and one-half lines. The former reference to "type no smaller than elite" is supplemented with a restriction against typeface sizes smaller than 12 points.

The latter change responds to one commenter's request for clarification of the proposed change regarding minimum allowable typeface size. This commenter, David Popkin, notes that point size, which the proposed rule adopts as the new standard, is inappropriate because points represent letter height, not characters per inch. Mr. Popkin raises the possibility that in adopting new terminology, the proposed rule inadvertently imposes stiffer restrictions on typeface size than currently exist. If so, the imposition of these restrictions would be contrary to the thrust of other proposals, which generally provide participants with more, rather than less, flexibility. The Commission's resolution of this issue is influenced by two considerations. One is the absence of any affirmative indication that the settlement signatories intended to impose more stringent restrictions on type size than currently exist. The other is the assumption that the signatories wanted to reflect the emergence of word processing equipment, which often includes software containing proportional typefaces expressed in characters per inch. The Commission views these as complementary, rather than competing, interests that can be reconciled with a minor revision. Accordingly, the rule as adopted retains the existing reference to elite type, but adds language recognizing the growing use of typefaces expressed in characters per inch or points.

Action on Proposed Rule Requiring Documents To Be Filed in Electronic Form (Rule 10(d)) Deferred

The proposal concerning electronic filing was agreed to by some, but not all, of the participants in the underlying rulemaking proceeding. The Postal Service, which did not support the proposal, reiterated its opposition to this change during the comment period. It asserted that it had encountered difficulty in generating diskette versions of its Docket No. R94-1 testimony and raised concerns about the potential for administrative problems. The Service further stated its conviction that this rule would not enhance efficiency or ease the burden on participants in the absence of uniform standards and an acceptable method of authentication. The Newspaper Association of America conditioned its support of the electronic filing provision on the Service's willingness to comply with it. The Office of the Consumer Advocate (OCA), which was a signatory to the nonunanimous settlement on electronic filing, reiterated its support for adoption of the rule as proposed but also formally requested that publication of the electronic filing rule be followed by notice of the Commission's interest in requiring that extensive database information be provided on CD–ROM media.

The Commission believes that the benefits of filing documents in electronic form are substantial. However, the Commission's review of the proposed rule and the record that has been developed in the underlying docket indicate that important questions about the scope, intent and adequacy of the rule as proposed remain unanswered. Moreover, the success of this type of change depends heavily on the cooperation of the Postal Service and other active participants. The Service's opposition leads the Commission to defer action on the proposed rule pending an opportunity for a more focused discussion. This discussion could include consideration of a requirement addressing the filing of extensive database information on CD-ROM, as suggested by the OCA. Accordingly, the Commission plans to publish an advance notice of proposed rulemaking to further explore this topic.

Service Requirements Related to Discovery Requests (Rule 12(b) and Rules 25 Through 27)

Existing rule 12(b), which addresses service by parties, generally requires that all documents be served upon all participants. This requirement has the potential to impose a burden on participants. In the interest of easing the service burden, the proposed settlement provision carved out an exception to rule 12(b)'s blanket service rule for discovery requests pursuant to rules 25 (interrogatories), 26 (requests for production of documents) and 27 (requests for admissions). It also added the direction that "Special requests for service by other participants shall be honored" and a sentence providing that special requests may be served upon participants conducting discovery and was to identify the witness(es) involved.

The preamble in the notice of proposed rulemaking acknowledged that a settlement conference participant had questioned whether the proposed revision accurately reflected the position of the conferees, as the terms applicable to service of answers appear to differ from those applicable to service of discovery requests and objections thereto. This participant's understanding was that the conferees intended for the "special request"

provision to apply across-the-board. In recognition of this comment, the Commission indicated that in the absence of opposition, it would make appropriate changes reflecting a uniform service requirement.

However, another conferee has submitted a comment objecting to applying the new "special request" requirement to the service of discovery answers. This commenter apparently supports retention of rule 12(b)'s requirement of "automatic" service upon all participants for these filings. The commenter expresses no opposition to the "special request" practice for being served with discovery requests or objections.

This system of limited service of discovery requests and objections was followed in the most recent omnibus rate case, Docket R94-1. While some parties chose to serve documents even when no special request had been received, this new system allowed interested intervenors to reduce the cost of participation if they wished to do so. The Commission believes that formalizing the practice of limited service of discovery requests and objections can considerably reduce the burden of participation in Commission proceedings. Given that participants' interest in answers to interrogatories may differ from their interest in the initial questions or objections thereto, and the Commission's indication that it would honor objections to across-theboard application of the service requirement, the rule as adopted does not apply to the service of answers to interrogatories (or compelled answers). Instead, answers to interrogatories will be subject to the general service requirement. By extension, service of compelled answers and supplemental answers should also follow the general

Grace Period for Filing Signature Pages (Rule 25(b))

Existing rule 25(b) requires that answers to interrogatories be signed by the person responding to them. The proposed rule allows a 10-day grace period for filing signature pages if the witness involved is not available to sign the answers when filed. The terms of the rule recognize an exception to the general service requirements by providing that signature pages filed under this circumstance need be served only on the Commission, and not on participants. This provision was part of the unopposed settlement, and it generated no opposition during the recent comment period. The Commission agrees that this change