

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

Before Commissioners:

Ruth Y. Goldway, Chairman;
Nanci E. Langley, Vice Chairman;
Mark Acton; and
Robert G. Taub

Halsey Post Office
Halsey, Nebraska

Docket No. A2012-98

ORDER AFFIRMING DETERMINATION

(Issued March 30, 2012)

I. INTRODUCTION

On December 15, 2011, the Postal Service advised the Commission that it “will delay the closing or consolidation of any Post Office until May 15, 2012.”¹ The Postal Service further indicated that it “will proceed with the discontinuance process for any Post Office in which a Final Determination was already posted as of December 12, 2011, including all pending appeals.” *Id.* It stated that the only “Post Offices” subject to closing prior to May 16, 2012 are those that were not in operation on, and for which a Final Determination was posted as of, December 12, 2011. *Id.* It affirmed that it “will not close or consolidate any other Post Office prior to May 16, 2012.” *Id.* at 2. Lastly,

¹ United States Postal Service Notice of Status of the Moratorium on Post Office Discontinuance Actions, December 15, 2011, at 1 (Notice).

the Postal Service requested the Commission “to continue adjudicating appeals as provided in the 120-day decisional schedule for each proceeding.” *Id.*

The Postal Service’s Notice outlines the parameters of its newly announced discontinuance policy. Pursuant to the Postal Service’s request, the Commission will fulfill its appellate responsibilities under 39 U.S.C. § 404(d)(5).

On December 16, 2011, Lynn Frodsham (Petitioner Frodsham) filed a petition with the Commission seeking review of the Postal Service’s Final Determination to close the Halsey, NE post office (Halsey post office).² Additional petitions for review were received from Mic Coffman (Petitioner Coffman) and Colleen Higgins (Petitioner Higgins).³ The Final Determination to close the Halsey post office is affirmed.⁴

II. PROCEDURAL HISTORY

On December 29, 2011, the Commission established Docket No. A2012-98 to consider the appeal, designated a Public Representative, and directed the Postal Service to file its Administrative Record and any responsive pleadings.⁵

² Petition for Review received from Lynn Frodsham regarding the Halsey, Nebraska post office 69142, December 16, 2011 (Frodsham Petition).

³ Petition for Review received from Mic Coffman regarding the Halsey, Nebraska post office 69142, December 21, 2011 (Coffman Petition); Petition for Review received from Colleen Higgins regarding the Halsey, Nebraska post office 69142, January 6, 2012 (Higgins Petition).

⁴ The Commission is divided equally, 2-2, on the outcome of this appeal. In the absence of a majority, the Final Determination stands.

⁵ Order No. 1086, Notice and Order Accepting Appeal and Establishing Procedural Schedule, December 29, 2011.

On January 3, 2012, the Postal Service filed the Administrative Record with the Commission.⁶ The Postal Service also filed comments requesting that the Commission affirm its Final Determination.⁷

Petitioners Frodsham Coffman each filed a participant statement supporting their respective Petitions.⁸ On February 21, 2012, the Public Representative filed a reply brief.⁹ On March 6, 2012, Petitioner Frodsham filed a reply brief.¹⁰

III. BACKGROUND

The Halsey post office provides retail postal services and service to 66 post office box customers. Final Determination at 2. Ten (10) delivery customers are served through this post office. The Halsey post office, an EAS-11 level facility, provides retail service from 7:30 a.m. to 12:00 p.m. and 12:30 p.m. to 4:00 p.m., Monday through Friday, and 7:30 a.m. to 9:00 a.m. on Saturday. Lobby access hours are 24 hours, Monday through Saturday. *Id.*

The postmaster position became vacant on January 1, 2010 when the Halsey postmaster retired. A career officer-in-charge (OIC) was installed to operate the post

⁶ The Administrative Record is attached to the United States Postal Service Notice of Filing, January 3, 2012 (Administrative Record). The Administrative Record includes, as Item No. 47, the Final Determination to Close the Halsey, NE Post Office and Extend Service by Highway Contract Route Service (Final Determination).

⁷ United States Postal Service Comments Regarding Appeal, February 9, 2012. (Postal Service Comments). On February 16, 2012, the Postal Service corrected several errors in its comments. United States Postal Service Comments Regarding Appeal [Errata], February 16, 2012. Accompanying the Errata was a revised version of the original February 9, 2012 comments (Revised Postal Service Comments).

