

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268

In the Matter of:

McCallsburg ,
Post Office

Iowa
State

50154
ZIP Code

Docket No: A2012-86

Robin D. Pruisner , Petitioner(s)

PARTICIPANT STATEMENT

1. Petitioner(s) are appealing the Postal Service's Final Determination concerning the McCallsburg post office. The Final Determination was posted October 27, 2011.
(date)

2. In accordance with applicable law, 39 U.S.C. § 404(dX5), the Petitioner(s) request 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. Petitioners: 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 submitting this PARTICIPANT STATEMENT as part of my appeal of the USPS's decision to discontinue the Post Office in McCallsburg, Iowa, 50154. This document frequently references the USPS Handbook PO-101 (August 2004 edition*) and other information already submitted into the Official Record by the USPS, PRC Docket #A2012-86.

* - Because the McCallsburg Post Office Discontinuance Study was started prior to the July 2011 Handbook PO-101 update release, the older version of the PO-101 is in effect for McCallsburg.

I have thoroughly reviewed the USPS Handbook PO-101 and have found numerous procedural errors committed by the postal officials in the USPS's rushed bid to close our local Post Office. A complete list of violations of the requirements of USPS Handbook PO-101 is attached to this Statement as Appendix I. The very first paragraph of page 1, Transmittal Letter, of Handbook PO-101 states:

*"A. Introduction. Handbook PO-101, Post Office Discontinuance Guide, serves as a tool for providing district Post Office™ review coordinators information on policies and procedures related to the discontinuance of Post Offices. **Through adherence to these policies and procedures, the Post Office™ will assess the viability of and***

customer access to Post Offices, ensuring that the Postal Service continues to provide cost-effective universal service to all Americans as outlined in its Transformation Plan of April 2002." (underline and bold emphasis added by author of this letter)

The USPS has not adhered to its own policies set forth in Handbook PO-101. Therefore, I believe the USPS's assessment of our community and the effect of the Post Office closing is unfounded. I believe the USPS has acted in arbitrary and capricious manner, failed to employ discretion throughout the entire discontinuance study and Final Determination, and has failed to act in accordance with the law. The Final Determination to discontinue the McCallsburg Post Office is unsupported by substantial evidence in the Official Record.

The following details the inaccuracies of the McCallsburg Final Determination document, section by section:

Section I. Responsiveness to Community Postal Needs

1. In the second sentence of this Final Determination section, the USPS states, *"The postmaster position became vacant when the postmaster retired on January 29, 2010. Since the postmaster vacancy an OIC has been installed to operate the office."* The citizens of McCallsburg do not argue with this statement of fact, however, in the Official Record, Item 18 of, page 1 of the 4920, Section 11, 'Staffing' is incorrect, as this form depicts the McCallsburg Post Office having zero employees.
 - a. Furthermore, the next sentence in this section says, *"Postmaster level and office service hours are determined by a workload analysis which includes the number of deliveries and revenue."* However, in the Official Record, Item 9, page 1, the Worksheet for Calculating Workload Service Credit (WSC) for Post Offices states that the McCallsburg Post Office has no revenue WSC. The residents of McCallsburg know this is erroneous since residents pay rent for Post Office Boxes, and buy postage, etc., at the McCallsburg Post Office. Furthermore, how can the WSC state that the McCallsburg Post Office has zero revenue work service credits while the fifth paragraph, page 1, of the Final Determination lists 77 revenue units for FY2008, 70 revenue units in FY2009, and 67 revenue units in FY2010? And finally, the WSC form is not dated nor signed.
2. Both the Proposal and Final Determination inaccurately state the window service hours, 8:30 - 11:00, and 13:00 - 16:00, whereas, the correct hours are 8:30 - 11:00, and 13:00-16:45, of the Roland, Iowa, Post Office. This is important because the public is being directed to the Roland Post Office if McCallsburg is indeed closed. This inaccuracy was brought up with the USPS staff in attendance of the June 15 community meeting and yet the Final Determination still contains this error. (*Handbook PO-101 section 133.1 states that the district Post Office review coordinator is responsible for thoroughly reviewing Official Records and certifying their accuracy.*)
 - a. Furthermore, the Proposal and the Final Determination list the Roland administrative Post Office as an EAS-15, however, at the June 15 public meeting the Roland PM stated that it is in fact an EAS-13. If the McCallsburg Post Office is closed and the route is transferred to Roland, will that then make the Roland Post Office an EAS-15?

If this is true, then the Roland PM's salary will increase. Has this been taken into account in the Economic Savings calculation? (*Handbook PO-101 section 133.1 states that the district Post Office review coordinator is responsible for thoroughly reviewing Official Records and certifying their accuracy.*)

