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

In the Matter of: Gepp Post Office Gepp, Arkansas	Docket No. A2011-60

UNITED STATES POSTAL SERVICE NOTICE OF FILING
ERRATA TO COMMENTS REGARDING APPEAL
(October 21, 2011)

On October 21, 2011, the Postal Service filed its Comments Regarding Appeal in PRC Docket No. A2011-60. The first paragraph on the second page of that document incorrectly referenced Prairie Hill, Texas, when it instead should have referenced Gepp, Arkansas. A corrected United States Postal Service Comments Regarding Appeal is attached.

Respectfully submitted,

UNITED STATES POSTAL SERVICE
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BEFORE THE
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In the Matter of: Gepp Post Office Gepp, Arkansas	Docket No. A2011-60

UNITED STATES POSTAL SERVICE
COMMENTS REGARDING APPEAL
(October 21, 2011)

On September 1, 2011, the Postal Regulatory Commission (Commission) received an appeal filed online by postal customer Kathy Adams ("Ms. Adams") on behalf of the Concerned Patrons of Gepp Post Office, objecting to the discontinuance of the Post Office at Gepp. Thereafter, on September 2, 2011, the Commission received another appeal from postal customer Mary Rivera ("Ms. Rivera") on behalf of the Committee to Save Gepp Post Office. (Collectively, the Postal Service shall refer to Ms. Adams and Ms. Rivera as "Petitioners.") On September 8, 2011, the Commission issued Order No. 841, its Notice and Order Accepting Appeal and Establishing Procedural Schedule under 39 U.S.C. § 404(d). On September 13, 2011, the Public Representative filed a Notice of Emergency Suspension and Request for Related Relief, to which the Postal Service filed a response on September 15, 2011. The Petitioners together filed a Participant Statement in support of the petition on October 4, 2011, and the Public Representative submitted Comments on October 12, 2011. The Commission received no additional written communications from customers of the Gepp Post Office. In accordance with Order No. 841, the administrative record was filed with the Commission on September 14, 2011.

The appeals, the Participant Statement, and the Public Representative's comments raise three issues concerning the discontinuance: (1) the impact on the provision of postal services, (2) the impact upon the Gepp community, and (3) the calculation of economic savings expected to result from discontinuing the Gepp Post Office. As reflected in the administrative record of this proceeding, the Postal Service gave these issues serious consideration. In addition, consistent with the Postal Service's statutory obligations and Commission precedent,[1] the Postal Service gave consideration to a number of other issues, including the impact upon postal employees. Accordingly, the determination to discontinue the Gepp Post Office should be affirmed.

Background

The Final Determination To Close the Gepp Post Office and Continue to Provide Service by Highway Contract Route Service ("Final Determination" or "FD"),[2] as well as the administrative record, indicate that the Gepp Post Office provides EAS-11 level service to: 189 rural box delivery customers via a Highway Contract Route ("HCR"), 41 Post Office Box customers, and retail customers.[3] The Postmaster of the Gepp Post Office retired on October 1, 2009. Since the Postmaster vacancy arose, an employee from a neighboring office was installed as an officer-in-charge ("OIC") to operate the office. At the time when the study was conducted and the Final Determination was

[1] *See* 39 U.S.C. 404(d)(2)(A).
[2] The Final Determination can be found at Items 47 and 49 in the Administrative Record. All citations to the Final Determination will be to "FD at ____," rather than to the item number. The FD page number refers to the pages as marked on the upper right of the FD at Item 49. Other items in the administrative record are referred to as "Item ___."
[3] FD at 2; Item No. 18, (Form 4920) Post Office Closing or Consolidation Proposal Fact Sheet ("Fact Sheet"), at 1; Item No. 33, Proposal to Close the Gepp, AR Post Office and Continue to Provide Service by Highway Contract Route Service ("Proposal"), at 2.

reached, the noncareer postmaster relief ("PMR") was still serving as the OIC, and the Postal Service planned that she may be separated from the Postal Service, although attempts would have been made to reassign the employee to a nearby facility.[4] The average number of daily retail window transactions at the Gepp Post Office is approximately 14 (13.6), accounting for 15 minutes of workload daily. Revenue generally has been declining: $32,609 (85 revenue units) in FY 2008; $21,431 (56 revenue units) in FY 2009; and $19,216 (50 revenue units) in FY 2010.[5]

