

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

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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

In the Matter of:
ROANOKE, WV 26423
(ROBERT J. CONLEY,
PETITIONER)

Docket No. A2000-1

STATEMENT OF EXPLANATION BY UNITED STATES POSTAL SERVICE
REGARDING FILING OF ADMINISTRATIVE RECORD
(June 16, 2000)

INTRODUCTION

The Postal Service has not filed an administrative record in this proceeding while its May 16, 2000 Motion to Dismiss Proceedings in this docket is pending because, as explained in the Motion, the Postal Rate Commission ("Commission") lacks subject matter jurisdiction to consider the attempted appeal; the 30-day statutory deadline for the Commission's receipt of an appeal cannot be extended by the Commission. See Pinat v. Office of Personnel Management, 931 F.2d 1544, 1546 (Fed. Cir. 1991) (Circuit Court lacks authority to waive statutory deadline). Moreover, even if the Commission were somehow to assert jurisdiction, it lacks the authority to change the fact that the Roanoke, West Virginia Post Office at issue in this proceeding has been formally closed for well over 18 months.

In various pleadings,¹ Petitioner Conley and intervenor Posey argue that because of alleged procedural infirmities taking the form of lack of notice, the 30-day

¹Such pleadings include: Participant Statement Received from Robert J. Conley, President of the Lewis County Commission, Regarding the Closing of the Roanoke, West Virginia Post Office (April 20, 2000); Response of Intervenor Oliver R. Posey to Motion to Dismiss (June 2, 2000); and Initial Brief of Intervenor Oliver R. Posey (June 14, 2000).

period never commenced and so has not expired.² Procedural due process, including proper notice in conformity in the applicable regulations, was provided to customers of the former Roanoke Post Office.³ Their argument, moreover, turns the law on its head by asserting that the Commission can consider procedural flaws in order to determine that it has jurisdiction when legal precedent establishes that it must first determine whether it has jurisdiction before it can reach alleged procedural flaws.

PROCEDURAL HISTORY

This matter has navigated through the post office discontinuance process twice, with the result that the Roanoke, West Virginia Post Office was closed on June 6, 1998.⁴

The first proposal to close the Roanoke, West Virginia Post Office was posted with an invitation for public comment at the Walkersville/Crawford, West Virginia Post Office from March 6, 1984 through May 5, 1984. Thereafter a Final Determination to close the Roanoke Post Office was posted at the Walkersville/Crawford Post Office from December 4, 1984 to January 3, 1985. That Final Determination was appealed to

²Intervenor Posey and Petitioner Conley also argue that Petitioner Conley was not served with the Postal Service's Motion to Dismiss Proceedings filed on May 16, 2000, nor did petitioner receive service by way of the United States mail. The Postal Service complied with the Commission's Rules by mailing via First-Class Mail a copy of its Motion to Dismiss Proceedings to the only address in the pleadings for Petitioner Conley: Robert J. Conley, Lewis County Commission, P.O. Box 466, Weston, WV 26452. Since Petitioner Conley and intervenor Posey both respond to the merits of the Motion, evidently no prejudice has arisen from the alleged improper service.

³The Postal Service is acutely attuned to the needs and interests of its customers; had it found some procedural flaw in the handling of this case, the Postal Service would seriously consider taking unilateral action to remedy such flaws rather than pursue the jurisdictional defense set forth herein and in the Motion to Dismiss Proceedings.

⁴See *Postal Bulletin* 21984 (November 5, 1998) attached to the Motion to Dismiss Proceedings, Docket No. A2000-1, *Roanoke, WV 26423* (May 16, 2000).

the Commission on December 24, 1985, and the matter was remanded on April 10, 1985.⁵

On July 7, 1997, a Revised Proposal to Close the Suspended Roanoke, West Virginia Post Office and Continue to Provide Rural Route Delivery Service ("Proposal") was posted at the Walkersville/Crawford Post Office, where it remained through September 19, 1997.⁶

The Final Determination to Close the Suspended Roanoke, West Virginia Post Office and Continue to Provide Rural Route Service ("Final Determination") was posted at the Walkersville/Crawford Post Office from March 4, 1998 through April 6, 1998.⁷ No appeals were filed. A Postal Bulletin Post Office Change Announcement Form was completed and submitted to Postal Service Headquarters Address Management for publication in the *Postal Bulletin*, where it subsequently appeared.

On March 10, 2000, Robert J. Conley, on behalf of the Lewis County Commission, filed an appeal with the Commission objecting to the closing of the Roanoke, West Virginia Post Office. Petitioner Conley appeals the Roanoke Post Office closing on the grounds that the Postal Service did not follow the post office closure procedures required by law, under 39 U.S.C. § 404(b). Petitioner Conley claims that the Postal Service did not give the required 60-day public notice of a proposed post office closing, nor of a discontinued ZIP Code.

⁵Commission Opinion, Docket No. A85-11, *Roanoke, West Virginia 26423* (April 10, 1985).

⁶Revised Proposal To Close The Suspended Roanoke, WV Post Office And Continue To Provide Rural Route Service. A true and correct copy is attached as Exhibit 1.

⁷Final Determination To Close The Suspended Roanoke, WV Post Office And Continue To Provide Rural Route Service. A true and correct copy is attached as Exhibit 2.

The Commission accepted the appeal, and established a procedural schedule. On May 16, 2000, the Postal Service filed a Motion to Dismiss Proceedings.⁸ On June 2, 2000, intervenor Oliver R. Posey (intervenor) filed a Notice of Intervention with the Commission, and a Response to the Postal Service's Motion to Dismiss.⁹ Intervenor's Response to the Motion to Dismiss argues that proper notice was not provided, and therefore, due process rights were violated. The intervenor's pleading asserts that the due process issue must be decided before the jurisdictional issue can be reached. This is legally incorrect. The Commission must have jurisdiction before it can make any decision on the due process rights of petitioners and intervenors to a post office closing.

FACTUAL BACKGROUND

Roanoke is an unincorporated rural community located in Lewis County, approximately 11 miles from Walkersville, West Virginia, the nearest large community. Operation of the Roanoke Post Office was temporarily suspended on February 19, 1982, due to the depletion of the community and the area being purchased by the Corp of Engineers for the Stonewall Jackson Dam Site. Prior to the suspension of service, the Roanoke, West Virginia Post Office provided over-the-counter postal services for eight hours per day. Fourteen families received mail through post office boxes. No general delivery or carrier delivery service was offered at the post office.

On July 7, 1997, the Proposal was posted at the Walkersville/Crawford Post Office subsequent to the Commission remand. It was removed on September 19, 1997. The cover sheet of the Proposal shows the round date stamps of the posting

⁸Motion of United States Postal Service to Dismiss Proceedings, Docket No. A2000-1, *Roanoke, West Virginia* 26423 (May 16, 2000).

