

Before the
UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Enloe Post Office
Enloe, Texas

Docket No. A2011-54

COMMENTS OF THE PUBLIC REPRESENTATIVE

(December 7, 2011)

I. SUMMMARY OF PROCEEDINGS

The Commission received an appeal for review of the closing of the Enloe, Texas Post Office. On August 24, 2011, petitions were posted on the Commission's website by Jerry and Susan Carrington and on August 25, 2011, by Deloris H. Gillean and Jack and Myra Webb.¹ In Order No. 827 the Commission instituted a proceeding under 39 U.S.C. 404(d)(5), designated the case as Docket No. A2011-54 to consider the Petitioner's appeal and designated the undersigned as Public Representative.²

Petitioners contend that: (1) the Postal Service failed to consider the effect of the closing on the community (see 39 U.S.C. 404(d)(2)(A)(i)); (2) the impact on regular and effective postal services (see 39 U.S.C. 404(d)(2)(A)(iii) and (3) the Postal Service failed to adequately consider the economic savings resulting from the closure (see 39 U.S.C. 404(d)(2)(A)(iv)).

¹ Petition Received from Jerry and Susan Carrington, August 24, 2011, and Petition Received from Deloris Gillean and Jack and Myra Webb, August 25, 2011.

² Notice and Order Accepting Appeal and Establishing Procedural Schedule, August 25, 2011 (Order No. 827).

The Commission's Notice designated September 8, 2011, as the date for the Postal Service to file the administrative record. On September 8, 2011, the Postal Service filed an electronic copy of the administrative record in response to Order No. 827.³ Petitioner Deloris Gillean filed a Participant Statement on October 5, 2011.⁴ The Postal Service filed Comments on October 18, 2011.⁵ Petitioner Gillean filed reply comments on November 9, 2011. On December 2, 2011, the Postal Service filed a corrected Administrative Record because of documents not originally included in its original filing on September 8, 2011.⁶

II. DISCUSSION

Impact on the Enloe community. The Petitioners assert that the Postal Service did not consider the effect of the closing of the Enloe Post Office on the community and that the reasons given for closing, which are minimal workload and postmaster vacancy, are insufficient to discontinue the facility. Petitioner Deloris Gillean states that because of the poor economy in the community the closing of the post office will magnify the loss of business potential and diminish the community identity. The Carrington's appeal raises the issue of the closings impact on senior citizens and patrons with disabilities who rely on the postal service for delivery of medications that may be subject to theft or damage because of changes in temperature through the use of rural mail boxes. The Petitioners also note the historical significance of the town's maintenance of a post

³ United States Postal Service Notice of Filing, August 26, 2011 (Administrative Record).

⁴ Participant Statement from Deloris Gillean Regarding the Enloe, Texas Post Office, October 5, 2011.

⁵ United States Postal Service Comments Regarding Appeal, October 18, 2011 (Postal Service Comments).

⁶ United States Postal Service Notice of Filing Corrected Administrative Record-Errata, December 2, 2011 (Corrected Administrative Record).

office since 1897. The administrative record demonstrates that the Postal Service has considered many of the issues raised by the Petitioners.⁷

However, the administrative record in this proceeding has issues that have not been made clear and other issues appear to indicate that the patrons of the Enloe post office may not receive prompt attention to service related concerns making the community less attractive for businesses and residents. The Postal Service proposes that the patrons of Enloe can receive rural route carrier delivery under the administrative responsibility of the Cooper Post Office located four miles away.⁸ Final Determination at 2. The Cooper post office is designated as the alternative post office to administer rural route delivery and retail services as affirmed in Orders No. 951 and 977 for Ben Franklin and Lake Creek post offices, respectively.⁹ The addition of the Enloe post office for administrative supervision brings the total to three post offices under the direction of the Cooper Post Office. To support the transparency of the closing process the Postal Service should explain the impact of these assignments on the Cooper post office resources and staff and inform the communities affected how their needs will receive attention within a reasonable timeframe.