⁸ Participant Statement received from Lynn Frodsham, January 23, 2012 (Frodsham Participant Statement); Participant Statement received from Mic Coffman, January 18, 2012 (Coffman Participant Statement).

⁹ Public Representative's Reply Brief, February 21, 2012 (PR Reply Brief).

¹⁰ Reply Brief of Lynn Frodsham, March 16, 2012 (Frodsham Reply Brief). Order No. 1086 established February 24, 2012, as the deadline for filing reply briefs. Both the date of the Frodsham Reply Brief (February 29, 2012) and the date on which it was filed (March 6, 2012) are beyond the February 24, 2012 filing deadline. Having received no objection from the Postal Service, the Frodsham Reply Brief is nevertheless accepted for filing.

office. *Id.*¹¹ Retail transactions average twelve transactions daily (14 minutes of retail workload). Post office receipts for the last 3 years were \$14,993 in FY 2008; \$14,846 in FY 2009; and \$11,539 in FY 2010. There are no permit or postage meter customers. *Id.*¹² By closing this post office, the Postal Service anticipates savings of \$41,229 annually. *Id.* at 6.

After the closure, retail services will be provided by the Thedford post office located approximately 17 miles away.¹³ *Id.* at 7. Delivery service will be provided by highway contract route service through the Thedford post office. The Thedford post office is an EAS-13 level post office, with retail hours of 8:30 a.m. to 12:30 p.m. and 1:30 p.m. to 4:00 p.m., Monday through Friday, and 8:30 a.m. to 10:00 a.m. on Saturday. *Id.* Seventy-one (71) post office boxes are available. Retail service is also available at the Dunning post office located 10 miles away.¹⁴ The Dunning post office is an EAS-11 level post office, with retail hours of 7:45 a.m. to 3:30 p.m., Monday through Friday, and 8:15 a.m. to 10:15 a.m. on Saturday. The Postal Service will continue to use the Halsey name and ZIP Code. Final Determination at 3, Concern No. 5; Revised Postal Service Comments at 11.

IV. PARTICIPANT PLEADINGS

Petitioners. Petitioners oppose the closure of the Halsey post office. Petitioner Higgins questions the adequacy of the procedures and the reliability of the

¹¹ The Final Determination characterizes the OIC as a non-career postmaster relief (PMR). Final Determination at 6. In the Errata to its comments, the Postal Service notes that the OIC is, in fact, the postmaster at the Seneca post office. Revised Postal Service Comments at 2, 14, 15.

¹² Petitioners claim the Final Determination's statement that the Halsey post office has no permit or postage meter customers is contradicted by the fact that the U.S. Department of Agriculture has had a permit for over 40 years. Higgins Petition at 1; Coffman Petition at 1; see *also* Frodsham Petition at 2 (alleging that a number of other customers are believed to have mailing permits). The Postal Service concedes that one customer is a postage meter customer. Revised Postal Service Comments at 3 n.7.

¹³ MapQuest estimates the driving distance between the Halsey and Thedford post offices to be approximately 17.4 miles (18 minutes driving time).

¹⁴ MapQuest estimates the driving distance between the Halsey and Dunning post offices to be approximately 10.6 miles (11 minutes driving time).

Administrative Record. Higgins Petition at 1. Petitioners assert that the Halsey post office is vital to the community and with its closure the community's identity will be lost. Coffman Petition at 1; Frodsham Participant Statement at 2. Petitioners contend further that closure of the Halsey post office will adversely affect their service. Frodsham Participant Statement at 1; Higgins Petition at 2; Coffman Participant Statement at 1. Finally, Petitioners question the estimated cost of the replacement service and have put forth alternatives to the closure of the Halsey post office. Higgins Petition at 1; Frodsham Participant Statement at 1.

Postal Service. The Postal Service argues that the Commission should affirm its determination to close the Halsey post office. Revised Postal Service Comments at 2. The Postal Service believes the appeal raises three main issues: (1) the effect on postal services; (2) the impact on the Halsey community; and (3) the economic savings expected to result from discontinuing the Halsey post office. *Id.* at 1. The Postal Service asserts that it has given these and other statutory issues serious consideration and concludes that the determination to discontinue the Halsey post office should be affirmed. *Id.* at 2.

The Postal Service explains that its decision to close the Halsey post office was based on several factors, including:

- the postmaster vacancy;
- a minimal workload and low office revenue;
- a variety of other delivery and retail options (including the convenience of rural delivery and retail service);
- little recent growth in the area;
- minimal impact on the community; and
- expected financial savings.

