

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

*In the Matter of:*  
Langston Post Office  
Langston, Alabama 35755

Docket No. A2011-73

**UNITED STATES POSTAL SERVICE COMMENTS REGARDING APPEAL**  
(November 8, 2011)

By means of Order No. 858 (September 16, 2011), the Postal Regulatory Commission docketed correspondence from a customer of the Langston, Alabama Post Office, assigning PRC Docket No. A2011-73 as an appeal pursuant to 39 U.S.C. § 404(d). On October 12, 2011, Petitioner Donald J. Hahn filed a Form 61, Participant Statement, in support of the petition.<sup>1</sup> In accordance with Order No. 858, the administrative record was filed with the Commission on September 29, 2011.

The initial correspondence and the Participant Statement received by the Commission in this docket raise three main issues: (1) the effect on postal services, (2) the impact upon the Langston community, and (3) the calculation of economic savings.<sup>2</sup> 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,<sup>3</sup> the Postal Service gave consideration to a number of other issues, including the effect on employees.

<sup>1</sup> Participant Statement, PRC Docket No. A2011-73 (October 12, 2011).

<sup>2</sup> The Commission identifies "failure to observe procedures required by law" as an issue raised by Petitioner's appeal. Notice and Order Accepting Appeal and Establishing Procedural Schedule, PRC Order No. 858, PRC Docket No. A2011-73 (September 16, 2011) at 2. However, it appears that the Petitioner does not raise this specific issue in his Petition or his Participant Statement.

<sup>3</sup> See 39 U.S.C. 404(d)(2)(A).

Accordingly, the Final Determination to Close the Langston, AL Post Office and Continue to Provide Service by Community Post Office should be affirmed.

### **Background**

The Final Determination to Close the Langston, AL Post Office and Continue to Provide Service by Community Post Office (Final Determination), as well as the administrative record, indicate that the Langston Post Office provides EAS-13 level service 40 hours per week to retail customers and 546 delivery customers. Item No. 13, (Form 4920) Post Office Closing or Consolidation Proposal Fact Sheet (Fact Sheet), at 1.<sup>4</sup> The postmaster position at the Langston Post Office became vacant when the postmaster retired on April 1, 2010. *Id.* Since that time, a noncareer postmaster relief employee has been installed to operate the Langston Post Office. Item No. 33, Proposal to Close the Langston, AL Post Office and Continue to Provide Service by Independent Post Office (Proposal), at 8.

The average number of daily retail window transactions at the Langston Post Office is 10.10. Item No. 13, Fact Sheet, at 1. Revenue has generally declined since 2008: \$32,743 in FY 2008 (85 revenue units); and \$21,842 in FY 2010 (57 revenue units). Item No. 33, Proposal, at 2. The Langston Post Office has 2 meter customers and no permit customers. Item No. 13, Fact Sheet, at 1.

Upon implementation of the Final Determination, delivery and retail services will be administered by the Scottsboro Post Office, an EAS-21 level Post Office. *Id.*

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<sup>4</sup> In these comments, specific items in the administrative record are referred to as "Item No. \_\_\_\_."

The Postal Service followed the proper procedures leading up to the posting of the Final Determination, considered and addressed the issues raised by the customers of the Langston Post Office, and complied with all notice requirements. In addition to the posting of the Proposal and Final Determination, customers received notice through other means. On March 16, 2011, questionnaires were distributed to delivery customers and made available to retail customers of the Langston Post Office. Item No. 23, Postal Service Customer Questionnaire Analysis, at 1. The returned customer questionnaires and Postal Service response letters appear in the administrative record at Item No. 22, and at pages 59 through 69 of the administrative record. On April 11, 2011, representatives from the Postal Service attended a community meeting at the Langston Town Hall, where they answered questions and provided information to customers. Item No. 24, Community Meeting Roster, at 1. Customers received formal notice of the Proposal and Final Determination, as well as the right to appeal the Final Determination, through postings at the Langston Post Office and nearby facilities. Item No. 33, Proposal; Item No. 47, Final Determination.

In light of the postmaster vacancy, a minimal workload, a reduction in office revenue,<sup>5</sup> the variety of delivery and retail options (including the convenience of rural delivery and retail service),<sup>6</sup> minimal impact upon the community, and the expected financial savings,<sup>7</sup> the Postal Service issued the Final Determination. Regular and

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<sup>5</sup> See Item No. 33, Proposal, at 2.

<sup>6</sup> *Id.* at 2-5.

<sup>7</sup> *Id.* at 8.

effective postal services will continue to be provided to the Langston community in a cost-effective manner upon implementation of the Final Determination.

Each of the issues raised by the Petitioner is 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 discontinuing the Langston Post Office on postal services provided to Langston customers. The discontinuance is premised upon providing regular and effective postal services to Langston customers.

In his appeal, Petitioner raises the issue of the effect on postal services resulting from the Langston Post Office's discontinuance, noting the convenience of the Langston Post Office and requesting its retention. These concerns were considered by the Postal Service.

