

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

Mail Processing Network
Rationalization Service Changes, 2012

Docket No. N2012-1

PRESIDING OFFICER'S RULING
INCORPORATING FINAL DESIGNATIONS INTO THE RECORD
AND CLOSING THE EVIDENTIARY RECORD

(Issued July 5, 2012)

The July 2, 2012, deadline for receiving final designations in Docket No. N2012-1 has passed.¹ Designations were received from the American Postal Workers Union, AFL-CIO (APWU) and the Commission.² The designated material shall be incorporated as evidence into the Docket No. N2012-1 record, subject to objection. Any objection must be filed by July 6, 2012.³ The Commission's docket section is instructed to have the designated material transcribed into a separate transcript.

APWU also filed a motion to hold the record open to allow designation of additional discovery responses.⁴ APWU cites to three outstanding interrogatories

¹ See P.O. Ruling N2012-1/69, Presiding Officer's Ruling Concerning Scheduling of Surrebuttal Witnesses for Hearing, June 26, 2012.

² American Postal Workers Union, AFL-CIO, Designation of Responses to be Included in the Evidentiary Record, July 2, 2012; P.O. Ruling N2012-1/73, Presiding Officer's Ruling on Commission Designation of Responses for Inclusion in the Evidentiary Record, July 2, 2012.

³ The deadline has been extended by one day from what was stated in P.O. Ruling N2012-1/69.

⁴ American Postal Workers Union, AFL-CIO, Second Notice of Outstanding Discovery and Motion to Keep Record Open, July 2, 2012.

awaiting answers from the Postal Service and discovery responses filed as recently as July 2, 2012 as justification for the need to keep the record open.⁵

Presiding Officer's Ruling N2012-1/69 expresses an anticipation that the record would close on July 3, 2012. The ruling to close the record has been delayed until July 5, 2012 to accommodate the possibility, as suggested by APWU, of late filed discovery responses and associated designations. No additional notices of designations were received.

The Postal Service has indicated that it anticipates filing a response to the remaining discovery request cited by APWU, interrogatory APWU/USPS-38, by July 9, 2012.⁶ However, all other testimony has been filed in this docket, with initial briefs due July 10, 2012. No parties have filed motions requesting late designations, and it is unclear whether APWU will designate the outstanding interrogatory response after it is filed. At this time, there are diminishing returns to holding the record open any longer. If necessary, the record may be reopened to ensure inclusion of all necessary materials.

The evidentiary phase of this docket has concluded. The record is hereby closed, subject to any objection concerning the final designations.

RULING

1. The material included in the designations cited above shall be incorporated as evidence into the Docket No. N2012-1 record and transcribed into a separate transcript.
2. Any objection to the designated material is due no later than July 6, 2012.

⁵ On July 3, 2012, the Postal Service provided answers to two of the three outstanding interrogatories.

⁶ Status Report on United States Postal Service Response to Interrogatory of the American Postal Workers Union, AFL-CIO (APWU/USPS-38), July 3, 2012.

3. The evidentiary record in Docket No. N2012-1 is hereby closed, subject to objection concerning the final designations.

Ruth Y. Goldway
Presiding Officer