Upon implementation of the Final Determination, delivery and retail services will be provided by HCR delivery administered by the Viola Post Office, an EAS-16 level office located six miles away, which has 66 available Post Office Boxes.[6] This service will continue upon implementation of the Final Determination.[7]

The Postal Service followed the proper procedures that led to the posting of the Final Determination. Issues raised by the customers of the Gepp Post Office were considered and properly addressed by the Postal Service. The Postal Service complied with all notice requirements. In addition to the posting of the Proposal and Final Determination, customers received notice through other means. Questionnaires were distributed to all Post Office Box customers of the Gepp Post Office. Questionnaires were also available over the counter for retail customers at Gepp.[8] A letter from the Manager of Post Office Operations, Little Rock, Arkansas was also made available to

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[4] FD at 2, 4, 6; Item No. 33, Proposal, at 2, 5. Since that time, however, the PMR has resigned and the Gepp Post Office is under emergency suspension.
[5] FD, at 2; Item No. 18, Post Office Fact Sheet, at 1; Item No. 33, Proposal, at 2.
[6] FD at 2; Item No. 18, Post Office Fact Sheet, at 1; Item No. 33, Proposal, at 2..
[7] FD at 1; Item No. 33, Proposal, at 2, 4.
[8] FD at 2; Item No. 20, Questionnaire Instruction Letter from P.O. Review Coordinator to OIC/Postmaster at Gepp Post Office, at 1.

postal customers, which advised customers that the Postal Service was evaluating whether the continued operation of the Gepp Post Office was warranted, and that effective and regular service could be provided through HCR delivery and retail services available at the Viola Post Office. The letter invited customers to complete and return a customer questionnaire and to express their opinions about the service they were receiving and the effects of a possible change involving HCR delivery and retail services from Viola.[9] The Postal Service distributed 292 questionnaires. Ninety-eight customers returned questionnaires, and the Postal Service considered their concerns and addressed them in the Proposal.[10] In addition, representatives from the Postal Service were available for a community meeting on March 8, 2011 to answer questions and provide information to customers; 71 customers attended.[11] Customers received formal notice of the Proposal and Final Determination through postings at nearby facilities. The Proposal was posted with an invitation for public comment at the Gepp Post Office and the Viola Post Office for 60 days from March 14, 2011 to May 15, 2011.[12] Twenty-two customers returned comments in response to the "Invitation for Comments" after

[9] Item No. 21, Letter to Customer, at 1
[10] Item No. 22, Returned customer questionnaires; Item No. 23, Customer Questionnaire Analysis; Item No. 33, Proposal, at 2-3. Although the letter at page 1 of Item 22 was not actually mailed to customers, it does reflect that the concerns raised in the questionnaires were considered by the Postal Service during the process.
[11] FD at 2; Item No. 24; Community Meeting Roster; Item No. 25, Community Meeting Analysis; Item No. 33, Proposal, at 2.
[12] FD at 2; Item No. 33, Proposal, at 1; Item No. 36, Round Date Stamped Proposals Placeholder Form.

the Proposal was posted.[13] The Postal Service addressed those concerns in the Final Determination.[14]

In light of the postmaster vacancy; a minimal workload; declining office revenue;[15] the variety of delivery and retail options (including the convenience of HCR delivery and retail service);[16] no projected population, residential, commercial, or business growth in the area;[17] minimal impact upon the community; and the expected financial savings,[18] the Postal Service issued the Final Determination.[19] Regular and effective postal services will continue to be provided to the Gepp community in a cost-effective manner upon implementation of the Final Determination.[20] The Final Determination was posted at the Gepp and Viola Post Offices beginning on August 4, 2011, as confirmed by the round-dated Final Determination cover sheets.[21]

The issues raised by the Petitioners and the Public Representative are addressed in the paragraphs which follow.