- b. In the Official Record, Item 18, page 1, section 19 of the 4920, the hours of the Roland Post Office is incorrect, again. And, The EAS level of both the Roland and Zearing Post Offices are missing. (*Handbook PO-101 section 133.1 states that the district Post Office review coordinator is responsible for thoroughly reviewing Official Records and certifying their accuracy.*)
3. The Final Determination states "*The proposal to close the McCallsburg Post Office was posted with an invitation for comment at the McCallsburg Post Office, Zearing Post Office and Roland Post Office from July 11, 2011 to September 11, 2011.*" However, September 11, 2011, was a Sunday, so the Proposal was not removed until September 12. Furthermore, in the Official Record, Item 44, page 1, the Log of Post Office Discontinuance Actions, states that the Proposal and invitation was posted on 6/28/2011 (*it actually was 7-11-2011*), and the Proposal and invitation was removed and round-dated on 9-26-2011 (*it was actually removed 9-12-2011*).
4. Final Determination Community Concerns #7, #8, and #21 summarize customers' concerns about mail security. The USPS response is that customers may place a lock on their mailbox, as the USPS does not open the box as mail is delivered through a slot. Concern #8 is a repeat of #7, with an additional sentence about Cluster Box Units (CBUs) - saying that CBUs are another option that provides security - however, at the June 15 Public Meeting, USPS staff only spoke of CBUs, and clearly stated that the USPS is not looking at extend the rural mail carrier's route – the USPS personnel made it sound like CBUs were the only option for McCallsburg once a Final Determination was made to discontinue the McCallsburg Post Office. So, it is unclear what the USPS means by stating that CBUs are another option. (*Handbook PO-101 section 133.1 states that the district Post Office review coordinator is responsible for thoroughly reviewing Official Records and certifying their accuracy.*)
5. Both Final Determination Community Concerns #9 and #10 focus on how customers can continue to receive postal services from a mail carrier. The USPS response to #9 states that most services available from a Post Office are available from the carrier. I disagree. McCallsburg citizens are very worried that the USPS is contending that all customers in McCallsburg will have the opportunity to be at their mailbox, in the few minutes time during the day when the carrier is present, in order to receive these services as efficiently as they do by visiting a Post Office any time during the day. Many citizens are employed away from the community and cannot be at the mailbox, just waiting around for service in the frequently inhospitable weather conditions of Iowa. Additionally, will the carrier always come to McCallsburg at the exact same time every day, or are citizens expected to 'camp' at their mailbox, waiting and waiting? I estimate that trying to attain service from a traveling carrier will delay service by at least a day, if not more, if the citizen is expected to leave money for postage in their box or misses the carrier when he/she passes through town once a day. I do not believe inconvenient and delayed service meets the U.S. Postal Code's requirement to provide a MAXIMUM degree of EFFECTIVE and REGULAR SERVICE to rural customers.
 - a. Concern #9 focuses on purchasing money orders. It is my understanding that carriers will not have money orders with them, so if a money order is needed, the carrier will have to bring the application back to the customer the next day. Will the carrier then

stand there, waiting for the customer to fill out the money order application, or come back again in another day to give the actual money order to the customer?

- b. In Concern #10, the USPS response says that **all** services available at a Post Office are available from a carrier (*with two listed exceptions, consisting of PO Box service and bulk mail acceptance*). However, this is wholly inaccurate. The carrier CANNOT accept any article over 13 ounces that will bear stamps. If a customer is not able to utilize the online click-n-ship service, then it is NOT possible for a customer to leave a package in their mailbox, awaiting postage. The travel and time required to ship packages WILL result in additional cost and burden for the citizens of McCallsburg.
 - i. In PRC Docket N2009-1, the PRC warns the USPS, *“However, the Commission finds that in many instances, the alternative access channels that the Postal Service promotes can not replace an actual visit to a post office. Certain important services, such as money orders and parcel pickup or mailing, may not be feasible except at a staffed retail facility. APWU witness Morrison states the Pew Internet and American Life Project’s April 2009 survey reports that, “only 35 percent of residents living in households with income at less than \$20,000, 30 percent of Americans over 65 and 46 percent of African Americans have home broadband access.” APWU-T-2 at 15-16. These statistics imply that the alternative of accessing postal services through the internet may be severely limited for these demographic groups.”* The 2010 census results reveals that nearly 15% of McCallsburg’s population is over the age of 65. (http://www.recap.iastate.edu/local/2010census/files/2010census_1947775.pdf) I feel that the USPS has been less than honest with the residents of McCallsburg when the USPS feigns that the alternative service methods are as good as having a community Post Office.
6. Final Determination Customer Concern #12 focuses on permit mailing issues. If the McCallsburg Post Office is closed, permit mailings from McCallsburg will require customers to request that containers be sent to them, and then the customer must take the mailing to the Roland Post Office to get the articles mailed. If containers are not delivered by the carrier, then the permit mailer will have to make two trips to the administrative Post Office in Roland to pick up and drop off the containers. This is at additional cost and burden for Bethany Lutheran Church, a nonprofit organization in McCallsburg that is permit mailer.
7. Final Determination Customer Concern #15 was not in the original Proposal. Here, residents asked if they could decide to have either CBU or curbside delivery. In the Final Determination, the USPS response states that both CBUs and curbside delivery are being proposed, but that USPS Headquarters in Washington DC will make the final decision. *“No decision on either has yet been made.”* McCallsburg residents feel that this Final Determination is incomplete. Does the USPS intend to notify the residents of McCallsburg in the middle of the winter that they must immediately install non-L Route boxes when the ground is frozen?! I feel that the USPS should not issue any Final Determination that does not accurately and completely state how US Mail will continue to be delivered to the affected residents.
 - a. Handbook PO-101 Section 144.(e) requires that a full range of alternate service options, including advantages and disadvantages, be presented at the community meeting. Only one alternate service option was presented at that meeting - CBUs. The USPS personnel holding the meeting discussed no other possible alternatives. Handbook PO-101 section 261 requires the USPS staff in attendance to *“...explain*

service alternatives...” Delivery by non-L route boxes was never presented at the meeting.