Regular and effective postal services. The Public Representative is concerned that the imposition of new administrative responsibility at the Cooper post office may not be adequately monitored and customer service and regular and effective service may suffer. Certain responsibilities such as special requests for hardship service, large package delivery and timeliness of deliveries may suffer because of the additional responsibilities of the Cooper post office as noted above.

⁷ All references made to the Administrative Record and Final Determination pertain to the Corrected Administrative record filed on December 2, 2011.

⁸ The Postal Service states that the Cooper location is four miles away. However, the Petitioners and other patrons argue that the location is further. The Public Representative performed an Internet search and found the mileage indicates the Cooper office is 5.1 miles away.

⁹ See Docket No. A2011-52, Order Affirming Determination A2011-52, November 17, 2011 (Order No. 977); see also Docket No. A2011-24, Order Affirming Determination A2011-24, November 7, 2011 (Order No. 951).

The administrative record states that the Enloe post office has window retail service hours of Monday through Friday 8:30 a.m. to 4:00 p.m., and 8:30 a.m. to 10:00 a.m., on Saturday. The Cooper Post Office has window retail service hours of Monday through Friday 8:00 a.m. to 4:00 p.m., Monday through Friday and no window service on Saturday. Final Determination at 2. The Enloe patrons will not have window retail services available on Saturday at the Cooper post office.

The Petitioners argue that the Cooper post office does not have access for the disabled.¹⁰ Petition of Jack and Myra Webb and Petition of the Carringtons. The Postal Service has provided the response that the rural route carrier can handle retail services and patrons with hardship cases may submit a request for special assistance to the administrative postmaster. *Id.* at 4. The Enloe post office does have access for the disabled. Customers have a valid concern about an alternate facility that does not have such access. In spite of rural route carrier service patrons should receive the same or similar quality of services from the alternative location.

The Enloe patrons also raised the issue of higher post office box fees for the Cooper post office. The Postal Service states that this will be taken into consideration. *Id.* at 6. It also asserts that if rural route carrier service is selected, charges do not apply. *Id.* This response does not address the paradox of the Postal Service's position in the Final Determination that an additional source of revenue, the post office box, is now argued to be less desirable because of cost than the benefits of rural route service. The advantages of the alternate location are eroded by the additional cost to customers and limited savings overall for the Postal Service in closing the Enloe post office.

Additionally, it is unclear exactly how many post office boxes are now available for Enloe patrons at the Cooper post office. The administrative record indicates that on January 10, 2011, there were 62 post office boxes available at the Cooper post office. Administrative Record at Item No. 2 Pg. 1. As a result of the Lake Creek and Ben Franklin post offices possible use of post office boxes, the Public Representative is

¹⁰ There is some discussion in the record from patrons of the Enloe post office about structural issues that impact modifying the Cooper facility related to its historic status.

unclear how many more may be available since the two post offices will close and now three offices will be under the administrative supervision of the Cooper post office.

Consideration of economic factors. Finally, the costs for the change in service appears unclear. The administrative record indicates that the Postal Service will save in excess of \$40,000 in the closing of the Enloe post office. Final Determination at 8. There has been no postmaster in the location since 2009 and some savings have already been realized with the reduced salary of an OIC, but these are not included in the explanation of expenses. The administrative record indicates that the lease does not end until 2015. The Postal Service includes reduced annual savings from ending the lease but does not explain whether there are any expenses associated with termination, such as returning the property to its original condition. It does not include zero costs for lease cancellation, which raises the question about possible expenses for cancellation. The Petitioners have raised the issue of a significant concern about access to postal services for seniors and others who may require accommodation for hardship delivery. Even though the Postal Service indicates in its standard responses that a request can be made for hardship delivery through the administrative postmaster, the Public Representative is interested in knowing whether there is a cost associated with hardship delivery. No cost is included in the record but there must be associated costs. Additionally, the assignment of the third retail and rural route delivery service to the Cooper post office may also have additional costs that are not itemized in the record. As a result of these factors the Public Representative is not confident that the savings are accurate.

Respectfully Submitted,
/s/ Cassandra L. Hicks
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