Form 61—Participant Statement Docket #A2012-29

Before the
Postal Regulatory Commission
Washington, DC 20268

RECEIVED
2011 NOV 18 P 2: 21
POSTAL REGULATORY COMMISSION
OFFICE OF THE SECRETARY

In the Matter of:

Glencliff Post Office, NH 03238 Docket No.: 2012-29

Philip Belyea, Petitioner

***I hereby request a waiver to submit my participant statement on paper.**

PARTICIPANT STATEMENT

1. The petitioner is appealing the Postal Service's Final Determination concerning the Glencliff Post Office. The Final Determination was posted on October 5, 2011.

2. In accordance with applicable law, 39 U.S.C. §404(d)(5), the Petitioner requests the Postal Regulatory Commission to review the Postal Service's determination on the basis of the record before the Postal Service in the making of the determination.

3. Petitioner: Please set out below the reasons why you believe the Postal Service's Final Determination Should be reversed and returned to the Postal Service for further consideration. (See pages of the Instructions for an outline of the kinds of reasons the law requires us to consider.) Please be as specific as possible. Please continue on additional paper if you need more space and attach the additional page(s) to this form.

I am the retired postmaster of the Glencliff Post Office. I spent thirty-seven years at the Glencliff P.O. and I have a pretty good idea how important this office is to the town and to the Appalachian Trail hikers.

The process the Postal Service has used in closing of this office, as far as I can see, is in direct violation of Title 39 for a few reasons.

Title 39 U.S.C. Section 101(b) states "that the Postal Service shall provide a maximum degree of effective and regular postal services to rural areas, communities and small towns where post offices are not self-sustaining." The section also says that no post office shall be closed solely for operating at a deficit.

The Glencliff Post Office operated at a loss, but its loss was very small compared to some of the losses I have seen at other post offices, yet these (oftentimes larger) post offices aren't up for closure.

Since the Postal Service could not close the Glencliff P.O. solely using the excuse that the post office was losing money, instead they chose to close Glencliff because I retired. What a lame excuse. I know that there were two people interested in the job, but the Postal Service never posted it; that way they could keep that excuse open so they could move to close the Glencliff P.O.

Secondly, management chose to disregard the following information even though on their survey they said that our input was very important to the closure process. A total of 615 signatures were received on petitions to keep the post office open; letters supporting the continuance of the Glencliff P.O. were sent to the Postal Service by the administrator at the Glencliff Home for the Elderly, the Grafton County Commissioners, the Appalachian Trail Conservancy, the Warren Selectboard, U.S. Congressman Charlie Bass, NH Executive Councilor Ray Burton, the Appalachian Trail Museum, and the Appalachian Mountain Club. Newspaper articles were also written and submitted as part of the public record.

It seems pretty clear based on the input from the public that more people wanted the post office to remain open than wanted it to close.

Substituting rural carrier service is in no way a "maximum degree of effective and regular service."

In its final determination, the Postal Service made up a list of benefits and disadvantages of closing the Glencliff Post Office and substituting rural carrier service. They left out a few considerations. For instance, on the minus side they didn't factor in public comments about the insecurity of mail sitting out in a mailbox on the road; they didn't mention later delivery of mail; they didn't mention that a rural route carrier doesn't have the knowledge and expertise a postmaster has; they also didn't factor in the complications of carrying out a transaction using a rural route carrier—the carrier wants the money up front to cover the postage for mailing a package, but the customer doesn't know how much the postage will be until the carrier has brought the package back to the office to weigh it and rate it; therefore chances are a package won't be mailed out the day it is picked up, because the customer will have to wait till the next time he/she sees the carrier in order to be told the total so that he or she can pay the carrier and the package can go out—and the complications abound when something is being shipped to an international location.

Title 39 is the law, but I cannot figure out who makes the Postal Service accountable to operate according to the law, because it looks like they are clearly in violation in this instance.

From what I understand of the closure process, when you make the list (and we don't know how post offices are chosen for closure) you have to go through the required Postal Service closure process. If the Postal Service decides to close your office, you have the right to appeal to the Postal Regulatory Commission, which as I understand is powerless to stop a closing; the PRC can only suggest that the Postal Service take another look at their process and determination. Yet if the Postal Service has chosen not to follow Title 39 and has essentially broken the law, who makes the Postal Service accountable?

From what we understand, the Postal Service is engaged in a wholesale closure, and unless someone can prove otherwise it looks as if they had already decided to close our post office regardless of what facts came up during the closure study and regardless of what issues people raised during the public comment period. Given this was a done

deal from the beginning, the whole exercise seems to have been pointless, as the decision kept moving up the ladder with one rubber stamp being applied after another—with total disregard of the facts and the law. If it walks like a duck, talks like a duck and waddles like a duck, it must be a duck.