8. Final Determination Customer Concern #18 focuses on the lack of notes taken by USPS staff at the June 15, 2011, Community Meeting. The USPS response states that there are three pages of notes from the meeting in the Official Record. However, the residents who reviewed the Official Record that was out for public review from July 11 - September 12, did NOT see the supposed notes therein. The citizens of McCallsburg both video and audio recorded the meeting – thus have proof that USPS staff in attendance did not accurately record the questions and concerns posed by the citizens in attendance. How could the two USPS staffers remember all the questions brought up in an hour and thirty-five minute meeting and accurately summarize them without making notes during the meeting? Handbook PO-101 Section 144(d) requires a thorough record and analysis of the community meeting. Handbook PO-101 section 261 states, *“Make notes of customer concerns and responses for inclusion in the Official Record.”* Handbook PO-101 section 134.61 prohibits the exclusion of information and views submitted by customers in the Official Record, whether they support the Proposal or not. I believe the citizens’ concerns and questions raised at the meeting were not adequately summarized in the Proposal, and thus the conclusion reached in the Final Determination are invalid.
 - a. The list of questions and concerns raised by McCallsburg citizens at the June 15 meeting that are missing from both the Proposal and Final Determination summaries of Customer Concerns can be found in Appendix II.
9. Final Determination Customer Concerns #22 and #23 focus on mail collection worries. At the June 15 meeting, USPS personnel could not provide thorough answers about how mail would continue to be collected if the McCallsburg Post Office was closed. The USPS response states that a decision to retain a collection box will be made at USPS Headquarters in Washington DC. McCallsburg residents feel that this Final Determination is incomplete as it does not accurately and completely state how US Mail will continue to be delivered and picked up.
10. Final Determination Customer Concern #30 is in regards to the USPS failure to replace the McCallsburg retired Postmaster. The USPS replied, *“All management positions were frozen in anticipation of the reorganization efforts.”* However, the truth is that the PM retired in January of 2010. The USPS had not made their plans to reorganize public at that period of time. Isn't the USPS required to notify the PRC when the USPS intends to close Post Offices? It is clear to the citizens of McCallsburg that the USPS has not abided by the rules and requirements set out to govern such egregious actions.
 - a. Furthermore, a letter dated June 6, 2011, from PRC Chairman Ruth Goldway to Postmaster Donahoe, points out that the USPS has pressed forward with a plan to close, and evaluate Post Offices for closure, without prior notification to the PRC as USC Title 39 requires. The review of the McCallsburg Post Office was initiated during this period. Therefore, I ask if the USPS’s continued plot to close our Post Office is legal - or ethical?
11. Final Determination Customer Concern #32 focuses on accountable mail and large parcels. USPS replied that if a customer lives less than one-half mile from the line of travel, the carrier would attempt delivery. What happens if a customer lives more than one-half mile away - as the USPS stated that large parcels might be left outside of the mailbox? The citizens of McCallsburg are very concerned about the safety of packages left outside! Furthermore the USPS stated, *“Attempted delivery items will be taken back to the Post Office. Customers may*

pick up the item at the Post Office or request redelivery.” Requiring customers to drive to the administrative Post Office in Roland to pick up their packages will result in additional cost and burden for the citizens of McCallsburg.

12. Final Determination Advantage #4 under *“Some Advantages of the Proposal Are”* states that CBUs offer security of individually locked mailboxes. However, as detailed above in bullets 4 and 11, the citizens of McCallsburg have not been given a solid answer as to how the USPS plans to continue to securely pick up and deliver mail after the closure of the McCallsburg Post Office. At the June 15 public meeting, CBUs were the only alternative mail delivery service given to residents. And, in the Official Record Item 17, page 2, USPS has pointed towards non-L route boxes. Which is it? (*Handbook PO-101 section 133.1 states that the district Post Office review coordinator is responsible for thoroughly reviewing Official Records and certifying their accuracy.*)

Section II. Effect on Community

13. In the first sentence of this section, the USPS incorrectly states that the city of McCallsburg is unincorporated. The city of McCallsburg has been incorporated since February 25, 1901. (*Handbook PO-101 section 133.1 states that the district Post Office review coordinator is responsible for thoroughly reviewing Official Records and certifying their accuracy.*)
14. Final Determination Customer Concern #2 expresses community concern about the loss of a community bulletin board, currently in the McCallsburg Post Office. The USPS responded the bulletin board could be displayed in grocery stores and retail outlets. McCallsburg does NOT have a retail outlet that the community bulletin board can be moved to. The administrative Post Office in Roland is six miles away - - how are elderly who do not drive supposed to see a bulletin board in the Post Office of another community?
 - a. The USPS has recently announced the ‘Village Post Office’ initiative (http://about.usps.com/news/national-releases/2011/pr11_089.htm). The article states, *“Village Post Offices would be operated by local businesses, such as pharmacies, grocery stores and other appropriate retailers, and would offer popular postal products and services such as stamps and flat-rate packaging. “By working with third-party retailers, we’re creating easier, more convenient access to our products and services when and where our customers want them,” Donahoe said. “The Village Post Office will offer another way for us to meet our customers’ needs.”*” While the citizens of McCallsburg do not argue that this concept will be convenient for residents of urban areas where those types of retail outlets are plentiful, the village concept does nothing for the residents of McCallsburg. It’s 12 miles, one way, to a grocery store in Story City or 14 miles to the grocery store in Nevada. Simply put - the village Post Office concept does not work for a small town like McCallsburg that have NO retail outlets to absorb the lost postal services by the closing of a local Post Office.
15. Final Determination Customer Concern #7 describes the citizens’ concern that the closure of the McCallsburg Post Office will have a detrimental effect on the community’s businesses. It is important to note that in the second paragraph under II. Effect on Community, the USPS failed to accurately list the businesses on the 4920 and Final Determination within the 50154 area. The correct list is in item #13, page #2 of the Official Record. How can the USPS make a proper decision about the effect on businesses in McCallsburg when the USPS has not even properly listed those businesses? (*Handbook PO-101 section 133.1 states that the district*

Post Office review coordinator is responsible for thoroughly reviewing Official Records and certifying their accuracy.)

