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

In the Matter of: Pimmit Branch Falls Church, Virginia 22043 (Elaine J. Mittleman, Petitioner)	Docket No. A2011-90

ANSWER OF UNITED STATES POSTAL SERVICE TO PETITIONER'S MOTION DATED NOVEMBER 7, 2011, TO REQUEST THE UNITED STATES POSTAL SERVICE TO SUPPLEMENT THE RECORD
(November 14, 2011)

By means of Order No. 882, the Postal Regulatory Commission (Commission) docketed correspondence from Elaine J. Mittleman (Petitioner), assigning PRC Docket No. A2011-90 as an appeal pursuant to 39 U.S.C. § 404(d).[1] On November 7, 2011, the Petitioner filed a motion in this docket.[2] First, Petitioner requests that the Postal Service provide information and supplement the record in this docket about the basis for the decision to conduct the study. Second, Petitioner seeks to have the Postal Service supplement the record to correct certain references to Stamps on Consignment locations on page 5 of the Final Determination. Third, Petitioner seeks an extension of time to file an initial brief until after the record has been supplemented.

Concerning the Petitioner's first request, the Pimmit Branch was subject to the procedures set forth in Chapter 7 of Handbook PO-101 (August 2004) updated with Postal Bulletin revisions through August 2, 2007. These regulations

[1] PRC Order No. 882, Notice and Order Accepting Appeal and Establishing Procedural Schedule, PRC Docket No. A2011-90, September 29, 2011.
[2] Motion of Petitioner to Request the United States Postal Service to Supplement the Record Concerning the Pimmit Branch Study, Falls Church, Virginia 22043, PRC Docket No. A2011-90, November 7, 2011.

were carried forward for discontinuance actions commencing before July 14, 2011. See 39 CFR 241.3(a)(C)(ii). Under regulations in effect at the time, there were no specific criteria in Handbook PO-101 for field-initiated discontinuance actions of classified stations and branches. Consequently, the Petitioner's request should be denied; any rationale for the discontinuance would be found in the final determination and record filed with the Commission.

The Petitioner's second request is that the Postal Service supplement the record to correct certain references to Stamps on Consignment locations on page 5 of the Final Determination. However, there is no process in the Commission's Rules of Practice and Procedure or the Postal Service's Handbook PO-101 for a Petitioner to supplement the record after a final determination has been issued. The record includes all information that responsible personnel considered, and in this case, postal management evidently did not consider the information that Petitioner seeks to produce now. Petitioner is, of course, free to attach this information to her pleadings should she wish to do so.

Concerning the Petitioner's third request, the Postal Service does not object to Petitioner's request for an extension of time. If the Commission grants the Petitioner's request for an extension of time, the Postal Service requests that the Commission adjust the procedural schedule accordingly.

Respectfully submitted,

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