

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

**Six-Day to Five-Day Street Delivery
and Related Service Changes, 2010**

Docket No. N2010-1

DOUGLAS F. CARLSON
MOTION TO RESCHEDULE THE APPEARANCE
OF WITNESS GRANHOLM FOR ORAL CROSS-EXAMINATION

July 1, 2010

On June 29, 2010, Presiding Officer's Ruling No. N2010-1/10 scheduled witness Granholm for oral cross-examination on July 14, 2010, and witnesses Whiteman and Elmore-Yalch on July 21, 2010. I expect to conduct oral cross-examination of these three witnesses, with the heaviest amount directed toward witness Granholm.

POR N2010-1/1 provided participants a deadline of July 8, 2010, to file notices of intent to conduct oral cross-examination.¹ Based on my past experience in Docket No. R97-1,² I assumed that participants could submit their own scheduling preferences in their notice of intent to conduct oral cross-examination, so I had not, as of June 29, 2010, filed a scheduling request. In fact, I assumed that witness scheduling would depend on information contained in the notices of intent to conduct oral cross-examination.

Unfortunately, due to my status as a citizen participant, professional obligations and financial constraints prevent me from making two trips to

¹ POR N2010-1/1, filed April 28, 2010.

² In Docket No. R97-1, POR R97-1/4 required participants to identify the expected amount of oral cross-examination by September 17, 1997. POR R97-1/4, filed August 1, 1997. The presiding officer scheduled the witnesses on September 18, 1997. POR R97-1/22, filed September 18, 1997.

Washington to conduct oral cross-examination. Moreover, I absolutely cannot attend a hearing on July 14, 2010, due to obligations at work.

Therefore, I move to reschedule witness Granholm's appearance to July 20 or 21. The Postal Service opposes this request, even though the agency indicated on June 15, 2010, that witness Granholm was available from July 12 to 16 and from July 19 to 23.³ A schedule change to allow a citizen participant to travel from California to Washington one time, on dates when he can make the trip, to cross-examine a Postal Service witness on a major service reduction that the Postal Service proposes constitutes not just good cause but excellent cause, even if the Postal Service must alter events or obligations on witness Granholm's calendar that presumably were placed on his calendar only in the past 27 hours.⁴ Counsel for the National Association of Letter Carriers (NALC), which filed its notice of intent to conduct oral cross-examination⁵ on June 28, 2010, reports that July 20, 21, and 22 would be acceptable to NALC for witness Granholm's oral cross-examination.

Respectfully submitted,

Dated: July 1, 2010

DOUGLAS F. CARLSON

³ Notice of the United States Postal Service Regarding Availability of Witnesses, filed June 15, 2010.

⁴ This time is calculated from the time the presiding officer's ruling was issued until the time that I filed this motion and served a courtesy copy to Postal Service counsel.

⁵ Notice of Intent of Intervenor National Association of Letter Carriers, AFL-CIO to Conduct Oral Cross-Examination of USPS Witnesses, filed June 28, 2010.