⁹Response of Intervenor Oliver R. Posey to Motion to Dismiss, Docket No. A2000-1, *Roanoke, West Virginia* 26423 (June 2, 2000).

period. No comments were received. Finally, the Final Determination was posted at the Walkersville/Crawford Post Office from March 4, 1998 through April 6, 1998. The Final Determination notice was posted prominently on the bulletin board located in the lobby. This time no appeals were filed. A Postal Bulletin Post Office Change Announcement Form was completed, and submitted to Postal Service Headquarters Address Management for publication in the *Postal Bulletin*. Since no appeals were filed within 30 days after the posting of the Final Determination notice, the post office was officially discontinued in conformity with routine administrative practice, the first Saturday 90 days after the Final Determination completed its posting.

All customers were advised they may continue to use Roanoke, West Virginia as their address in order to retain community identity. However, they were required to change their ZIP Code to 26447, that of Walkersville, West Virginia. This change was necessary to ensure effective and regular service.

ARGUMENT

The question presented in this case is whether or not an appeal filed just under two years past the filing deadline can be considered. Under 39 U.S.C. § 404(b)(5) and 39 C.F.R. § 241.3(a)(2)(iv), any person regularly served by the affected post office may appeal the decision to the Commission within the first 30 days after the written determination is made available. Any such appeal must be received by the Commission within 30 days of the posting of the final determination. In the instant case, the appeal was not received by the Commission until after approximately 2 years of the posting of the Final Determination. Therefore, the appeal is untimely, and should be dismissed.

Because the appeal is untimely, the Commission lacks jurisdiction to rule on this matter. However, if the Commission does assert jurisdiction over this case, the facts

still prove that proper notice was provided by the Postal Service, and therefore, the appeal should be dismissed.

Jurisdiction

The Commission does not have subject matter jurisdiction in this matter because the appeal was not filed within the statutory time limits. The rule in question is based upon 39 U.S.C. § 404(b)(5), which states that a determination to close or consolidate a post office may be appealed "within 30 days after such determination is made available." The courts have long held that such time limits on the right to seek review of final agency decisions constitute limited waivers of sovereign immunity that define the jurisdiction of the reviewing body, and are strictly construed; only Congress and neither the courts nor agencies may expand these jurisdictional limits. See Pinat v. Office of Personnel Management, 931 F.2d 1544, 1546 (Fed. Cir. 1991) (Circuit Court lacks authority to waive a statutory deadline).

The Commission has previously considered the question of the timeliness of appeals with regards to post office closings, and has stated:

We believe there is merit in the Service's position that our rules contemplate that such filings be received within 30 days. Furthermore, our review of courts' interpretations of other statutes indicates that in statutes of this kind, courts consistently interpret them to mean that the documents must be received within the relevant time period. Schultz v. U.S., 132 F. Supp. 953 ([Ct. Cl.] 1955); Lewis-Hall Iron Works v. Blair, 23 F.2d 972 ([D.C. Cir.] 192[8]) [cert. denied, 277 U.S. 592 (1928)]; United States v. Lombardo, 241 U.S. 73 ([D.C. Cir.] 1916).

PRC Order No. 472 at 2, Docket No. A83-8 Sigurd, Utah 84657.

The examination of the cited and other cases demonstrates that statutory time limits for the initiation of legal action set by Congress, such as 39 U.S.C. § 404(b)(5), are limited waivers of sovereign immunity that define the jurisdiction of the reviewing

body; accordingly, the Commission, much as any court, lacks the authority to expand its jurisdiction through its rulemaking authority. See Irwin v. Dept. of Veterans Affairs, 498 U.S. 89 (1990).

In Irwin, the Supreme Court "granted certiorari to determine ... whether late-filed claims are jurisdictionally barred." Id. at 92. The underlying question whether time limits for filing claims against the government were jurisdictional had been answered in the affirmative by Soriano v. United States, 352 U.S. 270 (1957). Irwin dealt with the question whether the equitable tolling principles applicable in suits between private parties could also toll a limitations period applicable to suits against the government. See Irwin at 98 (White, J., concurring).

Irwin involved the interpretation of 42 U.S.C. § 2000e-16(c), which sets a 30-day time limit in language very similar to that used in 404(b)(5): "Within thirty days of receipt of notice of final action taken by ... the Equal Employment Opportunity Commission, [an aggrieved party] may file a civil action" Id. at 94. The Supreme Court noted the similarity of this time limit to others applicable in suits filed against the government, and that such congressional waivers of sovereign immunity must be construed very narrowly. Id. Justice White concurred, noting that statutory deadlines for suits against the government are conditions on the government's waiver of sovereign immunity that must be construed strictly. Id. at 97 (White, J., concurring);¹⁰ see also Ramos v. United

¹⁰ Justice White, unlike the majority, would not have allowed equitable tolling of statutes of limitation applicable to suits against the government. Irwin at 97. He also noted that the statute in question in Irwin was enacted in 1972 "when the presumption was, as set forth in [Soriano], that statutes of limitation were not subject to equitable tolling." Justice White further noted that Congress likely had this legal principle in mind in 1972 (Irwin at 99, n. 2), much as it likely did four years later when enacting § 404(b).

States, 683 F.2d 396, 397-98 (Ct. Cl. 1982); Lewis-Hall, 23 F.2d at 974. Accordingly, the 30-day time limit embodied in section 404(b)(5) is a limit upon the jurisdiction of the Commission that must be strictly construed.

Strict construction of the 30-day filing limit also extends to the requirement that an appeal of an agency decision may only be effected by the delivery of the appeal to the reviewing body. Fed. R. App. P. 15(a), 25(a); Pinat, 931 F.2d at 1546 ("Thus, an appeal is filed when it is received at the court ..."); Miller v. United States Postal Service, 685 F.2d 148, 149-50 (5th Cir. 1982) cert. denied 461 U.S. 916 (1983) ("[F]iling shall not be timely unless the papers are received by the clerk within the time fixed for filing," quoting Fed. R. App. P. 25); Schultz v. United States, 132 F.Supp. 953, 955-56 (Ct. Cl. 1955) ("Filing has been variously defined, but it invariably involves delivery to and receipt by a proper official."); United States v. Lombardo, 241 U.S. 73, 76 (1916) ("Filing, it must be observed, is not complete until the document is delivered and received. 'Shall file' means to deliver to the office, and not send through the United States mails."). Thus, the courts have consistently held that statutes setting time limits for the effectuation of appeals of agency decisions can only be interpreted to require delivery of the appeal documents before expiration of the statutory deadline. Further, the fact that 39 U.S.C. § 404(b)(5) states that a "determination ... may be appealed ... to the Postal Rate Commission within 30 days" rather than that a determination may be "filed" does not serve to distinguish it from the statutes interpreted in the cases cited above because all of these set a deadline for commencement of the appeal process. Moreover, Section 2101(c) of Title 28, United States Code, which provides that an "appeal ... shall be taken ... within ninety days," is similar to § 404(b)(5) in that both set