Effect on Postal Services

Consistent with the mandate in 39 U.S.C. § 404(d)(2)(A)(iii) and as addressed throughout the administrative record, the Postal Service considered the effect of closing the Gepp Post Office on postal services provided to Gepp customers. The closing is

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[13] Item No. 38, Proposal Comments, Item No.40, Analysis of Comments. Although the letter at page 1 of Item 38 was not actually mailed to customers, it does reflect that the Postal Service considered the concerns raised in the comments.
[14] FD at 2-3.
[15] *See* note 5 and accompanying text.
[16] FD at 3, 4, 6; Item No, 33, Proposal, at 2, 4, 6.
[17] Item No. 16, Community Survey Sheet.
[18] FD at 4, 6; Item No. 18, Post Office Fact Sheet, at 1; Item No. 29, Proposal Checklist, at 2; Item No. 33, Proposal, at 5.
[19] FD at 6.
[20] FD at 1.
[21] Item No. 46, Headquarters acknowledgment of receipt of letter, at 2; FD at 1.

premised upon providing regular and effective postal services to Gepp customers. The Postal Service has considered the impact of closing the Gepp Post Office upon the provision of postal services to Gepp customers. FD at 2-4; Item No. 33, Proposal, at 2, 3, 4, 5.

Upon the implementation of the Final Determination, delivery and retail services will be provided by HCR delivery emanating from the Viola Post Office. In addition to HCR delivery, which is the recommended alternate service, customers may also receive postal services at the Viola Post Office, which is located six miles away[22] (and can go to any other Post Office for outgoing transactions). The window service hours of the Viola Post Office are from 7:30 a.m. to 4:00 p.m., Monday through Friday and from 9:00 a.m. to 11:00 a.m. on Saturday. FD at 2; Item No. 18, Post Office Fact Sheet; Item No. 33, Proposal, at 2. Furthermore, the special attention and assistance provided by the personnel at the Gepp Post Office will be provided at the Viola Post Office and from the carrier. FD at 4; Item No.33, Proposal, at 4.

The Petitioners raise the issue of the effect on postal services of the Gepp Post Office's closing, noting the convenience of the Gepp Post Office and requesting its retention. They contend that service through the Viola Post Office will not provide the maximum degree of effective postal services because 1) customers should not have to travel six or seven miles to Viola, thereby wasting time and money on gas, to obtain

[22] On page 2 of their Participant Statement, Petitioners note that "[t]he mileage between post offices is different depending on which report you read, one report states 6 miles another states 7 it is actually closer to 8." By Petitioners' own admission "[i]t is not a big difference," and differing ways of running the distance reports might generate different answers. In this case, the Postal Service gathered information from an electronic search tool and from its own public database of post offices. Item No. 4, Highway Map with Community Highlighted.

services; 2) customers should not have to meet carriers at the highway to receive services; 3) shipping items do not fit into roadside boxes; and 4) HCR service is not secure against theft or exposure to adverse weather conditions.[23] These concerns were considered by the Postal Service and are addressed below.

Petitioners question whether replacement service should be offered through administration at the Mountain Home Post Office, rather than the Viola Post Office.[24] Although many customers' questionnaire responses mentioned Mountain Home, a number of them also mentioned Viola.[25] *See* Item No. 22, Returned Customer Questionnaires at 9, 13, 36, 40, 45, 46, 56, 71, 87, and 88. In any event, as discussed below, the choice of administrative office is consistent with existing operations[26] and the actual choice of office is unlikely to affect the majority of Gepp customers significantly.

Petitioners also question whether they would need to travel to Viola for most of their services. With the exception of P.O. Box customers or situations in which

[23] In their Participant Statement, Petitioners also identify what they view as an error in the P.S. Form 150, Postmaster Workload Information sheet., namely that questions 19 and 20 ("Do You Separate All Incoming Letter Size Mail to City & Rural Carrier Routes for Your Own Office?" and "Do You Separate All Incoming Flat Size Mail to City & Rural Carrier Routes for Your Own Office?") should have been answered "yes" instead of "no." However, the answers originally provided in the form were correct; the Gepp Post Office provided *HCR* service, not rural or city delivery.

[24] Although this does not directly relate to the factual conclusions in the Final Determination, the undersigned counsel has confirmed that in response to concerns raised in questionnaire responses by a number of patrons that Viola was too far away from them because it was in Fulton County while they actually lived in Baxter County, the Postal Service specifically responded by changing their addresses to Henderson addresses.

