

Before The
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

Complaint on Electronic Postmark®)

Docket No. C2004-2

RESPONSE TO MOTION OF THE UNITED STATES
POSTAL SERVICE FOR ADOPTION OF TRANSCRIPT
CORRECTIONS WITH REGARD TO HEARING ON THE
TESTIMONY OF WITNESS FOTI
(September 27, 2006)

On September 20, 2006, the Postal Service filed a Motion for Adoption of Transcript Corrections with Regard to Hearing on the Testimony of Witness Foti.

Two of the transcript changes requested by the USPS constitute changes in meaning:

Page 227, line 16 Change "service" to "server"
Page 272, line 4 Change "to" to "through".

The changes requested by the USPS do not match what I remember or what the court reporter heard. Neither does subsequent testimony suggest that the new meaning, which the USPS wants to substitute, is what the witness actually meant to say.

I note that it is only after DigiStamp incorporated this testimony into Surrebuttal testimony that the USPS has decided that, after all, they said something other than I heard and the transcript reflects.

At this late date, I believe there is no merit to the idea that memories at USPS have suddenly become clearer, and suddenly they notice errors in the transcript that eluded them heretofore. This request for changes to the transcript is more than 4 weeks after the hearing (from August 15 to September 21). I would ask that the Commission deny these late changes.

As for the other changes requested by the USPS:

Page 269, line 16 Change "EP" to "EPM"

Page 271, line 3 Insert comma after "application"

line 4 Insert "EPM" before "is" and comma after "of"

These changes have no impact on the meaning of the testimony. These changes could be incorporated for the purpose of improving readability—but so could dozens of others. In DigiStamp's opinion, the accuracy of what transpired at the hearing is properly captured in the existing transcript and no changes are required at this late date.

Respectfully submitted,

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