Id. at 6. The Postal Service contends that it will continue to provide regular and effective postal services to the Halsey community when the Final Determination is implemented. *Id.*

The Postal Service also asserts that it has followed all statutorily required procedures and has addressed the concerns raised by Petitioners regarding the effect on postal services, the effect on the Halsey community, economic savings, and the effect on postal employees. *Id.* at 2.

Public Representative. The Public Representative concludes that the Postal Service decision to close the Halsey post office was based on substantial evidence in the Administrative Record. PR Reply Brief at 1. He asks the Commission to affirm the Final Determination to close the post office. *Id.* However, the Public Representative notes that in some instances, the Final Determination does not accurately reflect the Administrative Record, sometimes contradicting the facts and/or findings outlined in the Administrative Record. *Id.* at 5. He asks the Commission to remind the Postal Service that the Final Determination must be accurate and address the circumstances of each case. *Id.*

V. COMMISSION ANALYSIS

The Commission's authority to review post office closings is provided by 39 U.S.C. § 404(d)(5). That section requires the Commission to review the Postal Service's determination to close or consolidate a post office on the basis of the record that was before the Postal Service. The Commission is empowered by section 404(d)(5) to set aside any determination, findings, and conclusions that it finds to be (a) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law; (b) without observance of procedure required by law; or (c) unsupported by substantial evidence in the record. Should the Commission set aside any such determination, findings, or conclusions, it may remand the entire matter to the Postal Service for further consideration. Section 404(d)(5) does not, however, authorize the

Commission to modify the Postal Service's determination by substituting its judgment for that of the Postal Service.

A. Notice to Customers

Section 404(d)(1) requires that, prior to making a determination to close any post office, the Postal Service must provide notice of its intent to close. Notice must be given 60 days before the proposed closure date to ensure that patrons have an opportunity to present their views regarding the closing. The Postal Service may not take any action to close a post office until 60 days after its determination is made available to persons served by that post office. 39 U.S.C. § 404(d)(4). A decision to close a post office may be appealed within 30 days after the determination is made available to persons served by the post office. 39 U.S.C. § 404(d)(5).

The Administrative Record indicates the Postal Service took the following steps in providing notice of its intent to close. On June 29, 2011, the Postal Service distributed questionnaires to customers regarding the possible change in service at the Halsey post office. Final Determination at 2. A total of 74 questionnaires were distributed to delivery customers. Other questionnaires were made available at the retail counter. A total of 48 questionnaires were returned. On June 29, 2011, the Postal Service held a community meeting at the Sandhills Elementary gymnasium to address customer concerns. Sixty-five (65) customers attended. *Id.*

The Postal Service posted the proposal to close the Halsey post office with an invitation for comments at the Halsey, Dunning, and Thedford post offices from July 29, 2011 through September 29, 2011. Final Determination at 2. The Final Determination was posted at the same three post offices from December 5, 2011 through January 6, 2012. Administrative Record, Item No. 47.

Petitioner Higgins claims that the questionnaires distributed by the Postal Service were misleading and confusing. Higgins Petition at 1. However, she does not explain in what respect she believes the questionnaires to be misleading or confusing.

Petitioner Higgins also objects to the fact that the community was given only 2 weeks to

prepare for the community meeting. *Id.* The Postal Service responds by noting that its regulations give local discontinuance coordinators authority to determine the best time for a meeting; that no single time is consistent with all customer preferences; and that customers are given several different opportunities to present their views on a possible closing, of which, the community meeting is only one such opportunity. Revised Postal Service Comments at 4 n.9.

The Postal Service has satisfied the notice requirements of 39 U.S.C. § 404(d).

B. Other Statutory Considerations

In making a determination on whether or not to close a post office, the Postal Service must consider the following factors: the effect on the community; the effect on postal employees; whether a maximum degree of effective and regular postal service will be provided; and the economic savings to the Postal Service. 39 U.S.C. § 404(d)(2)(A).

Effect on the community. Halsey, Nebraska is an incorporated community located in Thomas County, Nebraska. Administrative Record, Item No. 47. The community is administered politically by the Mayor. Police protection is provided by the Thomas Police Department. Fire protection is provided by the Halsey Fire Department. The community is comprised of farmers and those who work in local businesses or commute to work in nearby communities. *Id.* Residents may travel to nearby communities for other supplies and services. *See generally* Administrative Record, Item No. 22 (returned customer questionnaires and Postal Service response letters).

