

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

Before Commissioners:

Robert G. Taub, Chairman;  
Michael Kubayanda, Vice Chairman;  
Mark Acton;  
Ann C. Fisher; and  
Ashley E. Poling

Spanish Fort Post Office  
Spanish Fort, AL

Docket No. A2021-1

NOTICE AND ORDER ACCEPTING APPEAL  
AND ESTABLISHING PROCEDURAL SCHEDULE

(Issued December 29, 2020)

I. INTRODUCTION

On December 28, 2020, the City of Spanish Fort, Alabama (Petitioner) appealed the Postal Service's determination to close the Spanish Fort Post Office located in Spanish Fort, Alabama, 36527.<sup>1</sup> Petitioner states that the Postal Service "has failed to adhere to the applicable laws, rules and regulations governing the discontinuance of post offices, including, but not limited to, the requirements of 39 C.F.R. § 241.3."

Petition at 1.

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<sup>1</sup> In the Matter of Spanish Fort, Alabama 36527 / Appeal of Postal Service Determination to Close Spanish Fort Post Office, December 28, 2020 (Petition). See also Application for Suspension of the Determination of the Postal Service to Close the Spanish Fort Post Office, December 28, 2020 (Application for Suspension of Determination) and Participant Statement, December 28, 2020 (Participant Statement).

## II. COMMISSION ACTION

In accordance with 39 U.S.C. § 404(d)(5), the Commission establishes Docket No. A2021-1 for consideration of the Petitioner's appeal of the Postal Service's determination to close the Spanish Fort Post Office.

The Commission has posted the Petition, the Application for Suspension, and the Participant Statement on its website at <http://www.prc.gov>. Additional filings in this proceeding will also be posted on the website under Docket No. A2021-1.

The Commission invites comments on the Postal Service's determination to close the Spanish Fort Post Office. The procedural schedule, which includes deadlines for submitting comments, appears in section III below.

Pursuant to 39 U.S.C. § 505, the Commission appoints Katrina R. Martinez to represent the interests of the general public (Public Representative) in this proceeding.

## III. PROCEDURAL SCHEDULE

Pursuant to 39 C.F.R. § 3021.21, the Postal Service must file the administrative record pertaining to its determination to close the Spanish Fort Post Office by no later than January 7, 2021. In addition, the due dates for any other Postal Service pleading in response to the Petition is January 7, 2021. **If any motions are filed by the Postal Service, responses are due no later than 10 days after any such motion is filed.** The Postal Service shall also file any answer to the Petitioner's Application for Suspension of Determination by January 7, 2021. 39 C.F.R. § 3021.30(b).

Petitioners may amend the Participant Statement and/or file an initial brief with the Commission no later than January 27, 2021. See 39 C.F.R. §§ 3025.40-.41. Participant statements, initial comments, and initial briefs in support of the Petition from

interested persons other than the Petitioner are also due no later than January 27, 2021.<sup>2</sup> Reply comments and reply briefs in support of the Postal Service's determination to close are due no later than February 10, 2021. 39 C.F.R. § 3021.42. Responses to reply comments and reply briefs are due no later than February 22, 2021.<sup>3</sup>

Upon review of the administrative record filed by the Postal Service, the Commission may find that there are more legal issues than those set forth in the Petition or that the Postal Service's determination disposes of one or more of the issues raised in the Petition. The Commission may request that the Postal Service or other participants submit information or memoranda of law on any applicable issue to facilitate the Commission in conducting its review.

Pursuant to 39 U.S.C. § 404(d)(5), the Commission is required to issue its decision within 120 days from the date it receives the appeal. See 39 U.S.C. § 404(d)(5). The Commission establishes the following procedural schedule to accommodate this statutory deadline.

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<sup>2</sup> See 39 C.F.R. § 3021.14; *id.* § 3021.41. Participants other than the Petitioner may also use PRC Form 61, which is available on the Commission's website.

<sup>3</sup> See *id.* § 3021.43. The scope of any responses filed must be limited to the issues discussed in the reply comments and reply briefs. *Id.*

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|-------------------|--|
| December 28, 2020 | Appeal filed   |
| January 7, 2021   | Deadline for Postal Service to file relevant administrative record (see 39 C.F.R. § 3021.21)   |
| January 7, 2021   | Deadline for Postal Service to file answer to the Petitioner's Application for Suspension of Determination (see 39 C.F.R. § 3021.30(b))  |
| January 7, 2021   | Deadline for Postal Service to file any responsive pleading  |
| January 27, 2021  | Deadline for Participants to amend Participant Statement and/or file initial briefs, and others in support of Petition to file Participant Statement, initial comments, and/or initial briefs (see <i>id.</i> § 3021.14; <i>id.</i> § 3021.41) |
| February 10, 2021 | Deadline for Postal Service or others in support of Postal Service determination to close to file reply comments and/or reply briefs (see <i>id.</i> § 3021.42)  |
| February 22, 2021 | Deadline for Participants or others in support of Petition to file responses to reply comments and/or reply briefs (see <i>id.</i> § 3021.43)  |
| April 27, 2021    | Deadline for Commission to issue its decision (see 39 U.S.C. § 404(d)(5))  |

Pursuant to 39 C.F.R. § 3010.120(a), the Postal Service must electronically file its documents in this proceeding using the Commission's Filing Online system on the Commission's website. Other participants may submit filings electronically via the Filing Online system or by mail or other forms of physical delivery to the Commission's offices located at 901 New York Avenue, N.W., Suite 200, Washington, DC 20268.<sup>4</sup> Instructions for how to create an account to electronically file documents online may be

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<sup>4</sup> See 39 C.F.R. § 3021.11. The Commission reserves the right to redact personal information that may infringe on an individual's privacy rights from documents filed in this proceeding.

obtained on the Commission's website at <https://www.prc.gov/filingonline/userguide>, or by contacting the Commission's Docket section via email at [doctors@prc.gov](mailto:doctors@prc.gov). The Docket section can also be reached by phone by calling the Commission's main line at 202-789-6800 and asking to be connected to the Docket section. Docket section hours are 8 a.m. to 4:30 p.m., Eastern Time, Monday through Friday, except on Federal holidays.

#### IV. ORDERING PARAGRAPHS

*It is ordered:*

1. The Commission establishes Docket No. A2021-1 for consideration of the Petition filed on December 28, 2020.
2. The Commission establishes the Procedural Schedule as set forth in the body of this Order.
3. Pursuant to 39 U.S.C. § 505, Katrina R. Martinez is designated as officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

By the Commission.

Erica A. Barker  
Secretary