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

April 10th 2011

Attention: PRC Secretary Grove

RE: PRC Docket No. A2011-12 & My March 25th 2011, letter (same subject)

Commissioner Goldway:

Hereby, formerly and respectfully, submit a Notice of Intervention request to the U. S. Postal Regulatory Commission (PRC) to favorably consider that the U.S. Postal Service's (USPS) intended, April 22nd 2011, closing of the U. S. Post Office facility in Wesleyville, Pennsylvania 16510 (e.g., located at 3112 Buffalo Road) in violation of USC Title 39 (e.g., as listed, below). Further to, at least, temporarily-suspend such closing until such time as either the USPS complies with all provisions of U.S. Code, Title 39, regarding the appropriate closure and/or consolidation of postal facilities. This request for PRC, as intervention is submitted in accordance with USC Title 39, Section 3001.20 & all applicable Subparts noted.

The justification for this intervention is based-on-but-not-limited-to all of the following:

- I, William A. Wittenberg, reside at 2714 Edison Avenue in Wesleyville, Pennsylvania (ZIP Code 16510-1724), since August 2000 and will continue to reside here
- USC Title 39, Part I, Chapter 4 Section 404. (d)(1): In accordance with (IAW) the referenced section, the USPS failed to provide customers of the Wesleyville Post Office, prior to making a determination under subsection (a)(3) of this section as to the necessity for the closing or consolidation of any post office, adequate notice of its intention to close or consolidate such post office at least 60 days prior to the proposed date of such closing or consolidation to persons served by such post office to ensure that such persons will have an opportunity to present their views.

Comments: The only notice provided by the USPS to all customers of the Wesleyville Post Office was the unadvertised and subtle-posting of 'two' eight & one-half by eleven inch (8 ½" x 11") signs on the inner/outer doors of the Wesleyville Post Office at sometime on March 18th 2011. The only mention made that the Wesleyville Post Office was being "considered for closure" was via USPS News Release No. 09-007, dated January 29th 2010, which only stated, "...The USPS today filed an update with the Postal Regulatory Commission (PRC) indicating that 162 offices remain under review for possible consolidation under the station and branch consolidation initiative..." and went on to state, "...No final decisions have been made regarding specific office consolidations...". This was the last USPS News Release issued that referred to either "closing" or "consolidation". (Source: USPS Website, All News Releases, No. 09-007, "Postal Service Updates Consolidation Initiative-No final decisions have been made" - Found at:

http://www.usps.com/communications/newsroom/2010/pr10_007.htm).

- USC Title 39, Part I, Chapter 4 Section 404. (d)(2)(A)(i) & (iii): The USPS indirectly-violated the referenced section by not considering these issues nor obtaining data that accurately reflected the current local, Eastern Erie County and Northwestern Pennsylvania conditions
- USC Title 39, Part 1, Chapter4 , Section 404. (d)(3): IF the USPS did consider Title 39, Section 404.(d)(2)(A), Sub-Sections (i) & (iii), the USPS directly-violated the referenced section by not providing the "...determination of the Postal Service to close (Wesleyville) post office in writing and include the findings with respect to the consideration required to be made under paragraph (2)..." (e.g., as per paragraph (2) of USC Title 39, Section 404.).

Comments: Since the March 18th 2011, USPS posting of the 8 ½" x 11" signs on the inner and outer doors of the Wesleyville Post Office, no such "findings" were made available to "...persons served by (the Wesleyville) post office...", either directly or in-directly (e.g., nothing else was posted on either of the two bulletin boards at the Wesleyville Post Office).

- USC Title 39, Part 1, Chapter4 , Section 404. (d)(4): Because of the intended closing of the Wesleyville Post Office on Friday, April 22nd 2011, the USPS is directly in violation of the referenced section by closing this facility (e.g., per referenced section, "...to close or consolidate a post office until 60 days after its written determination is made available to persons served...").
- Lastly, and most-paramount, is that "due process" was NOT afforded the persons served by the Wesleyville Postal Facility. 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.

Should additional documentation and/or evidence be required, please advise for an immediate response! Thanks in advance for your assistance, consideration and time in this matter.

Respectfully-Submitted,

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