As a general matter, the Postal Service solicits input from the community by distributing questionnaires to customers and holding a community meeting. The Postal Service met with members of the Halsey community and solicited input from the community with questionnaires. In response to the Postal Service's proposal to close the Halsey post office, customers raised concerns regarding the effect of the closure on the community. Their concerns and the Postal Service's responses are summarized in the Final Determination. Final Determination at 2-6.

Petitioners Frodsham and Coffman state that many customers use the Halsey post office as a meeting place for friends and neighbors and use the bulletin board to display community events. Frodsham Participant Statement at 1; Coffman Petition at 2. Petitioner Frodsham alleges further that broad segments of the community (seniors, the local public elementary school, churches, and businesses, such as her computer business) depend upon the Halsey post office. Frodsham Petition at 1. Petitioner Higgins states that closure of the Halsey post office “will destroy our community...” Higgins Petition at 1.

Petitioners express concern over what they view as conflicting information in the Administrative Record regarding address changes. Frodsham Participant Statement at 2 (alleging that statements made by Postal Service personnel at the community meeting conflict with other portions of the Administrative Record); *see also* Coffman Petition at 1 (alleging that the question of whether or not addresses would change was never answered); *id.* (expressing uncertainty over whether customers would receive home delivery, CBUs, or mailboxes on the carrier’s line of travel). The Postal Service responds by stating that customers who opt for carrier service will be assigned a 911 address, but that the new address will continue to use the community name and ZIP Code. Revised Postal Service Comments at 11.

Petitioners Higgins and Frodsham argue that businesses in the community require the immediate attention that only a local post office can provide. Frodsham Petition at 1; Frodsham Participant Statement at 1; Higgins Petition at 1. The Postal Service responds by asserting that carriers can provide service that can be even more convenient by eliminating the need to travel to a post office. Revised Postal Service Comments at 10 n.23. In addition, the Postal Service states that upon request, the administrative post office can make special accommodations in order to meet customer needs. *Id.* Finally, the Postal Service asserts that when businesses require overnight service, that service can be obtained through the carrier. *Id.* at 10 n.24.

The Postal Service contends that it considered these issues and understands the substantial role a post office plays in community affairs. Revised Postal Service

Comments at 10. It explains that customers who opt for carrier service will be assigned a 911 address; however, the community identity will be preserved through the continuing use of the Halsey name and ZIP Code. *Id.* at 12. Further, the Postal Service asserts that it will continue to provide businesses and residents of Halsey with regular and effective postal services. *Id.* at 11. The Postal Service explains that many services are available online at *www.usps.com*. *Id.* In addition, the Postal Service asserts that an inquiry was conducted that revealed that customers will continue to use local businesses if the Halsey post office is discontinued. *Id.* at 11. Lastly, the Postal Service contends that residents may continue to meet informally at other businesses and churches in the community, and utilize bulletin boards at these venues. *Id.* at 12.

The Postal Service has adequately considered the effect of the post office closing on the community as required by 39 U.S.C. § 404(d)(2)(A)(i).

Effect on employees. The Postal Service states that the Halsey postmaster retired on January 1, 2010. Since the vacancy, the postmaster from the Seneca post office was installed as the OIC. Revised Postal Service Comments at 14. It asserts that after the Final Determination is implemented, the OIC will return to her position at the Seneca post office and the highway contract route carrier will be reassigned to the Thedford post office. No other Postal Service employee would be adversely affected. *Id.*

The Public Representative notes that the Final Determination indicates that the post office has a non-career PMR, however, the Administrative Record and the revised Postal Service comments indicate that the OIC is in fact a postmaster from a nearby community. PR Reply Brief at 5. The Public Representative is concerned that in some instances, the Final Determination does not accurately reflect the Administrative Record. *Id.*

The Postal Service has considered the possible effects of the post office closing on the OIC and has satisfied its obligation to consider the effect of the closing on employees at the Halsey post office as required by 39 U.S.C. § 404(d)(2)(A)(ii).