[25] All 98 of the returned questionnaires reflected that customers went out of town for some or all services, with the exceptions of the ones marked number 3, 16, and 77. Of the 98 questionnaires, 41 did not identify the names of other communities to which customers traveled. Of the 57 that did, ten specifically mentioned travel to Viola. *See* Item No. 22, Returned Customer Questionnaires at 9, 13, 36, 40, 45, 46, 56, 71, and 87, 88.

[26] Although the administrative record does not reflect this, the HCR route that served Gepp already emanated from Viola; the HCR driver cased and delivered mail in Viola and then continued down the road to Gepp and cased and delivered mail there. As a result, it made sense to have Viola absorb service to Gepp customers after discontinuance, rather than to have mail administered by an office on the opposite side of the existing route.

customers need to retrieve a package that did not fit in a roadside box and is not eligible to be placed somewhere safely at their home (such as on a porch or under a carport), the choice of Viola over another Post Office does not have a large impact. Prior to the discontinuance study and Final Determination, most customers received HCR delivery to roadside boxes. Customers will continue to receive the same HCR delivery, without even any anticipated change in delivery time (*see* Item No. 15, Post Office Survey Sheet, at a), except that delivery services will be administered by the Viola Post Office instead of a facility in Gepp. And, of course, for retail sales and outgoing services for which a customer wants or needs to obtain service at a Post Office, Gepp customers can choose to conduct business at any Post Office that is convenient for them; they are not limited to Viola.

Moreover, as explained throughout the administrative record, the carrier can perform many functions (at the same time that the carrier delivers the mail) that will avert the need to go to any Post Office, Viola or otherwise. The Postal Service offers several convenient options that can save customers a trip to the Post Office and having to interact with a carrier for most postal transactions. FD at 3, 4; Item No. 33, Proposal, at 2. 4. Stamps by Mail and Money Order Application forms are available for customer convenience. FD, at 3, 4; Item No. 23, Customer Questionnaire Analysis, at 1; Item No. 33, Proposal, at 2, 4; Item No. 40, Analysis of 60-Day Posting Comments, at 1. Carrier service is especially beneficial to many senior citizens and those who face special challenges because the carrier can provide delivery and retail services to roadside mailboxes or cluster box units. FD at 3; Item No. 33, Proposal, at 2, 3, 4, 5;

Item No. 40, Analysis of 60-Day Posting Comments, at 1. Most transactions do not even require meeting the carrier at the mailbox. FD at 3, 6; Item No. 23, Customer Questionnaire Analysis, at 1; Item No. 25, Community Meeting Analysis, at 1; Item No. 33, Proposal, at 2, 3, 4, 5; Item No. 40, Analysis of 60-Day Posting Comments, at 1. Moreover, special provisions are made, on request, for hardship cases or special customer needs. FD at 3; Item No. 23, Postal Customer Questionnaire Analysis, at 1; Item No. 25, Community Meeting Analysis, at 1; Item No. 33, Proposal, at 3; Item No. 40, Analysis of 60-Day Posting Comments, at 1.[27]

The Postal Service also addressed customer concerns about heightened potential for theft of mail. It should be noted that for the vast majority of Gepp customers (with the exception of P.O. Box customers), delivery service will not change at all as a result of discontinuance; HCR service to roadside boxes will be administered by the Viola Post Office, but the actual delivery to customers will not change.[28] Accordingly, any concerns about theft from roadside boxes are not new concerns for the majority of customers in Gepp. Further, the record reflects no reports of vandalism or theft in the area. Item No. 14, Inspection Service/Local Law Enforcement Reports; Item No. 15, Post Office Survey Sheet, at 1. The Postal Service explained that customers could mitigate the risk of theft through the following options: 1) if customers use

[27] Petitioner Rivera states that, to customers' knowledge, "the Postal Service has never made known to its customers that special services are available to hardship cases. Is there a plan to inform your customers of this by individual mailings?" In this particular case, the Postal Service did inform customers of the option in the Proposal and the Final Determination. FD at 3; Item No. 33, Proposal, at 3. Moreover, such information can always be obtained from the local Postmaster, *id.*, and information about hardship cases is also available on the postal service's public website, www.usps.com. For example, see www.usps.com/handbooks/sp1.pdf (Handbook SP-1, Highway Contract Route – Contract Delivery Service at § 211.3).