appeal deadlines without referring to the root "file," and § 2101(c) has been interpreted to require the timely filing of appeal documents. Union National Bank of Wichita, Kansas v. Lamb, 337 U.S. 38 (1949), cited in Schultz, supra at 956. Compare, Irwin at 94-95 (discussion of two statutes whose language distinctions are immaterial to strict construction of statutory deadlines) with Irwin at 99-100 (White, J., concurring) (statute expressly permits tolling of limitations period). Accordingly, § 404(b)(5) requires the delivery of some document to the Commission initiating the appeal process within the 30-day statutory deadline.

This Commission has earlier concluded that the 30-day statutory period contemplates that appeals be received within that period to be timely. Hence, we do not address the issue of what this Commission must find in order to change its rules on this subject based on policy grounds, were the statute to permit a different conclusion.¹¹ A rule of procedure "is without efficacy to extend the jurisdiction of a court." Dery v. Wyer, 265 F.2d 804, 808 (2nd Cir. 1959) (citing Hurn v. Oursler, 289 U.S. 238 (1933)); see also, Fehrman v. Blunt, 825 S.W.2d 658, 662 (Mo. App. 1992) (agency's rulemaking power does not permit it to increase statutory time limitations); Steele v. United States, 390 F. Supp. 1109, 1111 (S.D. Ca. 1975). Hence, only Congress, and not the Commission, may alter the requirement of section 404(b)(5) that appeals of determinations to close or consolidate post offices must be received by the Commission within the statutorily mandated 30 days.

¹¹See also, Lombardo, 241 U.S. at 78-79 (discussion of administrative problems that would arise if a "fil[ing]" requirement could be "satisfied by a deposit in the post office at some distant place").

Therefore, since the appeal of determination to close the Roanoke, West Virginia Post Office was not received by the Commission within the statutorily mandated 30-day time limit, and the Commission does not have the authority to extend this time period, the Commission lacks subject matter jurisdiction to rule on the merits of this matter.

Adequate Notice

Petitioner argues that there was no public notice by stating that "[t]here has been no public notice of a proposed post office closure nor of a discontinued ZIP Code: nothing in the local newspaper, nothing in the patron's boxes, no posting in the post office."¹² However, Exhibits 1 and 2 provide evidence to the contrary. The Proposal and Final Determination notices were both posted at the Walkersville/Crawford Post Office. This was the proper procedure under 39 C.F.R. § 241.3(d)(4)(v).

Intervenor Oliver R. Posey argues that the posting of the notices at the Walkersville/Crawford Post Office did not constitute proper notice, and therefore, denied intervenor his right to present his views on the proposed closure. Furthermore, intervenor Posey contends that since proper notice was not given of the Final Determination, the time limits for appealing the Final Determination did not begin to run.

The crux of intervenor Posey's argument turns on his interpretation of a few regulations: [1] 39 C.F.R. § 241.3(d)(1), which specify that the proposal to close the post office and an invitation for comments shall be posted in the **affected post offices**. (emphasis added); [2] 39 C.F.R. § 241.3(c)(4)(vii)(A), which state, "if a final

¹²See Participant Statement by Petitioner attached as an exhibit to Postal Service's Motion to Dismiss Proceedings, Docket No. A2000-1, *Roanoke, WV 26423* (May 16, 2000).

determination is made to close or consolidate this post office, after public comments on this proposal are received and taken into account, a notice of that final determination must be posted in this post office.”; and [3] 39 C.F.R. § 241.3(d)(3), which states that the Postal Service take any other steps **necessary** to inform the affected public of the nature of the proposed action. Intervenor Posey admits that because the Roanoke Post Office was suspended prior to closing, it was impossible to comply by posting at the former Roanoke Post Office.¹³ Therefore, the intervenor believes that the Postal Service has a mandatory duty to take any other steps required to ensure that the people affected by the closure understand the proposed action. The intervenor believes that the posting of the notices at the Walkersville/Crawford Post Office was inadequate. The Postal Service contends that the posting of the notices on the bulletin board located in the lobby of the Walkersville/Crawford Post Office did constitute proper notice. As stipulated by intervenor Posey, notices would not have been effective if posted at the Roanoke Post Office, which was suspended prior to the Proposal for closing. Therefore, other adequate means of notice were evaluated. In accordance with accordance with the requirements of 39 C.F.R. § 241.3(g) and Postal Operations Manual (POM) § 211.671(a), the Postal Service posted at the Walkersville/Crawford Post Office its Final Determination. See Exhibit 2: the round date stamps show that it was posted from March 4 through April 6, 1998, a total of 32 days. The Postal Service believes that the posting of the notices at the post office which was providing alternative service to the Roanoke Post Office was the appropriate method to provide proper

¹³Response of Intervenor Oliver R. Posey to Motion to Dismiss, Docket No. A2000-1, *Roanoke, West Virginia* 26423 (June 2, 2000).

notice to all interested parties. See the first sentence of both the Proposal and Final Determination. No facts have been introduced to dispute why this was not proper notice. Furthermore, no appeal was received until April 21, 2000, well past the deadline afforded by the law.

The statute and the Commission's Rules of Practice establish that an appeal under 39 U.S.C. § 404(b)(5) must be received within 30 days after the final determination to discontinue a post office is posted. 39 U.S.C. § 404(b)(5). In this case, the appeal was thus due not later than Saturday, April 4, 1998.^{14/} The Commission has routinely dismissed appeals not received by it within 30 days after posting of the Final Determination.^{15/}

^{14/}Petitioner also cannot rely on section 15 of the Commission's Rules of Practice, since the rule expressly creates an exception for computing periods of time "otherwise prescribed by law." Section 404(b)(5) creates such an exception. Nor is this an instance where a statutorily prescribed deadline falls on a weekend or holiday and may be tolled until the next business day. See PRC Order No. 1067.

