

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

Retail Access Optimization Initiative

Docket No. N2011-1

PRESIDING OFFICER'S RULING ADMITTING DOCUMENTS
INTO EVIDENCE FOR LIMITED PURPOSES AND ALLOWING
THE SUBMISSION OF ADDITIONAL REBUTTAL MATERIAL

(Issued October 21, 2011)

During the October 18, 2011 Hearing, the Presiding Officer requested that the National League of Postmasters (League) file certain additional information.

Tr. 4/1563-68. In particular, the Presiding Officer asked for "more information that you have with regard to how the Postal Service is currently implementing the closure process," specifically information on "how they [the Postal Service] are not following the 101 manual." Tr. 4/1563-64. On October 21, 2011, the League filed such supplemental material.¹

During the hearing, the Postal Service raised due process concerns about the Commission's request for this additional information. Tr. 4/1567. At that time the Presiding Officer characterized the request for the League's material as seeking "just more details, more specific examples" of testimony they have already submitted. Tr. 4/1565.

¹ Notice of Additional Material Provided by the National League of Postmasters Per the Request of the Commission During the Hearings Held on October 17 and 18, 2011, October 21, 2011. In its filing, the League represents that it provided the materials to Postal Service counsel by email on October 20, 2010. *Id.* at 1.

In order to provide the Postal Service with appropriate due process, the League's supplementary information will be accepted into evidence for only the limited purpose of supporting prior League testimony that the Postal Service is not appropriately following the PO-101 Handbook. Additionally, the Postal Service, as well as other participants, will be allowed to file additional material to rebut the League's supplemental material no later than October 28, 2011. Any objections to such rebuttal must be filed no later than October 31, 2011.

RULING

1. The Notice of Additional Material Provided by the National League of Postmasters Per the Request of the Commission During the Hearings Held on October 17 and 18, 2011, filed October 21, 2011 is accepted into evidence for the limited purpose of supporting prior League testimony that the Postal Service is not appropriately following the PO-101 Handbook.
2. Participants may file additional material to rebut the League's supplemental material no later than October 28, 2011. Any objections to such rebuttal must be filed no later than October 31, 2011.

Ruth Y. Goldway
Presiding Officer