[28] Of course, customers can choose to maintain P.O. Box service at Viola, thereby mitigating concerns about theft.

roadside boxes, they can put a lock on those boxes (FD at 3; Item No. 23, Customer Questionnaire Analysis, at 1; Item No. 25, Community Meeting Analysis, at 1; Item No. 33, Proposal, at 3); and 2) if the Postal Service installs CBUs, customers would have the security of free-standing, individually locked compartments, as well as the convenience of parcel lockers for parcel delivery (FD at 4; Item No. 33, Proposal, at 4; Item No. 40, Analysis of 60-Day Posting Comments).

Thus, the Postal Service has properly concluded that all Gepp customers will continue to receive regular and effective service via HCR delivery emanating from Viola.

Effect Upon the Gepp Community

The Postal Service is obligated to consider the effect of its decision to close the Gepp Post Office upon the Gepp community. 39 U.S.C. § 404(d)(2)(A)(i). While the primary purpose of the Postal Service is to provide postal services, the statute recognizes the substantial role in community affairs often played by local Post Offices, and requires consideration of that role whenever the Postal Service proposes to close or consolidate a Post Office.

Gepp is an unincorporated rural community located in Fulton County. The community is administered politically by Fulton County. The Fulton County Sheriff's Office provides police protection. Fire protection is provided by the Gepp Fire Department. Schools are run by Viola Public Schools. FD at 4; Item No.16, Community Survey Fact Sheet; Item No. 33, Proposal at 4. Although the town has approximately 35 businesses,[29] most are not stores, and the questionnaires completed by Gepp

[29] In their Participant Statement, Petitioners note that the Fact Sheet failed to mention the town's two

customers indicate that, in general, the retirees, farmers, commuters, and others who reside in Gepp must travel elsewhere for other supplies and services. *See generally* FD at 4; Item No. 18, Post Office Fact Sheet; Item No. 22, Returned customer questionnaires; No. 33, Proposal, at 4.

Communities generally require regular and effective postal services and these will continue to be provided to the Gepp community. HCR service operated out of the Viola Post Office is expected to be able to handle any future growth in the community. FD, at 4, 6; Item No. 33, Proposal, at 4-6. In addition, the Postal Service has concluded that nonpostal services provided by the Gepp Post Office can be provided by the Viola Post Office. Government forms usually provided by the Post Office are also available by contacting local government agencies. FD at 4; Item No 33, Proposal, at 4.

Moreover, as the Postal Service explained, a community's identity derives from the interest and vitality of its residents and their use of its name, and the Postal Service is addressing this concern by continuing the use of the Gepp name and ZIP Code in addresses. FD at 3; Item No. 23, Customer Questionnaire Analysis at 2; Item No. 25, Community Meeting Analysis, at 1; Item No. 33, Proposal, at 2; Item No. 40, Analysis of 60-Day Posting Comments, at 1.

Petitioners state that the Postal Service incorrectly stated that Gepp's population is declining, thereby implying that the effect of closing the Gepp Post Office is greater than the Postal Service thought. They note that some Gepp addresses changed to

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churches and failed to consider the Fire Department as a community organization. However, the Community Fact Sheet, the Proposal, and the Final Determination listed the Fire Department. Item No. 16, Community Fact Sheet; Item No. 33, Proposal, at 4; FD at 4. Moreover, the Postal Service notes that the omission of the churches was an inadvertent error that did not impact the decision made. If anything, the presence of two churches contributes to community identity.

Elizabeth or Henderson addresses in 2009 and 2011, thereby creating the impression of a declining population trend. While the record does not reflect this observation, the Postal Service does not believe that this should result in a different outcome. Indeed, the website on which the Postal Service relied in determining population trends, www.clrsearch.com/72538_Demographics/Population_Growth_Statistics (referenced on Item No. 16, Community Fact Sheet), does reflect that population is forecasted to decline. Moreover, although the address changes may not have affected how Gepp views itself as a community, they still do reduce the number of Gepp customers served by a facility in the community.[30]

Although Petitioners contend that residents will not move to Gepp if the Post Office closes, the record contains no information to this effect. Likewise, though the Public Representative contends that the bank that currently leases space to the Postal Service in Gepp would like the Postal Service to stay for "synergy" in leasing a portion of the property, the record contains no evidence that the Postal Service's presence would contribute to the bank's business activity.