^{15/}See PRC Order No. 472, Docket No. A83-8, *Sigurd, Utah* 84657 (December 17, 1982); PRC Order No. 487, Docket No. A83-14, *Sublime, Texas* 77986 (March 1, 1983); PRC Order No. 516, Docket Nos. A83-25 and A83-26, *Coalmont, Colorado* 80430 and *Mechanicsville, Connecticut* 06252 (July 20, 1983); PRC Order No. 551, Docket No. A84-7, *Cotter, Iowa* 52221 (February 27, 1984); PRC Order No. 572, Docket No. A84-10, *Elm Grove, Ohio* 45626 (August 21, 1984); PRC Order No. 576, Docket No. A84-13, *Dodgeville, Michigan* 49921 (September 14, 1984); PRC Order No. 579, Docket No. A84-14, *Milford, Missouri* 64766 (September 21, 1984); PRC Order No. 586, Docket No. A84-16, *Hanover, Wisconsin* 53542 (October 24, 1984); PRC Order No. 629, Docket No. A85-23, *Pacific House, California* 95725 (September 6, 1985); PRC Order No. 681, Docket No. A86-11, *Greene, Rhode Island* 02827 (March 17, 1986); PRC Order No. 798, Docket No. A88-6, *Laird, Colorado* 80739 (September 1, 1988); PRC Order No. 820, Docket No. A89-5, *Crawford, West Virginia* 26343 (March 30, 1989); PRC Order No. 901, Docket No. A91-6, *Pardeesville, Pennsylvania* 18234 (August 27, 1991); PRC Order No. 913, Docket No. A92-2, *Vernon, Oklahoma* 74877 (December 18, 1991); PRC Order No. 972, Docket No. A93-14, *Winchester, Texas* 78964 (April 21, 1993); PRC Order No. 978, Docket No. A93-16, *Lille, Maine* 04749 (June 4, 1993); PRC Order No. 1003, Docket No. A94-4, *Boone,*

Since no appeal was filed pursuant to 39 U.S.C. § 404(b)(5), the Postal Service published the official closing date of the Roanoke Post Office in the Postal Bulletin, effective the first Saturday 90 days after the Final Determination was posted.¹⁶ This was proper procedure under 39 C.F.R. § 241.3(g)(1)(iii)(2). Therefore, the closing of the Roanoke Post Office was proper and met all legal requirements.

CONCLUSION

WHEREFORE, the United States Postal Service respectfully requests that its Motion to Dismiss be affirmed and Intervenor Oliver R. Posey's Response to the Postal Service's Motion to Dismiss be denied.

Respectfully submitted,

UNITED STATES POSTAL SERVICE
By its attorney:

A handwritten signature in black ink, appearing to read 'Mark W. Ro', is written over a horizontal line.

Mark W. Ro

Nebraska 68625 (February 4, 1994); PRC Order No. 1102, Docket No. A96-4, *Manchester, Wisconsin* 53945 (February 15, 1996). See also, Comment of the United States Postal Service, PRC Docket No. RM95-3 (March 30, 1995); United States Postal Service Memorandum of Law Regarding Time of Appeal, Docket No. A83-8 (December 14, 1982).

¹⁶See *Postal Bulletin* 21984 (November 5, 1998) attached as an exhibit to the Motion to Dismiss Proceedings, Docket No. A2000-1, *Roanoke, WV* 26423 (May 16, 2000).

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DATE OF POSTING:



DATE OF REMOVAL:



REVISED PROPOSAL
TO CLOSE
THE SUSPENDED
ROANOKE, WV POST OFFICE
AND CONTINUE TO PROVIDE
RURAL ROUTE DELIVERY SERVICE

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EXHIBIT

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2 088**I. RESPONSIVENESS TO COMMUNITY POSTAL NEEDS**

The Postal Service is proposing to close the Roanoke, WV Post Office and continue to provide delivery and retail services by a rural route to roadside mailboxes administered by the Walkersville/Crawford, WV Post Office. The Roanoke Post Office, an EAS-13 level office, was temporarily suspended close-of-business on February 19, 1982, due to the depletion of the community and the area being purchased by the Corp of Engineers for the Stonewall Jackson Dam Site. Presently, customers of the Roanoke, WV Post Office are being provided service by a rural route emanating from the Walkersville/Crawford, WV Post Office.

Customers are currently receiving delivery and retail services via rural route delivery emanating from the Walkersville/Crawford, WV Post Office, an EAS-13 level office. Window service hours are from 7:30 a.m. to 4:00 p.m., Monday through Friday, and 8:30 to 11:30 a.m., on Saturday. There are post office boxes available for rent at the same fees, however rural delivery service is available free of charge.

Prior to the suspension of service, the Roanoke, WV Post Office provided over-the-counter postal services for eight hours per day. Fourteen families received mail through post office boxes. There was no general delivery service being offered and 209 families received rural route delivery service.

On February 19, 1982, at the time of suspension, a representative from the Clarksburg Management Sectional Center and the former postmaster at Roanoke visited each family for the purpose of conducting a preproposal survey to determine the postal needs of the community. Fourteen families commented favorably concerning the discontinuance of the Roanoke, WV Post Office, noting that rural delivery service would be just as good as the service offered at the post office under the circumstances.

On March 14, 1983, a letter and questionnaire and other related information was mailed to the 14 post office box customers for their comments. Five families returned their questionnaires and one was returned "Attempted Not Known". Three of the five customers commented favorably concerning discontinuance of the Roanoke Post Office, noting delivery service via rural route was just as good, or better than the service at the Roanoke Post Office. The two families that opposed the discontinuance of the post office noted they were not on the rural carrier route and used other post offices for their postal needs.

On October 21, 1983, a letter and questionnaire were delivered to the 209 rural route families to obtain their comments. Sixty-one of the families responded with forty-three families commenting favorably concerning the discontinuance, noting delivery service was just as good, or better than the service offered at the post office. Three customers returned their questionnaires with no comments.

The following postal concerns were expressed on the returned questionnaires and from the community:

Concern: Customers were concerned about obtaining services from the carrier. The fifteen families that opposed the discontinuance gave reasons of inconvenience.

Response: With rural delivery service the carrier offers full financial services at the convenience of their mailbox at home. Retail services provided at the post office are available from the carrier. Most transactions do not require meeting the carrier at the mailbox. Stamps by Mail and Money Order Application forms are available for customer convenience. Listed below are some services available from the carrier and how to obtain them.

MAILING PACKAGES

Carriers will accept packages at the mailbox without a customer being present, provided the postage is fully prepaid. Just estimate the amount of postage needed and leave the money in the mailbox. If insurance is desired, the value of the contents must be specified. carrier will take the package to the post

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office, and it will be weighed to determine the appropriate rate. The package will be mailed that same day. The carrier will leave the customer's change and insurance receipt, if appropriate, in the mailbox on the next delivery day.

