

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

COMPLAINT OF THE NATIONAL  
ASSOCIATION OF POSTMASTERS OF  
THE UNITED STATES, THE LEAGUE OF  
POSTMASTERS, MARK STRONG,  
ROBERT RAPOZA, MARILYN SHAW,  
AND MARILYN HILL

Docket No. C2011-3

July 14, 2011

**Notice of Postal Service Final Rule and Congressional Briefing and Webinar**

The Complainants submit this Notice for the purpose of including in the Postal Regulatory Commission's record the following information:

1. The Postal Service has published in the Federal Register its Final Rule, 39 CFR Part 241<sup>1</sup>; the Final Rule takes effect immediately. Temporarily, the Postal Service has excluded from its Final Rule the portions it believes are subject to consultation under 39 U.S.C. §1004(b) and (d).

2. The Postal Service has scheduled briefings and a webinar on Capitol Hill in the next two weeks to explain its new discontinuance process, including an upcoming "comprehensive review of its retail network" to "examine Post Offices nationwide to determine which offices should be discontinued," as well as their "new [standardized] process" for discontinuances.<sup>2</sup>

The Complainants wish the record to show that the Postal Service is continuing to proceed forward with the implementation of its Proposed Rule as though it has

<sup>1</sup> See 76 Fed. Reg. 41413 (July 14, 2011). See also Postal News report, Exhibit A.

<sup>2</sup> See Exhibit B. Complainants note that the Postal Service already briefed the Senate on these matters in April, 2011.

already made its decision, and clearly have determined to effect a nationwide change in service.

Respectfully submitted this 14<sup>th</sup> day of July, 2011.

/s/ Robert J. Brinkman

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*Counsel for the National League of Postmasters,  
the National Association of Postmasters of the  
United States, and the individual Complainants.*

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of this Complaint has been served on the United States Postal Service at the following address on this 14<sup>th</sup> day of July, 2011:

United States Postal Service  
[PRCCOMPLAINTS@usps.gov](mailto:PRCCOMPLAINTS@usps.gov)

/s/ Michelle Bushman  
Ford & Huff LC  
South Jordan Gateway, Suite 300  
South Jordan, Utah 84095  
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# **EXHIBIT A**



# POSTAL NEWS

FOR IMMEDIATE RELEASE  
July 13, 2011

Contact: Dave Partenheimer  
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## Postal Service Statement

### Publication of Final Rule on Retail Discontinuance Actions

The Postal Service will publish a final rule in tomorrow's *Federal Register* that revises the procedures for discontinuance of Postal Service-operated retail outlets. These regulations enhance transparency and public participation, increase the efficiency of the discontinuance process, and ensure sound business judgment in decisions for the Postal Service's retail operations. The revised procedures include the following features:

- **Top-Down Process:** The final rule allows Postal Service headquarters management to identify candidate offices for initial feasibility studies, thereby enhancing consistency of approach in field units.
- **Factors Informing an Initial Feasibility Study:** The final rule clarifies the factors that could be used to identify candidate retail units for an initial feasibility study to include earned workload, insufficient customer demand and the availability of alternate expanded access channels.
- **Process Management:** The final rule enables improvements to be made in the administration and management of the discontinuance process.
- **Station and Branch Discontinuance:** The final rule enhances public input and transparency in connection with reviews of USPS-operated stations and branches through use of the public posting requirements and public input procedures.

An advance copy of the final rule is now available online at <http://www.federalregister.gov/learn/public-inspection-desk>.

By consolidating facilities and operations, adjusting delivery routes and restructuring administrative and processing functions, the Postal Service is adapting to meet the evolving needs of its customers. With an abundance of locations that offer postal products and services — including grocery stores, drug stores, office supply stores, and other retailers, both physical and online — customers have more than twice the number of outlets for postal products and services compared to brick-and-mortar Post Offices. With [usps.com](http://usps.com), customers can request free Priority Mail Flat Rate packaging, print labels, pay for postage with Click-N-Ship and request Carrier Pickup for packages at no extra charge.

The Postal Service receives no tax dollars for operating expenses, and relies on the sale of postage, products and services to fund its operations.

We're everywhere so you can be anywhere: [www.uspseverywhere.com](http://www.uspseverywhere.com)

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As a self-supporting government enterprise, the U.S. Postal Service is the only delivery service that reaches every address in the nation, 150 million residences, businesses and Post Office Boxes. The Postal Service receives no tax dollars for operating expenses, and relies on the sale of postage, products and services to fund its operations. With 32,000 retail locations and the most frequently visited website in the federal government, [usps.com](http://usps.com), the Postal Service has annual revenue of more than \$67 billion and delivers nearly 40 percent of the world's mail. If it were a private sector company, the U.S. Postal Service would rank 29th in the 2010 Fortune 500. Black Enterprise and Hispanic Business magazines ranked the Postal Service as a leader in workforce diversity. The Postal Service has been named the Most Trusted Government Agency six consecutive years and the sixth Most Trusted Business in the nation by the Ponemon Institute.

# EXHIBIT B

From: Calos, Sandra - Washington, DC [<mailto:sandra.calos@usps.gov>]  
Sent: Friday, July 08, 2011 12:33 PM  
Subject: RSVP for Postal Briefing or Webinar- RE: Post Office Discontinuance Process

Good afternoon,

In the coming weeks, the Postal Service will begin a comprehensive review of its retail network. The review will examine Post Offices nationwide to determine which offices should be discontinued in view of workload, customer demand, or the proximity of alternate postal products and services in the surrounding area.

The USPS is working on improving our process for studying the need for postal operated retail services. Our new process is standardized and requires examination of the effects of a proposed discontinuance on the community and postal employees, along with the ability to provide a maximum degree of effective and regular postal services to the affected community and economic savings. Factors that changed include the procedures surrounding how a Post Office begins to be studied for review; the criteria used in studying an office-such as an office's workload, customer usage and alternate access-streamlining the closing process and improving the community input process.

The Postal Service will hold a briefing and a webinar regarding the aforementioned changes and the process that will be used to study Post Offices.

A briefing will be held on Tuesday, July 19 at 2:00 p.m. in Room 2154 of the Rayburn House Office Building.

Additionally, a webinar is scheduled for Thursday, July 28 at 4:00 p.m. I will provide the details later.

I strongly recommend you attend either the briefing or the webinar in order to better understand the Post Office Discontinuance process (this will help you in responding to your constituents' inquiries regarding the upcoming changes).

Please let me know if you or a member of your staff will be attending the briefing or the webinar. Thank you.

Sandy

Sandra Calos  
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