In sum, the Postal Service has met its burden, as set forth in 39 U.S.C. § 404(d)(2)(A)(i), by considering the effect of closing the Gepp Post Office on the community served by the Gepp Post Office.

Economic Savings

Postal officials also properly considered the economic savings that would result from the proposed closing, as provided under 39 U.S.C. § 404(d)(2)(A)(iv). The Postal

[30] The address changes came at the request of customers who lived in Baxter County, but had Gepp addresses even though Gepp is in Fulton County.

Service estimates that HCR service operated out of Viola would cost the Postal Service substantially less than maintaining the Gepp Post Office and would still provide regular and effective service. Item No. 21, Letter to Postal Customer, at 1. The estimated annual savings associated with discontinuing the Gepp Post Office are $45,479. FD at 4, 6; Item No. 33 Proposal, at 5. Economic factors are one of several factors that the Postal Service considered, and economic savings have been calculated as required for discontinuance studies, which is noted throughout the administrative record and consistent with the mandate in 39 U.S.C. § 404(d)(2)(A)(iv). FD at 4; Item No. 33, Proposal, at 5.

The Petitioners and the Public Representative question the listed economic savings, noting that the calculation does not account for a number of factors. Each of those factors will be addressed in turn.

First, Petitioners and the Public Representative state that the Postal Service did not factor in the amount that the Postal Service will have to pay in rent to the bank on the property that it continues to lease in Gepp ($1,200 a year). As Petitioners and the Public Representative point out, the lease expires on August 31, 2017. Item No. 15, Post Office Survey Sheet; Item No. 18, Post Office Fact Sheet. However, this does not mean that the Postal Service will continue to have to lease the property through the end of the contract term. The undersigned counsel has reviewed the lease agreement and confirmed that, while it does not have a 30-day termination clause, it does have a 90-day early termination clause. Therefore, it was not necessary to deduct $1,200 from the anticipated annual savings on a long term basis. Moreover, even if the Postal Service

did have to continue to pay rent through the end of the lease term, the amount in question is a small fraction of the overall economic savings estimate.

Second, Petitioner Rivera states that the Postal Service did not deduct the amount by which the Viola Postmaster's salary will be increased because of the addition of HCR stops and P.O. Boxes in Viola. In this case, however, the Viola Postmaster would not receive an increase as a result of additional deliveries to Gepp customers. Consequently, there is no additional salary cost.

Third, Petitioner Rivera states that the Postal Service failed to account for the costs of relocating P.O. Boxes and equipment from Gepp to Viola. However, the economic savings calculation is designed to calculate the annual savings that will follow as a result of the discontinuance and new service from Viola. Whatever limited expenses the Postal Service does incur in moving the equipment consist of one-time costs.

Fourth, both Petitioners argue that the Postal Service should have offset the savings with the loss of revenue that will result when customers choose non-postal options due to lack of convenience. The administrative record does not support this observation, however, and there is no evidence that any such actual losses would ensue.

Fifth, Petitioners and the Public Representative question use of the Postmaster salary and fringe benefits as the basis of annual savings because the office has been[31]

[31] Petitioners also contend that the Postal Service should not have relied on the fact that the Gepp Postmaster position remained vacant for so long, because the delay was the Postal Service's decision and contributed to its declining business activity. There are numerous constraints that impacted the Postal Service's ability to fill the position, including a nationwide freeze on doing so at the time. In any

operated by a PMR/OIC at a lower cost. A career Postmaster's salary was appropriate to use in the savings calculation, however, because the position would eventually have been filled with a career employee if the Gepp Post Office had not been subject to a discontinuance action.

The Postal Service determined that operating HCR service out of Viola is more effective than maintaining the Gepp postal facility and Postmaster position. FD at 4, 6. The Postal Service's estimates are supported by record evidence, in accordance with the Postal Service's statutory obligations. The Postal Service, therefore, has considered the economic savings to the Postal Service resulting from such a closing, consistent with its statutory obligations and Commission precedent. *See* 39 U.S.C. § 404(d)(2)(A)(iv).