PURCHASING STAMPS BY MAIL

The Stamps by Mail Program provides customers the opportunity to purchase stamps, envelopes, and postal cards by using Form 3227-R, *Purchase Order (Rural)*, available from the post office or the carrier. Commemorative stamps and stamp collecting products are also available. The customer addresses the postage paid order form envelope, encloses payment by personal check or postal money order made payable to US Postal Service, and mails the form (postage-free) or leaves it in the mailbox for the carrier to pick up. Most orders are processed overnight, and some immediately.

PURCHASING POSTAL MONEY ORDERS

Customers may purchase money orders by meeting the carrier at the mailbox, completing a Stamp application, and paying the carrier (in cash) the price of the money order, plus the fee. The carrier gives the customer a receipt for the application. The money order is completed when the carrier returns to the post office, and a money order receipt is left in the customer's mailbox on the next delivery day. Most customers provide the carrier with a stamped, self-addressed envelope in which the completed money order is mailed to its destination. If customers prefer, the completed money orders can be returned for verification on the next delivery day.

SPECIAL SERVICES

Special services such as certified, registered, Express Mail, and COD may be obtained from the carrier by leaving a note in the mailbox, along with the appropriate payment. The carrier will provide the services that day and leave a customer receipt in the mailbox on the next delivery day.

HOLDING MAIL

Customers who will be away for an extended time, such as a vacation, may request that their mail be held at the post office during their absence. Upon return the customer asks the post office to resume delivery.

Concern: Customers expressed concern about misdelivered mail.

Response: The concern about misdelivery has been brought to the attention of the administrative postmaster. The Postal Service regrets any inconvenience that customers have experienced because of misdelivery. We consider misdelivered mail a very serious problem and appreciate when customers report this to us since it provides an opportunity to take corrective action.

Concern: Customers were concerned about later delivery of mail.

Response: The top priority of the Postal Service is to provide mail service in the most efficient manner possible because all of our costs are reflected in postage rates customers must pay. Delivery costs are one of our biggest expenses, so you can be assured that careful thought is given to the structure of each route.

A customer's location on a carrier's line of travel determines the time of day mail is delivered. This, of course, precludes providing early delivery of mail to every customer because, no matter how we structure a route, somebody must be last. We do, however, carefully consider the volume of mail for each route so that we can deliver the greatest amount of mail at the earliest possible hour. With the largest fleet of delivery vehicles in the world, to minimize vehicle and fuel expenses we must also pay

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special attention to energy conservation measures. When the price of gasoline goes up one cent per gallon our total gasoline cost rises more than \$1 million. Therefore, when structuring a route, we must balance our goal to deliver as much mail as possible as early as possible with the need to minimize the travel distance a route must cover. We do regret the inconvenience to customers who would like, but cannot receive, early mail delivery. For those customers, we offer alternative delivery services for a fee, such as post office box service or window caller service which provides access to their mail earlier and throughout the day, however, rural delivery service is provided free of charge.

Some advantages of the proposal are:

1. Carrier delivery service is beneficial to some senior citizens, the handicapped, and working people since customers will no longer need to travel to the post office to pick up their mail.
2. The carrier provides retail services, alleviating the need to go to the post office. Stamps by Mail order forms are provided for customer convenience.
3. Customers opting for carrier service will have 24-hour access to their mail.
4. A savings for the Postal Service, which may contribute in the long run to stable postage rates and savings for customers.
5. Customers opting for carrier service will no longer have to pay post office box fees.
6. Saves time and energy for customers who drive to the post office to pick up mail.

Some disadvantages to the proposal are:

1. The loss of a retail outlet and a postmaster position in the community.
2. Meeting the carrier at the mailbox to transact business. However, it is not necessary to be present to conduct most postal transactions.
3. A change in mailing address. The community name "Roanoke" will continue to be used in the new address. However, a carrier route address will be assigned, and the ZIP Code will change to 26447. The proposed change of the ZIP Code is necessary for the expedited delivery of the mail. Automated mail sorting equipment reads the ZIP Codes and sorts the mail to the office of destination.

A proposal to close the Roanoke, WV Post Office was posted with an invitation for public comment at the Crawford, WV Post Office from March 6, 1984 through May 5, 1984. There were no comments received. A Final Determination to close the Roanoke Post Office was posted at the Crawford Post Office from December 4, 1984 to January 3, 1985. The proposal was appealed and remanded back for further consideration. Attempts were made to construct a new facility; however, all sites were outside the Roanoke community and would not provide a central location of postal operations. Due to the community being razed by the Corp of Engineers for the Stonewall Jackson Dam Site and flooding throughout the community, the Postal Service believes that this revised proposal is warranted and the continuation of rural route delivery will provide Roanoke customers with regular and effective service.

Taking all available information into consideration, the Postal Service concludes this proposal will provide a maximum degree of effective and regular postal service to the community.

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3 AB**II. EFFECT ON COMMUNITY**

Roanoke is an unincorporated rural community located in Lewis County, Congressional District Two approximately 11 miles from Walkersville, WV, the nearest large community. The Roanoke, WV community was razed by the Corp of Engineers for the Stonewall Jackson Dam Site. There were no businesses or schools located in the community before the community was razed. Residents of the area normally shop in Crawford, Weston and other nearby communities for their clothing and grocery needs. The community is comprised of retired people, farmers, and those who commute to work at nearby communities and work in local businesses. The community is administered politically by Weston, WV. Police protection is provided by Weston, WV, and fire protection is provided by Walkersville. Residents travel to nearby communities for supplies and services.

There is one religious institution, United Methodist Church, and one school, Roanoke Elementary, in the community. Businesses include: Stonewall Jackson Lake and Lakeside Grocery. Residents travel to nearby communities for other supplies and services.

Nonpostal services provided at the Roanoke Post Office will be available at the Walkersville/Crawford, WV Post Office. Government forms normally provided by the post office will also be available at the Walkersville/Crawford, WV Post Office or by contacting your local government agency.

Discussion with the former postmaster revealed that with the depletion of the community, the services being provided would be just as good, or better, under the circumstances. All customers were advised they may continue to use Roanoke, WV as their address in order to retain community identity. They will be required to change their ZIP Code to 26447, that of Walkersville, WV.

The following nonpostal concerns were expressed on the returned questionnaires:

Concern: Customers were concerned about obtaining government forms.

Response: Government forms, such as income tax forms, normally provided by the Roanoke Post Office, will also be available at the Walkersville/Crawford Post Office, the rural carrier, or by contacting your local government agency.

Based on the fact the community has been razed and that continuation of rural delivery will meet the needs of the residents and any future growth, the Postal Service believes that discontinuance of the Roanoke, WV Post Office will not adversely affect the Roanoke community.

