

DOCKET SECTION

ORDER NO. 1204

UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, DC 20268-0001

Before Commissioners: Edward J. Gleiman, Chairman;
George W. Haley, Vice Chairman;
W. H. "Trey" LeBlanc, III;
and George A. Omas

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POSTAL RATE COMMISSION
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Postal Rate and Fee Changes

Docket No. R97-1

ORDER GRANTING LATE INTERVENTION

(January 9, 1998)

On December 31, 1997, the Ohio Poultry Association, Texas Poultry Federation, Iowa Poultry Association, and Nebraska Department of Agriculture Poultry/Egg jointly filed a Notice of Intervention as a limited participator pursuant to Commission Rule of Practice and Procedure 20a. 39 C.F.R. § 3001.20a.

Referring to the large fee increase proposed by the Postal Service for Special Handling, the Notice of Intervention states that the Commission's decision will "materially affect the interests of these organizations and their members." The Notice of Intervention explains that the late filing resulted from these organizations only recently learning of the Postal Service's proposal.

As there is no apparent prejudice or harm in the late intervention of the four state poultry associations (SPA), the Commission grants the intervention as a joint intervention subject to (a) compliance with rulings and orders already issued and (b) oppositions filed by other participants pursuant to Rule 20a(b). 39 C.F.R. § 3001.20a(b).

Of particular relevance is the existence of a procedural schedule applicable to all participants. SPA should be aware that the deadline for filing of direct testimony in rebuttal of the Postal Service's case was December 30, 1997. See Presiding Officer's

Ruling R97-1/55. While exceptions may be granted for due cause, the Commission is intent upon meeting the statutory schedule for issuing its decision, see 39 U.S.C. § 3624. The Commission's Rules of Practice govern the participation of intervenors in this proceeding, and Rules 31, 91 and 92 are particularly relevant to the filing of testimony. The Rules are available at the Commission's web site at www.prc.gov.


It is ordered:

(1) The SPA's Notice of Intervention as a limited participator, filed December 31, 1997, is granted, subject to compliance with rulings and orders already issued and to timely objections.

(2) The above referenced state poultry associations will participate jointly in the proceedings.

By the Commission.

(S E A L)


Margaret P. Crenshaw
Secretary