- a. First, I want to establish that while McCallsburg does not have retail outlets, as mentioned above in bullet number 14, there are many business located here ranging from a car wash equipment supplier that covers multiple states, to local plumbers, and home builders. These businesses are important to the vitality of our community, even though they are not retail outlets.
 - b. If the McCallsburg Post Office is closed, all businesses - and citizens - who had a PO Box will have to change their address. This will result in additional cost and burden for the businesses and citizens of McCallsburg.
 - c. How will businesses, such as our local school, which receive a significant volume of mail, continue to effectively receive their mail if it does not fit within the confines of a single CBU? Will the carrier deliver direct to the school? If so, I feel that the safety of the children could come into question, with the added traffic in the area where the elementary and preschool children are present. If the school is assigned a CBU, will they be assigned more than one, or how will the overflow mail be dealt with?
 - d. It is common for businesses to bring their outgoing mail pieces to the Post Office near the end of the business day. Under this Proposal, mail pick up will occur only once a day, and likely before noon. If this is the case, businesses who do not have their day's mailing ready by this early hour will have to wait one more day before it can be picked up by the USPS. This is detrimental to businesses, and I believe, does not meet the Post Code's requirement to provide for maximum, effective and regular service in small towns and rural areas.
16. Final Determination Customer Concern #9 expresses citizens' concern about the loss of a Post Office negatively affecting growth in the community. In the response, the USPS claims that there has been minimal growth in the area. I disagree with this response, as McCallsburg's population grew by 4.7%, 2000-2010, whereas the State of Iowa grew by 4.1% in the same time period, as recorded in this last census. (http://www.recap.iastate.edu/local/2010census/files/2010census_1947775.pdf) If the USPS had contacted local officials and inquired about the growth trends in the community, the USPS would not have misstated the facts in the Proposal. Handbook PO-101 states that the Official Record must contain accurate data - and the USPS response to this citizen concern is growing proof that the USPS has failed to gather and present accurate data. (*Handbook PO-101 section 133.1 states that the district Post Office review coordinator is responsible for thoroughly reviewing Official Records and certifying their accuracy.*)
17. I believe the conclusion of the USPS Final Determination, "*Based on the information obtained in the course of this discontinuance study, the Postal Service concludes this Final Determination will not adversely affect the community.*" is NOT valid, as the USPS has inaccurate information in both the Official Record, Proposal and even the Final Determination. I believe the USPS had made up its mind to close the McCallsburg Post Office long before the study even began. I find this action to be underhanded and deceptive – and certainly has failed to follow procedures required by law regarding closures (39 U.S.C. 404(d)(5)(B)).

Section III. Effect on Employees

18. The USPS states that the Final Determination to close the McCallsburg Post Office will not adversely affect postal employees. However, I and the residents of McCallsburg believe this is an incorrect as the current OIC is actually the Postmaster of Garden City, which is also under review. Furthermore, in the Official Record, Item 18, page 1 of the 4920, Section 11, 'Staffing' is incorrect, as this form depicts the McCallsburg Post Office as having zero employees. And, in the Official Record, Item 44, page 1, the Log of Post Office Discontinuance Actions incorrectly states that there are no career, non-career and no other employees in the McCallsburg Post Office - the OIC and PMR located in the McCallsburg Post Office disagree that there are no postal employees working in the McCallsburg Post Office! (*Handbook PO-101 section 133.1 states that the district Post Office review coordinator is responsible for thoroughly reviewing Official Records and certifying their accuracy.*)
- a. As detailed above in bullet 8(b)(xlii), the community is concerned about the negative affects on postal employees, but the USPS has failed to even note that concern, let alone provide information to the residents of McCallsburg.

Section IV. Economic Savings

19. I believe that the estimated annual savings in closing the McCallsburg Post Office is INCORRECT. The summary lists a savings of \$6,480/year will occur when the USPS does not have to pay for an annual lease. However, at (a) the June 15 public meeting and in (b) a June 21 letter submitted to Bill Borum, the owners of the building that house the current McCallsburg Post Office offered the use of the building to the USPS at no cost to the USPS. The USPS has not replied to the building owners concerning this generous offer. This letter from the owners of the building is also missing from the Official Record. In light of this rent-free offer, the USPS cannot count the \$6,480 annual lease cost as a savings. (*Handbook PO-101 section 133.1 states that the district Post Office review coordinator is responsible for thoroughly reviewing Official Records and certifying their accuracy.*)
- a. The USPS has failed to note the loss of PO Box revenue in the estimated annual savings in the Final Determination.
 - b. The OIC that is currently managing the McCallsburg Post Office is actually the Post Master in Garden City, Iowa. I do not believe the USPS can consider the OIC/PM's salary and benefits as a cost savings once the McCallsburg Post Office is closed, as it is unlikely she will be separated from employment with the USPS at that time.
 - c. The USPS has failed to explain the proposed cost savings of \$16,618 in the Final Determination. This appears to be a completely arbitrary figure not supported by any specifics. Because the USPS has not yet chosen the form of alternative service, how can a meaningful estimate of the cost of alternative service be made?
 - d. It bears repeating again, that in the Official Record, Item #9, page #1, the Worksheet for Calculating Workload Service Credit (WSC) for Post Offices states that the McCallsburg Post Office has no revenue WSCs. The residents of McCallsburg know this is erroneous since they pay rent for Post Office Boxes, and buy postage, etc., at the McCallsburg Post Office. How can the WSC state that the McCallsburg Post Office has zero revenue work service credits while the fifth paragraph, page 1, of the Final Determination lists 77 revenue units for FY2008, 70 revenue units in FY2009, and 67 revenue units in FY2010?
20. In the Final Determination, Proposal and Official Record, the USPS has failed to list the costs

