

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

Postal Rate and Fee Changes

Docket No. R2006-1

PRESIDING OFFICER'S RULING ON  
MOTION OF GREETING CARD ASSOCIATION

(Issued November 6, 2006)

On November 2, 2006, a Request for Expedited Relief and Motion in Limine of the Greeting Card Association (Motion) was filed. The Motion seeks a ruling that prohibits any oral cross-examination of its witness, Dr. James Clifton, concerning his dealings with the National Association of Presort Mailers and/or the American Bankers Association relating to the testimony Dr. Clifton prepared for these parties that is no longer before the Commission in this case. In addition, the Motion requests that participants be prohibited from briefing these matters in any way.

On November 3, 2006, the Answer of Alliance of Nonprofit Mailers and National Association of Presort Mailers to Greeting Card Association Motion in Limine (Answer) was filed in response. The Answer indicates that neither the Alliance of Nonprofit Mailers nor the National Association of Presort Mailers intend to cross-examine on these matters. It further indicates that the Postal Service, the only other participant that has filed a notice of intent to cross-examine Dr. Clifton, also has no intention of posing questions on these topics.

The Answer continues that so long as the circumstances of this testimony are off limits for cross-examination, Dr. Clifton should be prohibited from discussing these matters in oral testimony, subsequent rebuttal testimony, or written comments or letters to the Commission.

Both the request in the Motion, and the corresponding request in the Answer are reasonable and appropriate. The circumstances relating to disputes, if any, between Dr. Clifton and either the National Association of Presort Mailers or the American Bankers Association are irrelevant to issues before the Commission. Therefore, I will grant the requests in both the Motion and Answer, as specified in the first and third paragraphs of this ruling.

#### RULING

Cross-examination of Dr. Clifton should concern only the bases and merits of his testimony sponsored by Greeting Card Association.

George Omas  
Presiding Officer