

Categories of issues raised. The categories of issues that appear to be raised include:

1. Effect on the community (39 U.S.C. 404(d)(2)(A)(i)); and
2. Effect on employees (39 U.S.C. 404(d)(2)(A)(ii)).

After the Postal Service files the administrative record and the Commission reviews it, the Commission may find that there are more legal issues than those set forth above or that the Postal Service's determination disposes of one or more of those issues. The deadline for the Postal Service to file the administrative record with the Commission is July 15, 2009. 39 CFR 3001.113.

Availability; website posting. The Commission has posted the appeal and supporting material on its website at www.prc.gov. Additional filings in this case and participants' submissions also will be posted on the website, if provided in electronic format or amenable to conversion, and not subject to a valid protective order. Information on how to use the Commission's website is available online or by contacting the Commission's webmaster via telephone at 202-789-6873 or electronic mail at PRC-WEBMASTER@prc.gov.

The appeal and all related documents are also available for public inspection in the Commission's docket section. Docket section hours are 8:00 a.m. to 4:30 p.m., Monday through Friday, except on Federal government holidays. Docket section personnel may be contacted via electronic mail at prc-docket@prc.gov or via telephone at 202-789-6846.

Filing of documents. All filing of documents in this case shall be made using the Internet (Filing Online) pursuant to Commission rules 9(a) and 10(a) at the Commission's website, www.prc.gov, unless a waiver is obtained. 39 CFR 3001.9(a) and 10(a). Instructions for obtaining an account to file documents online may be found on the Commission's website, www.prc.gov, or by contacting the Commission's docket section at prc-docket@prc.gov or via telephone at 202-789-6846. The Commission waives the Filing Online requirement for the petitioner.

Intervention. Those, other than the petitioner and respondent, wishing to be heard in this matter are directed to file a notice of intervention on or before July 31, 2009 in accordance with 39 CFR 3001.111(b). The notice of intervention shall be filed using the Internet (Filing Online) at the Commission's website, *www.prc.gov*, or by waiver obtained for hardcopy filing. See 39 CFR 3001.9(a) and 10(a).

Public Representative. Richard A. Oliver is designated as the Public Representative to represent the interests of the general public.

Further procedures. By statute the Commission is required to issue its decision within 120 days from the date this appeal was filed. See 39 U.S.C. 404(d)(5). A procedural schedule has been developed to accommodate this statutory deadline.² In the interest of expedition and in light of the 120-day decision schedule, the Commission may request the Postal Service or other participants to provide more information or to submit memoranda of law on any appropriate issue. As required by the Commission rules, if any motions are filed, responses are due 7 days after any such motion is filed. See 39 CFR 3001.21.

It is Ordered:

1. The Postal Service shall file the administrative record in this appeal or otherwise file a responsive pleading to the appeal by July 15, 2009.
2. The procedural schedule attached to this Order is hereby adopted.
3. The petitioner is granted a waiver from Online Filing.

² Given the difference between the Commission's actual and constructive receipt of the appeal, the procedural schedule is developed based on the date the appeal was actually received, except for the due date of the Commission's decision. This will afford participants sufficient time to develop the record without compromising the Commission's ability to issue a timely decision. Intervenor statements or briefs, including from the Public Representative, are due within the time allowed for such statements or initial, reply, or answering briefs as appropriate.

4. Pursuant to 39 U.S.C. 505, Richard A. Oliver is designated officer of the Commission (Public Representative) to represent the interests of the general public.
5. The Secretary shall arrange for publication of this Notice and Order and Procedural Schedule in the *Federal Register*.

By the Commission.

Judith M. Grady
Acting Secretary

PROCEDURAL SCHEDULE
HACKER VALLEY POST OFFICE APPEAL
DOCKET NO. A2009-1

June 20, 2009	Filing of appeal
July 15, 2009	Deadline for Postal Service to file administrative record in this appeal or responsive pleading
July 31, 2009	Deadline for filing petitions to intervene (see 39 CFR 3001.111(b))
August 4, 2009	Deadline for supplemental information or facts and/or initial briefs in support of petition (see 39 CFR 3001.115(a, (b), and (e))
August 24, 2009	Deadline for answering brief in support of Postal Service (see 39 CFR 3001.115(c))
September 8, 2009	Deadline for reply briefs in response to answering briefs (see 39 CFR 3001.115(d))
September 15, 2009	Deadline for motions requesting oral argument; the Commission will schedule oral argument only when it is a necessary addition to the written filings (see 39 CFR 3001.116)
October 18, 2009	Expiration of the Commission's 120-day decisional schedule (see 39 U.S.C. 404(d)(5))