To help preserve community identity, the community's name will be retained in the mailing address. It will continue to be listed in the National Five-Digit ZIP Code and Post Office Directory. However, to ensure effective and regular service, the ZIP Code will change to 26447.

Based on the information obtained in the course of this discontinuance study, the Postal Service concludes this proposal will not adversely affect the community. Carrier service has been in effect to 209 Roanoke customers prior to the suspension, and 14 post office box customers were added to the rural route and receiving carrier service since the suspension of the Roanoke Post Office on February 19, 1982.

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6 8 8**III. EFFECT ON EMPLOYEES**

The authorized positions at Roanoke, WV were that of Postmaster, one career clerk and one rural carrier.

The former postmaster was voluntarily reassigned to the position of Supervisor, Mails and Delivery at the Buckhannon, WV Post Office effective August 7, 1982, and has since retired. The career clerk and rural carrier were transferred to the Walkersville/Crawford, WV Post Office. No other employee will be adversely affected.

IV. ECONOMIC SAVINGS

The Postal Service estimates an annual savings of \$ 45,103.01 with a breakdown as follows:

Postmaster's Salary (EAS-13, Minimum, No COLA)	\$33,806.00
Fringe Benefits @ 33.5%	11,325.01
Rental Costs, Excluding Utilities	<u>+460.00</u>
Total Annual Costs	\$45,591.01
Less Annual Cost of Replacement Service	<u>-488.00</u>
Total Annual Savings	\$45,103.01

V. OTHER FACTORS

The Postal Service must consider the demolition of the community with the Stonewall Jackson Dam site area in connection with this revised proposal. Additionally, the fact remains that 209 customers received rural route delivery prior to the suspension of the post office in Roanoke, and no change in service occurred. Only the 14 post office box customers received a change in service and were added to the rural route. The Postal Service has identified no other factors for consideration.

VI. SUMMARY

The Postal Service is proposing to close the Roanoke, WV Post Office and provide delivery and retail services by a rural route administered by the Walkersville/Crawford, WV Post Office. The Roanoke Post Office was temporarily suspended at close-of-business on February 19, 1982, due to the depletion of the community and the area being purchased by the Corp of Engineers for the Stonewall Jackson Dam Site. Presently, customers of the Roanoke, WV Post Office are being provided service by a rural route emanating from the Walkersville/Crawford, WV Post Office. Additionally, 209 residents of the Roanoke community received rural delivery service prior to the post office suspension. Only the 14 post office box customers received a change in delivery service to rural route delivery.

Taking all available information into consideration, the Postal Service believes that the deciding factors are the demolition of the community; that effective and regular postal service is being provided via rural route emanating from the Walkersville/Crawford, WV Post Office; that the majority of affected customers favor permanent discontinuance of the Roanoke, WV Post Office; there are no indications of adverse social or economic bearing on the community, and a savings will be realized. The rural carrier or postmaster at Walkersville/Crawford can assist on government forms, money order preparation or other needs.

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Community identity will be preserved. Only the ZIP Code is being changed to that of Walkersville/Crawford, WV. Customers appear to be satisfied with the delivery and retail services being provided by the rural route carrier. Carrier service will continue to provide effective and regular service to the community. There will no longer be a retail outlet in the community. However, delivery and retail services are available from the carrier, alleviating the need to travel to a post office for service. Customers opting for carrier delivery will have 24-hour access to their mail. The Postal Service will save an estimated \$45,103.00 annually. A disadvantage to some may be in meeting the carrier to transact business. However, it is not necessary to be present to conduct most postal transactions.

Taking all available information into consideration, the Postal Service has determined that the advantages outweigh the disadvantages and this revised proposal is warranted.

VII. NOTICES

- A. **Support Materials.** Copies of all materials upon which this revised proposal is based are available for public inspection at the Walkersville/Crawford Post Office during normal office hours.
- B. This is a proposal. It is not a final determination to close this post office. If a final determination is made to close this post office, after public comments on this proposal are received and taken into account, a notice of that final determination will be posted in this office.

The final determination will contain instructions on how affected customers may appeal that decision to the Postal Rate Commission. Any such appeal must be received by the Commission within 30 days of the posting of the final determination.



Dennis R. Moles
Manager, Post Office Operations

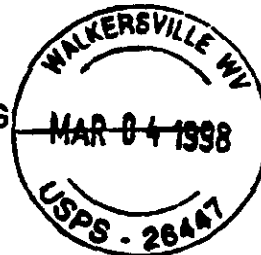
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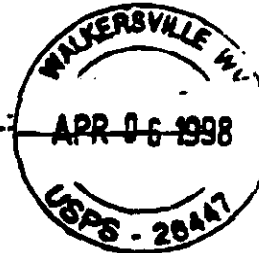
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DATE OF POSTING



DATE OF REMOVAL



FINAL DETERMINATION TO CLOSE
THE SUSPENDED
ROANOKE, WV POST OFFICE
AND CONTINUE TO PROVIDE
RURAL ROUTE SERVICE

DOCKET NUMBER 26423

EXHIBIT

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I. RESPONSIVENESS TO COMMUNITY POSTAL NEEDS

The Postal Service has determined to close the suspended Roanoke, WV Post Office and provide delivery and retail services by a rural route administered by the Walkersville/Crawford, WV Post Office, located 11 miles away. Service will be provided to roadside mailboxes installed by customers on the carrier's line of travel.

The postmaster was voluntarily reassigned on August 7, 1982. The Postal Service was asked by the lessor to vacate the facility. No suitable alternate quarters were available; therefore, service was suspended on February 19, 1982. The area was purchased by the Corp. of Engineers for construction of the Stonewall Jackson Dam Site and the community was razed.

The Roanoke Post Office, an EAS-13 level, provided service 43 hours a week from 8 a.m. to 12 noon and 12:30 to 4:30 p.m., Monday through Friday, and 3 hours on Saturday to 14 post office box and 209 rural customers. Retail services included the sale of stamps, stamped paper, and money orders; special services such as registered, certified, insured, COD, and Express Mail; and the acceptance and dispatch of all classes of mail. Daily retail window transactions were not available. Office receipts for the last three years were: \$8,215.70 (52 revenue units) in 1979; \$8,393.64 (53 revenue units) in 1980; and \$10,291.70 (60 revenue units) in 1981. There were no permit mailers or postage meter customers.

Since the suspension of service, customers have received delivery and retail services from rural route delivery emanating from the Walkersville/Crawford Post Office, an EAS-13 level office, located 11 miles away. Window service hours at Walkersville/Crawford are from 7:30 a.m. to 4 p.m., Monday through Friday, and 8:30 to 11:30 a.m. on Saturday.

