

William A. Wittenberg
2714 Edison Avenue
Wesleyville, Pennsylvania 16510-1724

Postal Regulatory Commission
Submitted 3/28/2011 4:25:01 PM
Filing ID: 72366
Accepted 3/28/2011

Chair, Planning Commission
Borough of Wesleyville (Pennsylvania)

Honorable Ruth Y. Goldway, Chair
U.S. Postal Regulatory Commission
901 New York Avenue, NW - Suite #200
Washington D.C. 20268-001

March 25th 2011

Commissioner Goldway:

Hereby, respectfully, request the U. S. Postal Regulatory Commission favorably consider my appeal of the April 22nd 2011, closing of the U. S. Post Office facility in Wesleyville, Pennsylvania 16510 (e.g., located at 3112 Buffalo Road). Further request the closing of this facility by the U. S. Postal Service (USPS) be temporarily-suspended until a full review be completed and provision of the full justification for this closing be made public and available to me and all customers of this USPS facility. The justification should include all the data supporting the U. S. Postal Service's mid-2009 review that generated this justification.

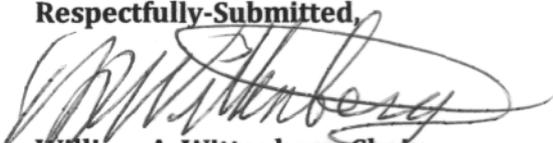
This appeal is based-on-but-not-limited-to all of the following:

- This USPS facility receives the majority of its business use from a local, broad expanse of customers {e.g., from east Erie County which includes the eastern portion of the City of Erie, Lawrence Park Township [which has no post office], southwestern Millcreek Township, Wesleyville Borough and western Harborcreek Township} businesses and private citizen customers; these customers' access is greatly-limited to primarily bus mass transit or pedestrian access and nearly a quarter of this facility's citizen customers are Senior Citizens, 55 years of age and/or older (Source: 2000 U.S. Census data-Most recent data available)
- Closure of this facility results in local customers having to travel an addition 1.9 to 4.4 miles to the USPS-suggested, alternate facilities, located at 2138 East 38th Street, Erie, PA 16515-9998 and 7175 Buffalo Road, Harborcreek, PA 16421-9800, respectively, which, in some instances, is impossible for citizens without access to bus or private transportation
- The USPS is either directly or indirectly not compiling, if not in violation of, U. S. Code, Title 39, Section 101 (b) by not providing "...effective postal service to both urban and rural communities..." to the fullest extent possible to all communities' citizens and, likewise, to U. S. Code, Title 39, Section 241.3(a)(2)(ii) & (iii) by not providing written findings to persons served by the post office at least 60 days before the discontinuance takes effect.
- Also, U. S. Code, Title 39, Section 241.3(a)(5)(c)(4)(i) & (ii) requires a written response to community postal needs and the effect on the community when a change occurs. On December 15th 2009, as follow-ups to initial December 15th 2009, letters to the then-U.S. Postmaster John E. Potter and Erie (Pennsylvania) Postmistress Maria Posway, providing evidence for keeping this facility open), letters were again sent to both aforementioned parties. These follow-up, December 15th, letters included citizen petitions, containing 550-plus signatures of East Erie County business owners and residents, collected in fifteen days, supporting the keeping this facility open, as it is vital to the businesses, citizens and local community. To date, although three, consolatory letters were received from various, USPS staff, none of these responses either directly or indirectly addressed the concerns expressed in the original or follow-up letters nor the citizen petitions, enclosed with the follow-up letter.

- By the '*spirit and intent*' of U. S. Code, Title 39 {e.g., Section 241.3(a)(2)(i)}, the USPS has also, either directly or indirectly failed to ensure this facility's customers "...be given 60 days notice of proposed action..." {e.g., actual closure notice was posted some unknown time on Friday, March 18th 2011, on the inner and outer doors of the Wesleyville Post Office, located at 3112 Buffalo Road; Wesleyville, Pennsylvania). Additionally, this facility was, *only* on a "...list of USPS facilities being 'considered' for closure and/or consolidation..." (e.g., '*last*' USPS News Release, #09-007, Jan 29th 2010, "Postal Service Updates Consolidation Initiative - No final decision have been made". This USPS Press Release (e.g., USPS PR #09-007, can be found at: http://www.usps.com/communications/newsroom/2010/pr10_007.htm), stated in part, "...162 offices remain under review for possible consolidation under the station and branch consolidation initiative. That is six fewer from the last update in December (2009). No final decisions have been made regarding specific office consolidations...". NO other USPS Press Release, either discussing or referencing USPS facility closure/consolidation, were issued after January 29th 2010,. Also, the March 2nd 2010, USPS Press Release #10-018, {e.g., "Postal Service outlines 10-Year Plan to Address Declining Revenue, Volume" {e.g., which can be found at: http://www.usps.com/communications/newsroom/2010/pr10_018.htm} made NO mention or reference of either "*closure*" or "*consolidation*" of USPS facilities.
- Pennsylvania U.S. Senator Robert P. Casey, Jr., issued a December 11th 2009, Press Release, supporting the retention of the Wesleyville facility. Senator Casey, in a letter to the then-U.S. Postmaster John E. Potter, stating in part that that while the USPS' efforts were appreciated "...to make the necessary changes in a way that protects not only the needs of the USPS..." but emphasized the additional need to "...also (protect) its customers...". Also, Senator Casey pointed-out that "...there have yet to be any public meetings at which the residents could express their views or have their questions answered. I believe the USPS should consider community input before making its final decision...". Neither has the latter been done nor the data the USPS gathered in mid-2009, the basis for the original list of USPS facilities being "...considered for either closure or consolidation..." been made public.
- Lastly, overall, *due process* was NOT afforded to the Wesleyville Postal Facility (e.g., 3112 Buffalo Road) customers. Despite economic necessary playing havoc on all private and public sector organizations, the "fairness" of ensuring *due process* remains an integral element of not-only the America way-of-life but-also an institution with the history and service tradition inherited from the United States Post Office by the United Stated Postal Service.

If this appeal is accepted for consideration by the U.S. Postal Regulatory Commission, all additional, supporting documentation will be provided to the Commission by the to-be-stipulated deadline(s). Thanks in advance for your assistance, consideration and time in this matter.

Respectfully-Submitted,



William A. Wittenberg, Chair
 Planning Commission
 Borough of Wesleyville (Pennsylvania)
 2714 Edison Avenue
 Wesleyville, PA 16510-1724
 Telnr: 814 897 1328 (H) or 814 882 1876 (C)
 Email: ofabill@yahoo.com