

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

REQUEST OF UNITED STATES POSTAL SERVICE
TO CONDUCT ORAL CROSS-EXAMINATION OF
NIAGARA TELEPHONE COMPANY
WITNESS PETERSON (NTC-T1) AND
REQUEST FOR LEAVE TO CONDUCT ORAL ARGUMENT ON
NTC OBJECTION TO USPS/NTC-T1-6

Pursuant to Rule 4.B of the Special Rules of Practice, the United States Postal Service requests permission to conduct oral cross-examination witness Sydney R. Peterson (NTC -T1), concerning his testimony and his responses to designated interrogatories. The Postal Service requests that the witness bring copies of his testimony and interrogatory responses to the hearing. The Postal Service notes that, in response to discovery request USPS/NTC-T1-6, witness Peterson indicated, for the first time, his objection to the interrogatory as being irrelevant.¹ This "objection" is untimely, is not in accordance with the rule 26 of the Commission's rules of practice, and is without merit. Witness Peterson's testimony refers to his Attachment A, about which this discovery request seeks information, as support for his statement that, "In 1946,

¹ USPS/NTC-T1-6 reads as follows:

USPS/NRC-T1-6. Attachment A to your testimony depicts two pieces of mail which bear cancellation dates of 1946. Please indicate all the ways in which you understand the Postal Service's operational methods have changes since 1946.

out-of-town postage cost three times more than did in town postage" (emphasis in original). Witness Peterson's understanding of the changes in Postal Service operations since 1946 are certainly relevant to his testimony that the Postal Service should adopt a rate structure analogous to the one in effect at that time.

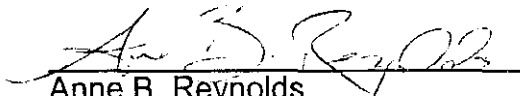
Mr. Peterson is currently scheduled to appear at the Commission on Wednesday, February 18. The Postal Service does not consider that a response to this *discovery request must necessarily be made in written form*. Rather than request that the Presiding Officer compel a written response to this discovery, the Postal Service hereby states that the undersigned counsel is prepared to argue the relevance of the information at the February 18 hearing, and requests leave to argue this matter.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

Daniel J. Foucheaux, Jr.
Chief Counsel, Ratemaking


Anne B. Reynolds

CERTIFICATE OF SERVICE

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


Anne B. Reynolds

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February 13, 1998