Effective and regular service. The Postal Service contends that it has considered the effect the closing will have on postal services provided to Halsey customers. Revised Postal Service Comments at 6. It asserts that customers of the closed Halsey post office may obtain retail services at the Thedford post office located 17 miles away. Final Determination at 2. Delivery service will be provided by highway contract route service through the Thedford post office. The Thedford post office box customers may obtain Post Office Box service at the Thedford post office, which has 71 boxes available. *Id.*

For customers choosing not to travel to the Thedford post office, the Postal Service explains that retail services will be available from the carrier. Revised Postal Service Comments at 6. The Postal Service adds that it is not necessary to meet the carrier for service since most transactions do not require meeting the carrier at the mailbox. *Id.* Additionally, the Postal Service notes that the rural carrier will deliver packages to mailboxes and large parcels will be delivered to the customer's residence. *Id.* at 9.

Petitioners express concerns about the effect the discontinuance will have on the Halsey community and the hardship senior citizens will face with the added travel to the Thedford post office. Coffman Participant Statement at 1; Frodsham Petition at 1; Higgins Petition at 2. Petitioner Frodsham argues that she and others need the Halsey post office to receive mail order medications. Frodsham Petition at 1. In addition, Petitioner Frodsham states that it would be a hardship to drive to other post offices for special postal transactions, such as; certified, registered, and Express Mail. *Id.* She also questions the ability to pay bills without the post office. Frodsham Petition at 1; Frodsham Participant Statement at 2.

The Postal Service contends that the carrier service is beneficial for senior citizens and those with special needs because it alleviates the need to travel to the post office for delivery and retail services. Revised Postal Service Comments at 7. The Postal Service also notes that it makes provisions for hardship cases. It asserts that special postal transactions can be performed by the carrier. *Id.* It explains that

customers without internet access are able to conduct postal transactions through Stamps by Mail and Money Order forms, which are available at convenient locations throughout the community. *Id.* at 8.

Petitioners assert that the rural carrier will be overburdened and that the delivery of their mail will be delayed. Higgins Petition at 1; Coffman Petition at 1; Frodsham Participant Statement at 2. The Postal Service responds by explaining that the carrier will have over 3 hours to make deliveries to the 64 post office boxes being added to his route. Revised Postal Service Comments at 8 n.21. The Postal Service states further that the delivery time of mail will be faster than normal, due to the fact that mailboxes added to the route will be in a row. *Id.* at 8. While the Postal Service admits that inclement weather will affect delivery time, the carrier will make every effort to deliver mail in a timely manner. *Id.* at 8 n.21.

Petitioner Frodsham questions the safety of outdoor mailboxes. Frodsham Petition at 1; Frodsham Participant Statement at 2. The Postal Service states that the safety of customers' access to curbside mailboxes is routinely considered in the placement of, and delivery to, curbside mailboxes. Revised Postal Service Comments at 8. Petitioner Frodsham argues that the Halsey post office should remain open because it makes available forms, boxes, labels, envelopes and supplies every mailing needs for local, regional, and overseas delivery. Frodsham Participant Statement at 2. The Postal Service responds by asserting that rural carriers provide many of the services available at post offices, that carriers are equipped to help customers with international and military mail questions, and that customers do not need to travel to a post office to conduct most transactions. Revised Postal Service Comments at 6.

The Postal Service has considered the issues raised by customers concerning effective and regular service as required by 39 U.S.C. § 404(d)(2)(A)(iii).

Economic savings. The Postal Service estimates total annual savings of \$41,229. Final Determination at 6. It derives this figure by summing the following costs: postmaster salary and benefits (\$44,279) and annual lease costs (\$5,868), minus the cost of replacement service (\$8,918). *Id.*

Petitioner questions the Postal Service's estimated cost of replacement service. Frodsham Participant Statement at 2. She believes the estimated cost was understated. *Id.* Furthermore, Petitioner believes that it would be more feasible for the Halsey post office to operate at reduced hours. Higgins Petition at 1.

The Postal Service explains that the replacement costs are based on adding 64 boxes and 35 miles to the route. Revised Postal Service Comments at 13. The Postal Service asserts it has broad experience in considering replacement services and alternatives to discontinuances, however, in this case, it has determined that carrier service, coupled with service at the nearby Thedford post office is more cost effective. *Id.* at 14.

The Halsey post office postmaster retired on January 1, 2010. Final Determination at 2. The post office has since been staffed by a career PMR who, upon discontinuance of the post office, will return to her duties at a nearby post office. The postmaster position and the corresponding salary will be eliminated. *See, e.g.*, Docket No. A2011-67, United States Postal Service Comments Regarding Appeal, October 24, 2011, at 13; Docket No. A2011-68, United States Postal Service Comments Regarding Appeal, November 2, 2011, at 10.

