

Before the

POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

Six-Day to Five-Day Street Delivery
and Related Service Changes

Docket No. N2010-1

MOTION OF MEDCO HEALTH SOLUTIONS
TO WITHDRAW TESTIMONY OF THOMAS MORIARTY (T-1)

(August 13, 2010)

On August 3, 2010, Medco Health Solutions (Medco) filed the testimony on Thomas Moriarty, General Counsel, Secretary and Vice President of Pharmaceutical Strategies and Solutions, describing the negative effects of five-day street delivery on its customers. Medco felt obliged to file the testimony of Mr. Moriarty to clear up any confusion that may have arisen from the remarks in this docket of USPS witness Sam Pulcrano: Specifically, despite the fact that Medco's Director of Logistics, Tom Underkoffler, had articulated Medco's concerns with five-day street delivery at the Commission's field hearing in Las Vegas on May 10, 2010, Mr. Pulcrano stated that he did not think Medco opposed five-day delivery.

On August 4, the Postal Service filed a set of 15 interrogatories and documents requests directed to Medco, and on August 6, it filed a second set of 7 interrogatories and document requests. While Medco believes that a large proportion of these are objectionable, as not relevant, overly broad, or unduly burdensome, Medco cannot justify the legal expense and in-house effort of responding to these requests in order to maintain testimony that is duplicative of what Mr. Underkoffler has already presented to the Commission in the field hearing.

Medco thus respectfully requests that it be allowed to withdraw the testimony of Thomas Moriarty.

Respectfully submitted,

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