associated with the installation, and maintenance, of the proposed CBUs. However, in many of the USPS responses to Customer Concerns, the use and installation of CBUs is discussed. In the 'IV. Economic Savings Section', \$16,618 is listed as the annual cost of replacement services which appears to be the cost of delivery to non-L route boxes. - - Which is the USPS proposing for McCallsburg - CBU or non-L route boxes? The Proposal and Final Determination documents are unclear and elusive concerning the future of postal service to McCallsburg residents.

Section V. Other Factors

21. The USPS claims that they identified no other factors for consideration. However, at the June 15 community meeting, city officials personally handed the USPS personnel onsite a letter from Senator Charles Grassley. The USPS has failed to note this in this section. Handbook PO-101 section 134.61 prohibits the exclusion of information and views submitted by customers in the Official Record. Furthermore, Handbook PO-101, section 145(h) states that the Proposal must. *"h. Include information about petitions and congressional inquiries."* The USPS failed to include Senator Grassley's letter in the Official Record that is currently posted in the McCallsburg Post Office. More on the Senator's letter is included later in this document.
- a. A community concerns letter was submitted to USPS personnel at the June 15 community meeting. The USPS has failed to reply even though the letter requested a written response within 15 days. Handbook PO-101 section 134.61 prohibits the exclusion of information and views submitted by customers in the Official Record.
 - b. At the June 15 community meeting, the current owners of the building which houses the McCallsburg Post Office, stated publicly that they would be willing to allow the Post Office to remain there, rent free. The building owners also sent a letter to the USPS stating this generous offer following the meeting. The USPS has not replied to this zero-rent offer, nor did the USPS include the letter in the Official Record. Handbook PO-101 section 134.61 prohibits the exclusion of information and views submitted by customers in the Official Record.
 - c. McCallsburg submitted a 10-page letter, dated September 6, delivered by Express mail to Karen Lenane of the USPS, on September 9. This was delivered to Ms. Lenane within the 60-day public comment period, which ended on September 11. This letter is missing from the Official Record that was posted October 27. It is my understanding that all public comment and correspondence received by the USPS during the 60-day comment period is to be in the Official Record/Docket. On November 3, McCallsburg sent a certified letter to Ms. Lenane, inquiring about the absence of the letter in the Official Record. The 10-page letter was then added to the Official Record on November 18, 2011 - long after the decision to discontinue the McCallsburg Post Office was made. Therefore, the USPS did not evaluate the complete public record when making their decision, nor did the USPS have a complete copy of the Official Record for inspection at the McCallsburg Post office as required by Handbook PO-101, section 432.32. Handbook PO-101 section 134.61 prohibits the exclusion of information and views submitted by customers in the Official Record. *(Handbook PO-101 section 133.1 states that the district Post Office review coordinator is responsible for thoroughly reviewing Official Records and certifying their accuracy.)*
 - i. Handbook PO-101 section 431 states, *"Final determinations and appeal*

decisions are based on the information in the Official Record. Thus the importance of thorough documentation cannot be overemphasized." I feel that the USPS has acted in a deviant manner by keeping the September 6 letter submitted by McCallsburg out of the Official Record, to keep the letter from review by the PRC during this appeal process. Only after McCallsburg sent a certified letter, was the September 6th letter placed in the Official Record - - AFTER the Final Determination to discontinue the McCallsburg Post Office was made.

The United States Postal Code , Title 39, Part 1, Chapter 1, § 101 (b) states:

*"The Postal Service shall provide a **maximum degree of effective and regular postal service to rural areas, communities and small towns where post offices are not self-sustaining. No post office shall be closed for operating at a deficit. It is the specific intent of the Congress that effective postal service be insured to residents of both urban and rural communities.**"* (underline and bold emphasis added by author of this letter)

I feel that the USPS has blatantly disregarded the United States Code and is failing to even abide by the rules it set out for itself for the proper evaluation of the discontinuance of a rural Post Office. I understand that the US Code requires the PRC to, *"set aside any determination, findings, and conclusions found to be - (A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law; (B) without observance of procedure required by law; or (C) unsupported by substantial evidence on the record."* I believe this document contains extensive proof of how the USPS has disregarded (A), (B) and (C), and thus, I believe the PRC must right a wrong and is obligated to remand the USPS Final Determination to discontinue the McCallsburg, Iowa, Post Office.

