



October 19, 2011

Elaine Mittleman
2040 Arch Drive
Falls Church, VA 22043

RE: FOIA Case No. 2011-FPRO-01291 and 2011-FPRO-01292

Dear Ms. Mittleman:

This responds to your Freedom of Information Act (FOIA) requests, dated September 17, 2011 for access to Postal Service records. Specifically, you have requested:

- **records, documents, e-mails and notes of the Senior Manager, Post Office Operations, 8409 Lee Highway, Merrifield, VA 22081, concerning the decision to close the Pimmit Branch of the Falls Church, VA post office.**
- **records, documents, e-mails and notes concerning the proposal, notice and decision to close the Pimmit Branch of the Falls Church, VA post office.**

We consider that you are within the category of "other requesters" as defined by Postal Service FOIA fee regulations. This category applies to requesters who are not commercial use requesters, educational or scientific requesters, or news media requesters. Requests in the "other" category are entitled to two free hours of search time and 100 pages of free duplication. After exhausting the free search and duplication, such requesters are charged \$32 per hour for employees' search time and 15 cents per page duplication costs and any computer processing fees. Fees totaling less than \$10 are waived.

In response to your request for a waiver of fees, we decline your request for a fee waiver. Postal regulations governing the waiver of fees (section 265.9(g)(3) of Title 39, Code of Federal Regulations) permit waiver of a fee when it is determined that furnishing the records is deemed to be in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the federal government and is not primarily in the commercial interest of the requester. While we do not believe that providing you with access to these records would further any commercial interest of yours, neither do we believe that furnishing it would further public understanding of the operations or activities of the federal government. Furtherance of public understanding depends on a number of factors, one of which is the disclosure must contribute to the understanding of the public at large, as opposed to the individual understanding of the requester. It is our opinion that your interest in any records, which may exist, is primarily of a personal nature. A requester must also demonstrate their ability to disseminate the information sought.

Our Human Resources IT department has estimated the computer processing and personnel costs associated with your first request to be approximately \$21,191.70. (\$162.94 – Open System Usage at the rate of \$1.00 per hours for 163 hours); (\$16,456.03 – System/database administrator time at the rate of \$100 per hours for a total of 164.560 hours); and (\$4,572.73 – PC Usage at the rate of \$7 per 15 minutes for a total of 9798.70 minutes).

Regarding your second request, 2011-FPRO-01292, the cost for this request will likely be much more since a broader search would have to be performed to obtain electronic information on all records, documents, e-mails and notes concerning the proposal, notice and decision to close the Pimmit Branch of the Falls Church, VA post office. Because of the broad nature of your second request, we cannot supply a more precise estimate of the costs associated with this search at this time. A narrower request could allow us to supply a more precise fee estimate. Because of the fees associated with a search of electronic information, however, any such narrower request could also cost in excess of \$250 and would also be subject to the advanced fee pay discussed below.

Please be advised that a FOIA requester is responsible for the payment of all fees related to a request, even if no responsive records are located or if responsive records are exempt from disclosure.

Under the FOIA, fair and equitable fees are established to permit the furnishing of records to the public while recovering costs incurred by the Postal Service. When the estimated cost is in excess of \$250, section 265.9(f)(3) of our regulations permit us to require payment of an amount up to the full estimated charge before commencing work on the request. Therefore, we will require at least 50 percent advance payment with your agreement to pay all costs incurred in processing your request. Please submit your check or money order in the amount of \$10,595.85 made payable to the "U.S. Postal Service."

Upon receipt of your payment and your written agreement to accept liability for any remaining costs, we will proceed with processing your request. If we do not hear back from you by November 4, 2011, we will assume you do not wish to incur costs to process your request, and we will close out this request.

If you construe this to be a denial of your request, you may appeal to the General Counsel, U.S. Postal Service, 475 L'Enfant Plaza, SW, Washington, DC 20260-1100, within 30 days of the date of this letter. The letter of appeal should include statements concerning this response, the reasons why it is believed to be erroneous, and the relief sought, along with copies of your original request, this letter, and any other related correspondence.

Sincerely,



Nancy P. Chavannes-Battle
Consumer Research Analyst