The effect of the Langston Post Office's discontinuance on the availability of postal services to Langston residents was considered extensively by the Postal Service. Item No. 33, Proposal, at 2-8. Services provided at the Post Office, such as the sale of stamps, envelopes, postal cards, and money orders, will also be available from the carrier to a roadside mailbox located close to customers' residences. *Id.* Various options exist for obtaining postal services, which are explained on [www.usps.com](http://www.usps.com). In addition to carrier service, customers may opt for Post Office Box service at the nearby Scottsboro Post Office, or use alternate access options, including USPS.Com and

Stamps By Mail®. The window service hours of the Scottsboro Post Office are from 8:30 a.m. to 4:30 p.m., Monday through Friday, and 8:45 a.m. to 12 p.m. on Saturday. Item No. 13, Fact Sheet, at 1. In addition, customers opting for carrier service will have 24-hour access to their mail. Item No. 33, Proposal, at 7.

Petitioner questions the convenience of the Scottsboro Post Office and challenges the Postal Service's calculation of the Scottsboro Post Office's proximity to the Langston community. The Postal Service noted this concern in the record. Item No. 33, Proposal, at 4. Ultimately, the Postal Service concluded that the Langston community would continue to receive regular and effective service through the Scottsboro Post Office and alternate access options, including USPS.Com and Stamps By Mail®.

The Postal Service has considered the impact of discontinuing the Langston Post Office upon the provision of postal services to Langston customers. Delivery and alternate access options provide Langston customers with similar access to retail service, alleviating the need to travel to the Post Office. Item No. 33, Proposal, at 2. Thus, the Postal Service has properly concluded that Langston customers will continue to receive regular and effective service.

### **Effect Upon the Langston Community**

The Postal Service is obligated to consider the effect of its decision to discontinue the Langston Post Office upon the Langston 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 discontinue a Post Office.

Langston is an incorporated community located in Jackson County. Item No. 33, Proposal, at 7. The Jackson County Sheriff's Office provides police protection, and the Langston Volunteer Fire Department provides fire protection. *Id.* In general, Langston residents must travel elsewhere for many supplies and services. *See id.*

Petitioner's appeal raises the issue of the effect of the discontinuance of the Langston Post Office upon the Langston community. This issue was extensively considered by the Postal Service, as reflected in the administrative record. Item No. 33, Proposal, at 2-7. The Postal Service explained that a community's identity derives from the interest and vitality of its residents and their use of its name. *Id.* Communities generally require regular and effective postal services, and these will continue to be provided to the Langston community.

Petitioner expresses a concern about the Postal Service's consideration of the Langston Post Office discontinuance's effect on businesses in the community. The Postal Service considered this issue, and found no indication that the discontinuance would have an adverse effect on businesses in the Langston community. Item No. 33, Proposal, at 4. In responses to questionnaires, customers indicated that even if the Langston Post Office was discontinued, they would continue to patronize local businesses. *Id.*

Petitioner questions whether the Postal Service considered growth in the Langston community as part of discontinuance study process. As reflected in the

administrative record, the Postal considered this issue and determined that Langston had experienced minimal growth in recent years. Item No. 33, Proposal, at 5. The Postal Service also explained that the growth of a community does not depend on the location of a Post Office. *Id.*

Thus, 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 discontinuing the Langston Post Office on the community served by the Langston Post Office.

### **Effect on Employees**

As documented in the record, the impact on postal employees is minimal. The postmaster retired on April 1, 2010. Item No. 13, Fact Sheet, at 1. Although the noncareer postmaster relief (PMR) may be separated from the Postal Service upon implementation of the Final Determination, the record shows that no other employee would be affected by this discontinuance. Item No. 33, Proposal, at 8. Accordingly, in making the Final Determination, the Postal Service considered the effect of the discontinuance on the employees of the Langston Post Office, consistent with its statutory obligations. See 39 U.S.C. § 404(d)(2)(A)(ii).

### **Economic Savings**

Postal Service officials properly considered the economic savings that would result from the proposed discontinuance, as provided under 39 U.S.C. § 404(d)(2)(A)(iv). The Postal Service estimates that administering delivery service at the Scottsboro Post Office would cost the Postal Service substantially less than maintaining the Langston Post Office, and would still provide regular and effective service. The

amount of the estimated annual savings associated with discontinuing the Langston Post Office is \$53,302. Item No. 33, Proposal, at 8.

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, consistent with the mandate in 39 U.S.C. § 404(d)(2)(A)(iv). Item No. 33, Proposal, at 8. Petitioner asserts that the Postal Service received an offer of reduced rent for the Langston Post Office. A review of the administrative record indicates that labor costs far outweigh the costs that could be saved through a reduction in rent. See Item No. 33, Proposal, at 8 (providing breakdown of costs). As reflected in the Proposal, the annual lease cost is less than one-third of the annual labor cost. See *id.* (reflecting \$13,000 annual lease cost and over \$45,000 annual labor cost). Thus, even if the lease costs were reduced, the impact on the savings would not be substantial.

The Postal Service determined that carrier service is more effective than maintaining the Langston postal facility and postmaster position. 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 discontinuance, consistent with its statutory obligations and Commission precedent. See 39 U.S.C. § 404(d)(2)(A)(iv).

### **Conclusion**

As reflected throughout the administrative record, the Postal Service has followed the proper procedures and carefully considered the effect of discontinuing the

Langston Post Office on the provision of postal services and on the Langston community, as well as the effect on postal employees, the economic savings that would result from the proposed discontinuance 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 Langston customers. 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). Accordingly, the Postal Service's decision to discontinue the Langston Post Office should be affirmed.

The Postal Service respectfully requests that the Final Determination to discontinue the Langston Post Office be affirmed.

Respectfully submitted,

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