

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

Postal Regulatory Commission
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REVIEW OF NONPOSTAL SERVICES

Docket No. MC2008-1 (Phase II)

UNITED STATES POSTAL SERVICE RESPONSE TO PRESIDING
OFFICER'S RULING NO. 4 REGARDING WITNESS STATEMENTS AND
SPONSORSHIP OF ADDITIONAL MATERIAL
(March 20, 2009)

Presiding Officer's Ruling No. 4, issued on February 11, 2009, requested that the Postal Service submit the name of the witness(es) who will sponsor additional material or portions of the material that the Postal Service intends to rely upon for its direct case. It also requested the availability of two witnesses, Patrick Donahoe and Tina Lance, whose sworn statements the Postal Service had previously identified as part of their direct case.¹ In response, the Postal Service provides the following information:

1) Additional Material—

- a. From its Initial Response of the United States Postal Service to Order No.74 (filed June 9, 2008), the Postal Service will rely on the introductory material on licensing on pages 20-21, the text on page 21 regarding USPS Trademarks Used on Third Party Consumer Goods, the text on page 22 regarding Commercial Trademark Licenses, and the financial information for commercial licenses on page 23.

¹ See United States Postal Service Identification of Materials Constituting its Direct Case (February 26, 2009).

- b. From its Attachment to the Response of the United States Postal Service to Order No. 126 Regarding Licensing Agreements (filed November 17, 2008, with Errata filed on November 19, 2008), the Postal Service will rely on material concerning the five commercial licenses involving mailing and shipping supplies at issue in Phase II.
 - c. The additional material will be sponsored by Gary A. Thuro.
- 2) The Postal Service will no longer rely on the statements of Mr. Donahoe or Ms. Lance for its case in chief. The Postal Service will continue to rely on statements of Gary A. Thuro, Rick L. Osborn, and Carrie A. Bornitz. The position of Ms. Lance has changed since her statement was submitted last year, and potential inquiries regarding OLRP can be directed to Ms. Bornitz.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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