel's responsibility to ensure that the document containing the objections made it from his computer screen -- to the printer, into the hands of support staff responsible for the production of copies -- to the Commission and to the parties. Regretfully, counsel must concede that he apparently failed to ensure that objections he prepared¹ were actually filed with the Commission or served upon the parties.

Undersigned counsel did not become aware of this apparent oversight until co-counsel brought to his attention today paragraph 12 of Mr. Popkin's Motion To Compel

¹ And referenced in his December 8, 1997, cover page transmitting the Postal Service's responses to DBP/USPS-94, 95, 96(b), and 97.

Responses To DBP/USPS Interrogatories And To Accept Late Filings If Necessary (December 19, 1997), which was received by the Postal Service yesterday. The Postal Service regrets undersigned counsel's oversight, but believes that no party has been prejudiced by it, particularly when one considers the substance of the disputed interrogatories. Accordingly, the Postal Service respectfully moves that it be permitted to file today the objections it intended to file on December 8, 1997.

Express Mail, as well as facsimile, copies of this motion and the objections have been transmitted to Mr. Popkin today.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

Daniel J. Foucheaux, Jr.
Chief Counsel, Ratemaking

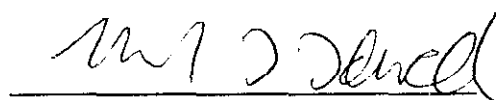


Michael T. Tidwell

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December 23, 1997

CERTIFICATE OF SERVICE

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



Michael T. Tidwell

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December 23, 1997