I have found many inaccuracies in the USPS's Official Record and I, and the citizens of McCallsburg, feel that the USPS has not fully and thoroughly considered the real facts before making a decision to close the McCallsburg Post Office. **The citizens of McCallsburg request that the PRC remand the USPS Final Determination to close the McCallsburg, Iowa, Post Office.**

Respectfully Submitted,



Robin D. Pruisner
City Council, McCallsburg, Iowa

In addition to the USPS failures concerning the Final Determination in the main body of this Participant Statement, the following is a list of further violations of the Handbook PO-101 concerning the Discontinuance Study, Official Record, Proposal, and Final Determination.

1. Over and over again, I have highlighted how the USPS has utterly failed to abide by Handbook PO-101 section 133.1, *“The district Post Office review coordinator is responsible for thoroughly reviewing Official Records and certifying their accuracy and compliance with federal law, Postal Service policy, and the instructions in this guide.”* While the reader of this document may feel this is repetitive, I have chosen to do this to prove how the USPS has persistently acted without observance of procedure required by law.
2. Handbook PO-101 section 134.1 requires that the investigative coordinator to collect and analyze data, make recommendations based on the analysis, compile the Official Record, and ensure the discontinuance investigation is conducted in compliance with federal law, USPS policy and instructions set forth in PO-101. I believe this document highlights numerous instances where appropriate data was not collected/analyzed by the USPS, the Official Record is lacking and/or incorrect, and the discontinuance was not conducted in an appropriate manner.
3. Handbook PO-101 section 134.4 requires PS Form 4920, in the Official Record (Item 18, page 1) and be sent to the Post Office review coordinator for review. No posting is to be made before the review is complete and the district Post Office review coordinator notifies Government Relations and Public Policy at Headquarters. It is our contention that the Post Office review coordinator either (a) did not review the PS Form 4920, or (b) the USPS person in charge of completing the PS FORM 4920 prepared the document in a sloppy manner because the form is riddled with errors:
 - a. #10 lacks a proposed alternate service.
 - b. #11 lacks an appropriately marked checkbox describing the current staffing situation.
 - c. #17 contains an incomplete listing of organizations in McCallsburg. Item 13, page 2, in the Official Record clearly states the correct information.
 - d. #18 contains an incomplete listing of businesses in McCallsburg. Item 13, page 2, in the Official Record clearly states the correct information.
 - e. #19 lacks an EAS level and lists the wrong window hours. Correct hours are 8:30 - 11:00, 13:00-16:45.
 - f. #20 again lacks an EAS level.

(Handbook PO-101 section 133.1 states that the district Post Office review coordinator is responsible for thoroughly reviewing Official Records and certifying their accuracy.)
4. Handbook PO-101 section 134.61 requires that the Official Record include all information that the district Manager, Customer Service and Sales, has considered and the decision must stand on the record. The Official Record must be updated and maintained in an accurate and timely manner. As repeatedly outlined in this letter, the Official Record contains many omissions and inaccuracies, such as the missing rent-free offer, June 15 community questions, and 10-page September 6 letter, etc. Therefore, I question the validity of the Final Decision to close the McCallsburg Post Office.

5. Handbook PO-101 section 134.62 provides specific guidance on the format of the Official Record:
 - a. Section 134.62(b) requires that a sequential number be assigned to each document, which becomes the item number; and the docket, item, and page numbers are to be placed in the upper right hand corner of each page. The entire Official Record for McCallsburg has these numbers in the upper left corner of each page.
 - b. Items in the docket are not filed in chronological order, as required by PO-101 sections 134.62(b) and 134.62(d)
 - c. PO-101 134.62(e) requires a chronological index. No such index exists in the Official Record on display in the McCallsburg Post Office. It can only be found in the electronic version of the Official Record submitted to the PRC by the USPS on December 14, 2011.
 - d. The Final Determination lacks both an item and docket number.
6. Handbook PO-101 section 134.63 provides specific guidance on the content of the Official Record:
 - a. Section 134.63(e) requires that PS Form 4920 be current. As pointed out numerous times in this letter, PS Form 4920 is not current, correct, nor complete as required.
 - b. Section 134.63(f) requires that the record be thoroughly reviewed to ensure it is accurate and in compliance with federal law, Postal Service policy and the instructions in Handbook PO-101. This document proves again and again that the Official Record, Proposal and Final Determination are not accurate nor in compliance with Handbook PO-101, and I believe the Final Determination does not meet postal code which mandates "maximum degree of effective an regular postal service" to the residents of McCallsburg.
7. Handbook PO-101 section 145 provides specific instructions pertaining to the Proposal:
 - a. Section 145(o) requires information in the Proposal be consistent with PS Form 4920. Information on Form 4920 is NOT consistent with the information in the Proposal or Final Determination.
 - b. Section 145(v) requires that the number of businesses in the community be correctly stated in the Proposal. Above I have outlined the inaccuracies in the number of businesses stated - and thus are wrong in the both the Proposal and Final Determination.
 - c. Section 145(w) requires contact with local officials concerning community growth and population trends. As noted above, no such contact appears to have been made and this information is lacking in the Proposal and Final Determination. I feel it is important to point out again that McCallsburg experienced a 4.7% increase in population from 2000-2010, compared to only a 4.1% statewide average increase during the same period of time.
http://www.recap.iastate.edu/local/2010census/files/2010census_1947775.pdf
8. Handbook PO-101 section 146 provides specific instructions pertaining to the Official Record:
 - a. Section 146(b) requires that inconsistencies, contradictions and anomalies must be clarified in the record by a memorandum to the record, as outlined in section 134.3. I feel that this document, as well as past correspondence to the USPS, has

pointed out numerous inconsistencies, contradictions and anomalies, yet the USPS has obviously failed to clarify or correct these issues in the Final Determination.