On February 19, 1982, representatives from the Postal Service visited each family to see how they could best meet the customers postal needs.

On March 14, 1983, 14 questionnaires were distributed to the 14 post office box customers of the Roanoke Post Office. Five questionnaires were returned. Three responses were favorable and two unfavorable regarding the proposed alternate service.

On October 21, 1983, 209 questionnaires were distributed to the rural route customers of the Roanoke Post Office. Sixty-one questionnaires were returned. Forty-six responses were favorable and 15 unfavorable regarding the proposed alternate service.

Congressional inquiries and a petition were received.

The following postal concerns were expressed on the returned questionnaires, at the community meeting, from customer letters, on the petition, and from the congressional inquiries:

1. **Concern:** Customers expressed concern about misdelivered mail.

Response: The concern about misdelivery has been brought to the attention of the administrative postmaster. The Postal Service regrets any inconvenience that customers have experienced because of misdelivery. We consider misdelivered mail a very serious problem and appreciate when customers report this to us since it provides an opportunity to take corrective action.

Ex2.p2.

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2. **Concern:** Customers were concerned about later delivery of mail.

Response: The top priority of the Postal Service is to provide mail service in the most efficient manner possible because all of our costs are reflected in postage rates customers must pay. Delivery costs are one of our biggest expenses, so you can be assured that careful thought is given to the structure of each route.

A customer's location on a carrier's line of travel determines the time of day mail is delivered. This, of course, precludes providing early delivery of mail to every customer because, no matter how we structure a route, somebody must be last. We do, however, carefully consider the volume of mail for each route so that we can deliver the greatest amount of mail at the earliest possible hour. With the largest fleet of delivery vehicles in the world, to minimize vehicle and fuel expenses we must also pay special attention to energy conservation measures. When the price of gasoline goes up one cent per gallon our total gasoline cost rises more than \$1 million. Therefore, when structuring a route, we must balance our goal to deliver as much mail as possible as early as possible with the need to minimize the travel distance a route must cover.

We do regret the inconvenience to customers who would like, but cannot receive, early mail delivery. For those customers we offer alternative delivery services, such as post office box service or window caller service, that provide access to their mail earlier and throughout the day.

3. **Concern:** Customers were concerned about a change of ZIP Code.

Response: The proposed change of the ZIP Code is necessary for the expeditious delivery of the mail. Automated mail sorting equipment reads the ZIP Codes and sorts the mail to the office of destination. The ZIP Code change will result in faster delivery to post office customers.

4. **Concern:** Customers were concerned about senior citizens.

Response: Carrier service is beneficial to many senior citizens and those who face special challenges because the carrier can provide delivery and retail services to roadside mailboxes. Customers do not have to make a special trip to the post office for service. Special provisions are made for hardship cases or special customer needs. To request an exception for hardship delivery, customers may contact the Walkersville/Crawford Postmaster for more information.

5. **Concern:** Customers wanted a post office established.

Response: A post office is not created when effective and regular service can be provided by established forms of service, such as rural route delivery. The Roanoke workload and mail volume do not warrant a post office at the present time. Growth and workload will be monitored to determine the future service needs of the area and changes will be made based on those needs.

6. **Concern:** Customers felt the community should have a post office and wanted a new facility provided.

Ex2.p3.

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Response: No suitable quarters are available in the community to house an independent post office. A new lease would require a building which meets federal guidelines. A postal facility is not constructed when effective and regular service can be provided by a more cost-effective alternate service.

7. **Concern:** Customers were concerned about having to travel to another post office for service.

Response: Services provided at the post office will be available from the carrier, and customers will not have to travel to another post office for service. Most transactions do not require meeting the carrier at the mailbox. Stamps by Mail and Money Order Application forms are available for customer convenience.

8. **Concern:** Customers said they would miss the special attention and assistance provided by the personnel at the Roanoke Post Office.

Response: Courteous and helpful service will be provided by personnel at the Walkersville/Crawford Post Office and from the carrier. Special assistance will be provided as needed.

9. **Concern:** Customers were concerned about obtaining services from the carrier.

Response: Retail services provided at the post office are available from the carrier. Most transactions do not require meeting the carrier at the mailbox. Stamps by Mail and Money Order Application forms are available for customer convenience. Listed below are some services available from the carrier and how to obtain them.

MAILING PACKAGES

Carriers will accept packages at the mailbox without a customer being present, provided the package is under 16 ounces and the postage is fully prepaid. Just estimate the amount of postage needed and leave the money in the mailbox. If insurance is desired, the value of the contents must be specified. The carrier will take the package to the post office, and it will be weighed to determine the appropriate rate. The package will be mailed that same day. The carrier will leave the customer's change and insurance receipt, if appropriate, in the mailbox on the next delivery day.

PURCHASING STAMPS BY MAIL

The Stamps by Mail Program provides customers the opportunity to purchase stamps, envelopes, and postal cards by using Form 3227-R, *Stamp Purchase Order (Rural)*, available from the post office or the carrier. Commemorative stamps and stamp collecting products are also available. The customer addresses the postage paid order form envelope, encloses payment by personal check or postal money order made payable to the US Postal Service, and mails the form (postage-free) or leaves it in the mailbox for the carrier to pick up. Most orders are processed overnight, and some immediately.

PURCHASING POSTAL MONEY ORDERS

Customers may purchase money orders by meeting the carrier at the mailbox, completing an application, and paying the carrier (in cash) the price of the money

Ex 2. p 4.

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order, plus the fee. The carrier gives the customer a receipt for the application. The money order is completed when the carrier returns to the post office, and a money order receipt is left in the customer's mailbox on the next delivery day. Most customers provide the carrier with a stamped, self-addressed envelope in which the completed money order is mailed to its destination. If customers prefer, the completed money orders can be returned for verification on the next delivery day.

SPECIAL SERVICES

Special services such as certified, registered, Express Mail, and COD may be obtained from the carrier by leaving a note in the mailbox, along with the appropriate payment. The carrier will provide the services that day and leave a customer receipt in the mailbox on the next delivery day.

HOLDING MAIL

Customers who will be away for an extended time, such as a vacation, may request that their mail be held at the post office during their absence. Upon return the customer asks the post office to resume delivery.

Some advantages to the final determination are:

1. Carrier delivery service is beneficial to some senior citizens, the handicapped, and working people since customers will no longer need to travel to the post office to pick up their mail.
2. The carrier provides retail services, alleviating the need to go to the post office. Stamps by Mail order forms are provided for customer convenience.
3. Customers opting for carrier service will have 24-hour access to their mail.
4. A savings for the Postal Service, which as with all cost savings contributes to savings for customers in terms of stable postage rates.
5. Customers opting for carrier service will no longer have to pay post office box fees.
6. Saves time and energy for customers who drive to the post office to pick up mail.

