

PRESIDING OFFICER'S
RULING NO. MC2008-1(Phase II)/10

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

Review of Nonpostal Services

Docket No. MC2008-1
(Phase II)

PRESIDING OFFICER'S RULING PERMITTING PARTIES TO
REQUEST A HEARING ON SURREBUTTAL TESTIMONY

(Issued June 30, 2009)

Pursuant to the Presiding Officer's rulings, any participant desiring to file surrebuttal evidence in this proceeding was required to file a notice of intent by no later than June 26, 2009.¹ The Postal Service filed a timely notice indicating it intends to file surrebuttal testimony.² Under the Modification Order dated June 12, 2009 that testimony is due on July 6, 2009.

Participants shall have until July 10, 2009 to request a hearing on the surrebuttal testimony. If a hearing is requested, it will be held on July 17, 2009 in the hearing room of the Commission, at 10:00 a.m. Earlier, no participant requested a hearing on either

¹ Presiding Officer's Ruling Canceling Hearing on Pitney Bowes' Rebuttal Case and Establishing Further Procedures, June 5, 2009, Ruling No. MC2008-1/ (Phase II)/7. The dates were extended by Presiding Officer's Ruling Granting Motion for Modification of Procedural Schedule, Ruling No. MC2008-1/9, June 12, 2009 (Modification Order) pursuant to Motion of the United States Postal Service for Modification of Procedural Schedule Relating to Surrebuttal Testimony, June 11, 2009.

² Notice of the United States Postal Service of Intent to Submit Surrebuttal Testimony, June 26, 2009.

the direct case of the Postal Service or the rebuttal case of Pitney Bowes. Hearings on their cases were cancelled by rulings of the Presiding Officer.³

If no hearing is requested, briefs will be due on July 21, 2009, and reply briefs will be due July 31, 2009. If a hearing on surrebuttal testimony is requested, briefs and reply briefs will be due July 31, 2009 and August 11, 2009, respectively. A subsequent ruling will provide for closing the evidentiary record.

RULING

1. The parties shall request by July 10, 2009 whether they want a hearing on surrebuttal testimony.
2. If no hearing is requested, then none will be scheduled.
3. If a hearing is requested, it will take place on July 17, 2009 at 10:00 a.m.
4. Briefs and reply briefs will be due as described in the body of this ruling.

Dan G. Blair
Presiding Officer

³ Presiding Officer's Ruling Canceling Hearing on Direct Case and Establishing Further Procedures, Ruling No. MC2008-1(Phase II)/5, April 17, 2009; Presiding Officer's Ruling Canceling Hearing on Pitney Bowes' Rebuttal Case and Establishing Further Procedures, Ruling No. MC2008-1(Phase II)/7, June 5, 2009.