- b. Section 146(i) requires the Official Record to have a complete PS Form 4920. Many times in this letter I have pointed out the inaccuracies and incomplete status of Form 4920.
 - c. Section 146(j) requires updated documentation in the Official Record. The September 6th letter pointed out many inaccuracies in the Proposal, yet, the USPS has corrected very few before releasing the Final Determination.
9. Handbook PO-101 section 222 outlines how the onsite investigation was to be carried out.
 - a. Section 222(a) requires interior photos be taken of the Post Office - no such photos are included in the Official Record. Furthermore, no photos were taken of the community facing north, south, east nor west.
 - b. Section 222(f) requires that PS Form 4920 contain accurate data. This document has repeatedly documented Form 4920 inaccuracies and incomplete status.
10. Handbook PO-101 section 242 provides examples of justification for discontinuance. Section 242(c) lists 'the postmaster position is vacant' as a valid reason for discontinuance. However, Handbook PO-101 also states that the recommended alternate service needs to be as good or better and documentation in the Official Record must support such statements. First, I contend that that service will decline, as outlined repeatedly in this letter, if the discontinuance takes effect. Second, the citizens of McCallsburg and I are offended that lacking a Postmaster is a valid reason to close this Post Office. A Postmaster from a neighboring town is currently acting as the McCallsburg OIC. Has the USPS tried to fill the position - - no, the USPS has purposefully not filled the Postmaster position because they are trying to save money. However, PO-101 section 212.4 specifically states, "*The Postal Service is prevented from closing a small Post Office solely for operating at a deficit.*" I feel the USPS is acting with malice when they refuse to fill a Postmaster position in a town with an increasing population, under the guise of incorrect and incomplete information in the Official Record and Proposal.
11. Handbook PO-101 section 32(d) states that the Proposal must include an analysis of the economic savings to the Postal Service. One-time expenses, such as CBUs are to be included in a separate paragraph in the economic savings analysis. In the McCallsburg Proposal and Final Determination, CBUs are discussed extensively in the community concerns section but not included in any way in the economic analysis. Thus, the Official Record and Proposal contradicts themselves.
12. Handbook PO-101 sections 411, 412, 421, and 422 state that the Official Record must be thoroughly reviewed and PS Form 4920 must reflect current information. Time and time again in this letter I have pointed out how the Final Determination does not appear to be thoroughly reviewed nor even current. (*Handbook PO-101 section 133.1 states that the district Post Office review coordinator is responsible for thoroughly reviewing Official Records and certifying their accuracy.*)
13. Handbook PO-101 section 432.1 states that if deficiencies or inconsistencies are found in the Official Record, it may be returned to the district manager, Customer Service and Sales, with written instructions to give additional consideration to specific areas or to provide additional information. I believe the USPS has failed to take action on the many deficiencies or inconsistencies in the Official Record and Final Determination.

14. Handbook PO-101 section 432.2(d) sums up this entire discontinuance study and Final Determination = *“(d.) The discontinuance investigation was not conducted in accordance with the law and Postal Service policy.”*
15. Handbook PO-101 432.32 requires a copy of the complete Official Record must be available for public inspection - - however, I contend that the Official Record that is posted in the McCallsburg Post Office is NOT complete nor correct. Furthermore, section 432.32 states, *“The district manager, Customer Service and Sales, must make sure that a copy of the final determination is prominently posted in the affected Post Offices for at least 30 days.”* And, *“If there is an error or other reason for amending the final determination, immediately contact the Headquarters Post Office review coordinator.”* The citizens of McCallsburg have repeatedly pointed out errors to the USPS, but the USPS has failed to take appropriate actions, as Handbook PO-101 requires.
 - a. Handbook PO-101 133.5 requires the district Post Office review coordinator to maintain a Log of Post Office Discontinuance Actions for each Post Office in the district that is under investigation for possible discontinuance. Handbook PO-101 says *“This log assists the coordinator when responding to questions from Government Relations and Public Policy at Headquarters regarding congressional inquiries.”* Furthermore, PO-101 section 145 is a list of Proposal requirements. Bullet (h) says *“Include information about petitions and congressional inquiries.”* However, Senator Charles Grassley’s June 13, 2011, letter, which was hand delivered to USPS officials at the June 15 community meeting, was not placed into the Official Record until the USPS submitted their electronic version of the Official Record in December 14, 2011. Keep in mind, the Official Record still on display in our local Post Office does NOT contain Senator Grassley’s letter.
 - b. Furthermore, Senator Grassley’s letter is listed in the index (*the McCallsburg Official Record on display in McCallsburg has never had an index, however, I have seen a index in the Official Record now posted on the PRC website*) as item number 28. However, the Log of Post Office Discontinuance in the Official Record (item 44, page 1, in the record) states that no congressional inquiry was received.

The following is list of questions and concerns raised at the June 15 community meeting that are missing from both the Proposal and Final Determination summaries of Customer Concerns. Bullet 8 in the main body of this document further describes the situation.