Some disadvantages to the final determination are:

1. The loss of a retail outlet in the community and a postmaster position in the community.
2. Meeting the carrier at the mailbox to transact business. However, it is not necessary to be present to conduct most postal transactions.
3. A change in mailing address. The community name will continue to be used in the new address. However, a carrier route address will be assigned, and the ZIP Code will change to 26447.

The proposal to close the Roanoke Post Office was posted with an invitation for public comment at the Crawford Post Office from March 6, 1984 through May 5, 1984. No

Ex2.p5.

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comments were received. The Final Determination to close the Roanoke Post Office was posted at the Crawford Post Office from December 4, 1984 through January 3, 1985. The Final Determination was appealed to the Postal Rate Commission on December 24, 1985 and the record was remanded by the Postal Rate Commission on April 10, 1985. A revised proposal to close the Roanoke Post Office was posted at the Walkersville/Crawford Post Office from July 7, 1997 through September 19, 1997. No comments were received.

Taking all available information into consideration, the Postal Service concludes this final determination will provide a maximum degree of effective and regular postal services to the community.

II. EFFECT ON COMMUNITY

Roanoke is an unincorporated rural community located in Lewis County. The community is administered politically by the county. Police protection is provided by the Lewis County Sheriff's Department. Fire protection is provided by the Walkersville/Crawford Volunteer Fire Department. The community is comprised of retired people, farmers, and those who commute to work at nearby communities and work in local businesses.

Prior to the community being razed by the Corp. of Engineers in order to build the Stonewall Jackson Dam Site, there were no schools or businesses located in the community.

The United Methodist Church and the Roanoke Elementary School are located in the area. Businesses include: the Stonewall Jackson Lake and Lakeside Grocery. Residents travel to nearby communities for other supplies and services.

Nonpostal services provided at the Roanoke Post Office will be available at the Walkersville/Crawford Post Office. Government forms normally provided by the post office will also be available at the Walkersville/Crawford Post Office or by contacting your local government agency.

1. **Concern:** Customers expressed concern for loss of community identity.

Response: A community's identity derives from the interest and vitality of its residents and their use of its name. The Postal Service is helping to preserve community identity by continuing the use of the Roanoke name in addresses and in the National Five-Digit ZIP Code and Post Office Directory. However, to ensure effective and regular service, the ZIP Code will change to 26447.

2. **Concern:** Customers were concerned about the loss of a gathering place and an information center.

Response: Residents may continue to meet informally, socialize, and share information at the other businesses, church, school, and residences in the area.

3. **Concern:** Customers expressed concern over obtaining government forms.

Response: Government forms will be available at the Walkersville/Crawford Post Office or by contacting your local government agency.

Ex2.pb.

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Based on information the Postal Service obtained, it was determined that there has been minimal growth in the area in recent years. Carrier service is expected to be able to handle any future growth in the community.

Based on information obtained in the course of this discontinuance study, the Postal Service concludes this final determination will not adversely affect the community. Carrier service has been in effect since the suspension of the Roanoke Post Office on February 19, 1982.

III. EFFECT ON EMPLOYEES

The postmaster was voluntarily reassigned to a supervisor position on August 7, 1982. The career clerk and the rural carrier were transferred to the Walkersville/Crawford Post Office. No other employee will be adversely affected.

IV. ECONOMIC SAVINGS

The Postal Service estimates an annual savings of \$43,668.00 with a breakdown as follows:

Postmaster's Salary (EAS-13, Minimum)	\$33,115.00
Fringe Benefits @33.5%	11,093.00
Rental Costs, Excluding Utilities	+ 460.00
Total Annual Costs	\$44,668.00
Less Cost of Replacement Service	- 1,000.00
Total Annual Savings	\$43,668.00

V. OTHER FACTORS

The Postal Service has identified no other factors for consideration.

VI. SUMMARY

The Postal Service has determined to close the suspended Roanoke Post Office and provide delivery and retail services by a rural route administered by the Walkersville/Crawford Post Office, located 11 miles away.

The postmaster was voluntarily reassigned on August 7, 1982. Operations were suspended on February 19, 1982, due to termination of the lease by the Corp. of Engineers in order to raze the community and build the Stonewall Jackson Dam Site. There were no suitable alternate quarters available. The career clerk and the rural carrier were transferred to the Walkersville/Crawford Post Office. No other employee was adversely affected.

The Roanoke Post Office provided 43 hours of window service per week to 223 customers. There were no permit mailers or postage meter customers.

Carrier service will continue to provide effective and regular service to the community. There will no longer be a retail outlet in the community. However, delivery and retail services will be available from the carrier, alleviating the need to travel to a post office for service. Customers opting for carrier delivery will have 24-hour access to their mail. To help preserve community identity, the community name will be retained in the mailing address. However, the ZIP Code will change to 26447. The Postal Service will save an estimated

Ex2 p7.

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\$43,668.00 annually. A disadvantage to some may be in meeting the carrier to transact business. However, it is not necessary to be present to conduct most postal transactions.

Taking all available information into consideration, the Postal Service has determined that the advantages outweigh the disadvantages and this final determination is warranted.

VII. NOTICES

- A. **Support Materials.** Copies of all materials upon which this final determination is based are available for public inspection at the Walkersville/Crawford Post Office during normal office hours.
- B. **Appeal Rights.** This final determination to close the suspended Roanoke Post Office may be appealed by any person served by that office to the Postal Rate Commission at 1333 H Street NW, Suite 300, Washington DC 20268-0001. Appeals must be received by the Commission within 30 days of the date this final determination is posted. If an appeal is filed, copies of appeal documents prepared by the Postal Rate Commission or the parties to the appeal will be made available for public inspection at the Walkersville/Crawford Post Office during normal office hours.



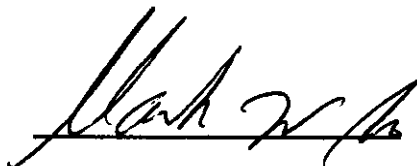
Frederick J. Hintenach
Manager, Retail Operations Support

2/19/98
Date

Ex2.p8.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon all participants of record in this proceeding in accordance with section 12 of the Rules of Practice.

A handwritten signature in black ink, appearing to read 'Mark W. Ro', written over a horizontal line.

Mark W. Ro

Attorney, International and Rate Making
United States Postal Service
475 L'Enfant Plaza West, SW, Rm 6524
Washington, DC 20260-1137
June 16, 2000