The Postal Service has satisfied the requirement that it consider economic savings as required by 39 U.S.C. § 404(d)(2)(A)(iv).

VI. CONCLUSION

The Postal Service has adequately considered the requirements of 39 U.S.C. § 404(d). Accordingly, the Postal Service's determination to close the Halsey post office is affirmed.¹⁵

¹⁵ See footnote 4, *supra*.

It is ordered:

The Postal Service's determination to close the Halsey, Nebraska post office is affirmed.

By the Commission.

Ruth Ann Abrams
Acting Secretary

DISSENTING OPINION OF CHAIRMAN GOLDWAY

The Administrative Record is inaccurate with regard to economic savings. As such, the Postal Service has not adequately considered economic savings as required by 39 U.S.C. § 404(d)(2)(A)(iv).

The Postal Service argues that savings should be calculated based on a full-time postmaster's salary. Yet the Halsey post office has been operated by an officer-in-charge (OIC) since the former postmaster retired on January 1, 2010. On the one hand, the Postal Service argues that the effect on employees of this closing will be minimal because only an OIC will be eliminated; yet on the other hand, it argues that the savings should be calculated using a full-time postmaster position.

The Postal Service already claims billions of dollars in savings from reducing labor costs. I believe the savings from substituting OICs in postmaster positions throughout the nation have already been included in those billions. There are inherent and blatant contradictions in the Administrative Record that must be corrected on remand.

It is not the statutory responsibility of the Commission to correct the Administrative Record for the Postal Service and certainly not to make its own surmise about what and/or whether there would be savings if accurate data were in the Administrative Record. Therefore, the decision to close should be remanded to the Postal Service to correct the Administrative Record and present a more considered evaluation of potential savings.

I am also concerned about the distances between the Halsey post office and those that are offered as substitutes. The Halsey post office is 17.4 driving miles from the administrative receiving post office in Thedford. Another post office identified by the Postal Service as a substitute is in Dunning, Nebraska, approximately 13.2 driving miles away. Several members of Congress have publicly expressed concern that post offices

that are 10 miles apart should be maintained in rural areas. The Postmaster General has expressed interest in finding other ways to serve such distant post offices rather than close them altogether. This closing should be reconsidered within the context of the policies now being developed regarding distant rural post offices.

Recent legislation has been introduced precluding the closure of a post office in cases where the nearest post office is more than 10 miles away. The Commission in its recent Advisory Opinion (Docket No. N2011-1) found that using optimization modeling, the Postal Service could make better choices about which post offices to close that would assure adequate access in rural areas.

The designation of the administrative receiving post office can be significant to local postal customers because that will be the location where undeliverable or accountable items are retrieved, where some parcels must be deposited, or certain other “in-person” business is conducted. The Administrative Record does not address with specificity reasonable customer concerns about the large travel distance to the new administrative retail post office. Without a more complete explanation of how removing the applicable retail facility to such a distant point will affect the community, the Postal Service has not satisfied its obligation to consider the effect of such a closing or consolidation on the community served by the post office, as required by 39 U.S.C. § 404(d)(2)(a)(i).

Moreover, the Postal Service recently announced a moratorium on post office closings. It is confusing and perhaps unfair to require some citizens whose post offices have received a discontinuance notice as of December 12, 2011 to gather evidence and pursue an appeal to the Commission, while others whose post offices were in the review process, but had not yet received a discontinuance notice by December 12, 2011, have the respite of a 5-month moratorium and the opportunity to have further consideration of alternatives by the Postal Service.

The citizens of Halsey, Nebraska and their concerns regarding the loss of a neighborhood post office should be afforded the same opportunity to be heard and considered as the citizens of the approximately 3,700 post offices fully covered by the moratorium.

Ruth Y. Goldway

DISSENTING OPINION OF VICE CHAIRMAN LANGLEY

The Postal Service did not adequately consider the economic savings as required by 39 U.S.C. § 404(d)(2)(A)(iv). The Postal Service should take into consideration that a postmaster from the Seneca, Nebraska post office has been in charge of the Halsey post office since January 2010, and will return to the Seneca post office. The Postal Service should reflect the fact that the postmaster salary and benefits will be retained in its cost savings analysis. As a government entity, the Postal Service should ensure that its cost/benefit analysis accurately identifies capturable cost savings and does not overstate savings.

I find that the Administrative Record evidence does not support the Postal Service's decision to discontinue operations at the Halsey post office and should be remanded.

Nanci E. Langley