1. Where will the CBUs be located?
2. If the locks freeze on the CBUs, who will help fix the problem?
3. If a resident has medications delivered by mail, how will the Post Office address the issue of exposing the medications to the elements (hot/cold in CBUs)?
4. Why are CBUs even considered in states like Iowa, where inclement weather is a constant – and when the carrier puts the mail in the CBU the entire back is opened up - - and all the mail therein is exposed to rain, wind snow, etc.? (A retired mail carrier raised these issues, as they have experience with such conditions.)
5. The USPS personnel at the community meeting stated several times that USPS is looking to reduce its footprint; but in reducing your footprint you are increasing our footprint by requiring residents to drive to Roland to pick up mail and receive full services in a timely manner. That customer lives four miles south of McCallsburg, and now she'll have to drive an additional six miles, for a round-trip total of 20 miles to and from the administrative Post Office in Roland.
6. Can CBUs be located in more than one location in town?
7. How much is the USPS spending on lobbying Congress?
8. Is the USPS closing thousands of Post Offices just to get the attention of Congress, with no regard for service to customers?
9. Why can't our current Officer in Charge (OIC), who is actually a Post Master, be the Post Master of two offices? (She is currently the PM of Garden City, five miles away, which is also in the review/discontinuance process, and the currently the OIC in McCallsburg.)
10. What exactly will it take to save our Post Office?
11. How long will the Roland Post Office (the administrative Post Office for McCallsburg service) be safe from closure ... which would then require McCallsburg residents to drive even more miles for USPS service?
12. Customers have heard from other towns that if snow is not kept away from the CBUs, then mail will not be delivered that day. Is this true, and if so, how does the USPS plan to deal with this issue?
13. How will snow and ice be consistently cleared from the CBUs 24-hours a day, without a PM or OIC onsite to ensure it is done at least during the day?
14. Customers expressed concern about having to change their mailing address, as it is very time consuming and with some expense.
15. Will customers be required to pay for a CBU box, like they do for a Post Office Box?
16. The current landlord of the building that houses the Post Office asked if offering free rent to the USPS would save the McCallsburg Post Office. (Note: after the June 15 community meeting the landlord sent a letter to the USPS, offering the building rent-free, but that letter has never been included in the Official Record).
17. What are all the factors used to determine which Post Offices are studied for possible closure?

18. How much does a discontinuance study cost the USPS?
19. In the USPS's cost savings analysis, does the USPS consider the revenue lost from customers who go to UPS, FedEx, etc., for the sake of convenience? Customers believe this could further depress USPS revenues.
20. How will a carrier handle customers who wish to pay for their retail purchases/postage with a credit or debt card at curbside?
21. Will the Roland administrative Post Office be able to handle the increased workload from McCallsburg? Will additional staff be needed – was this possible expense taken into consideration in the costs analysis of discontinuing service to McCallsburg?
22. Will the USPS have to rent property for the placement of CBUs? Was this expense taken into consideration in the costs analysis of discontinuing service to McCallsburg?
23. Will the USPS provide lighting at the CBU location?
24. McCallsburg has elderly residents that do not have Internet and are unable to drive. How does the USPS plan to provide the maximum degree of effective and regular service to those customers?
25. What is the process for being granted hardship delivery, and how long does it take?
26. Does the USPS have a court ruling allowing them to close a Post Office because of lack of revenue?
27. How does a parcel locker system work with CBUs when a resident receives a package?
28. What happens if there are more packages than parcel lockers in the CBUs?
29. What is you aren't sure what your article weighs – would I be required to drive 12 miles round-trip just to get the correct weight and postage rate?
30. How do I know how much postage to put on a flat?
31. If a letter doesn't contain the correct amount of postage will the letter get mailed that day and get a notice from the carrier for extra postage? Or, will the letter be returned to sender the next day, causing that letter to be delayed?
32. We have a bulk-permit mailer – where will those articles be sent from if the McCallsburg Post Office closes?
33. At the Public meeting, USPS officials did answer this question – telling the citizens that the permit mailer would have to drive the permit mailing to Roland, as it cannot be given to the carrier. While I appreciate the answer being given at the meeting – shouldn't it still be included in the Customer Concerns section of the Proposal and Final Determination, as Handbook PO-101 section 134.61 requires?
34. Will there be a drop box large enough to drop our town newsletters (approximately 175 are mailed at a time, usually 6 pages each)? If not, where are they to be mailed from?
35. Will the administrative Post Office in Roland expand their window hours to accommodate McCallsburg customers?
36. If outgoing mail is picked up by carrier in the morning, but your article is not ready to be mailed until later in the day, that article will have to wait until the next day to be picked up, right? This does not seem to fit the definition of maximum, effective and regular mail service for the citizens of McCallsburg.
37. How accurate is the discontinuance study if the mail count of 50154 was taken at one of the slowest mail times of the year. How does the USPS account for prejudicial treatment of the McCallsburg Post Office?
38. Who gets the revenue credit from the sale of postage? Does it only get credited where purchased or does revenue get spread down the line as it gets handled, clear to the Post

Office that delivers it?

39. How long will it take to replace an individual key to a CBU if the box holder loses it? How much will it cost?
40. When will the City be contacted to find ground for the CBUs?
41. Has the USPS ever had a city deny use of the proposed placement of CBUs?
42. The Roland Post Office window hours are incorrectly stated in the letter sent with the community questionnaire.
43. What will happen to the current OIC?
44. Why hasn't the USPS approached the City to see what they would be willing to do to keep our Post Office open? The building landlord has already offered you free rent!
45. What is the price of the CBU being considered for McCallsburg?
46. Is it a fact that the Hawkeye District is the most aggressive in the nation in closing Post Offices? Why?
47. Who makes the final decision on whether our office will be closed or not?