Effect on Employees

As documented in the record, the impact on postal employees is minimal. The Postmaster retired on October 1, 2009. A noncareer employee from a neighboring office was installed as the temporary officer-in-charge (OIC). At the time when the study was conducted and the Final Determination was reached, the noncareer PMR was still serving as the OIC, and the Postal Service planned that she may be separated from the Postal Service, although attempts would have been made to reassign the

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event, the onset of the vacancy (rather than its duration) was merely was one of several factors that prompted the Postal Service to initiate a study into possible discontinuance. FD at 2. There is no record evidence either that the Post Office would have taken in more revenue if the Post Office were served by a Postmaster, or that additional revenues would have changed the fact that service could be provided effectively from Viola. The Postal Service considered not only the vacancy of the office and the low revenues, but also the minimal workload, the variety of delivery and retail options (including the convenience of rural delivery and retail service), very little growth expected in the area, and minimal impact upon the community. FD at 2, 3, 4, 6; Item No. 16, Community Fact Sheet; Item 18, Post Office Fact Sheet; Item 33, Proposal, at 2, 3, 4, 5.

employee to a nearby facility. Since that time, however, the PMR resigned and the office is under emergency suspension. The record shows that no other employee would be adversely affected by this closing. FD at 4; Item No. 15, Post Office Survey Sheet, at 1; Item No. 33, Proposal, at 5. Therefore, in making the determination, the Postal Service considered the effect of the closing on the employees at the Gepp Post Office, consistent with its statutory obligations. *See* 39 U.S.C. § 404(d)(2)(A)(ii).

Other Factors: Emergency Suspension

Petitioners and the Public Representative also raise concerns about the emergency suspension of the Gepp Post Office that followed the Final Determination. As explained by the Postal Service in its September 15, 2011 Response to the Public Representative's Notice of Emergency Suspension and Request for Related Relief, the emergency suspension that began on September 8, 2011 was originally anticipated to cover the PMR's required five-day break in service, but was followed by an indefinite emergency suspension when the PMR did not return to the facility after a five day break. Petitioners and the Public Representative challenge the notions that the Postal Service could not find someone to cover the five-day break and the period thereafter.

In the wake of these observations, the undersigned counsel has confirmed with responsible management personnel that, in fact, the Postal Service made efforts throughout the entire Postal Area (Area 4) to identify an employee to cover the Gepp Post Office for the PMR's five day break, but was unable to find someone to cover a *continuous* five day period that included Saturday. Moreover, the undersigned counsel

has confirmed the accuracy of the Postal Service's statements in its September 15 pleading, and sees no reason to revisit them here.

In any event, as the Postal Service explained in its September 15 Response, the relief that the Commission may grant here is to suspend the effectiveness of a Final Determination. *See* 39 U.S.C. § 404(d)(5). Here, the emergency suspension was independent of the Final Determination (it postdated it), and the Postal Service did not suspend service in order to implement the final determination (as Postal Service regulations in former 39 C.F.R. § 241.3(g)(3) and Handbook PO-101 § 52 prevent the Postal Service from implementing the discontinuance prior to disposition of the appeal in these circumstances). Accordingly, allegations concerning the emergency suspension are not within the scope of this appeal.

Conclusion

As reflected throughout the administrative record, the Postal Service has followed the proper procedures and carefully considered the effect of closing the Gepp Post Office on the provision of postal services and on the Gepp community, as well as the economic savings that would result from the proposed closing, the effect on postal employees, and other factors, consistent with the mandate of 39 U.S.C. § 404(d)(2)(A).

After taking all factors into consideration, the Postal Service determined that the advantages of discontinuance outweigh the disadvantages. In addition, the Postal Service concluded that after the discontinuance, the Postal Service will continue to provide effective and regular service to Gepp customers. FD at 4. The Postal Service respectfully submits that this conclusion is consistent with and supported by the

administrative record and is in accord with the policies stated in 39 U.S.C. § 404(d)(2)(A). The Postal Service's decision to close the Gepp Post Office should, accordingly, be affirmed.

The Postal Service respectfully requests that the determination to close the Gepp Post Office be affirmed.

Respectfully submitted,

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