

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

Amoret Post Office
Amoret, Missouri

Docket No. A2012-42

REPLY BRIEF OF THE PUBLIC REPRESENTATIVE

January 5, 2012

On October 27, 2011, the Commission received a petition to review the Postal Service's decision to close the Amoret post office in Amoret, Missouri (Amoret post office).¹ On November 4, 2011, the Commission issued Order No. 949, which institutes the current review proceeding, appoints a Public Representative, and establishes a procedural schedule.² In accordance with Order No. 949, the Postal Service filed the administrative record for the closing.³ Three Participant's Statements were filed.⁴ The Postal Service filed comments concerning the appeal.⁵

The Public Representative's Reply Brief is written to bring several issues to the attention of the Commission to better inform the Commission in completing its review.

¹ Petition for Review received from Norma Ridley and Citizens of Amoret, MO regarding the Amoret, MO Post Office 64722, October 27, 2011 (Petition). The following additional petitions were received: Petition for Review received from Mildred Bell regarding the Amoret, MO Post Office 64722, October 28, 2011; Petition for Review received from Jane Hettinger, City Clerk of Amoret, MO regarding the Amoret, MO Post Office 64722, November 7, 2011.

² Notice and Order Accepting Appeal and Establishing Procedural Schedule, November 4, 2011; see *a/so* Notice or Errata, November 8, 2011 and Notice or Errata, November 14, 2011 (Order No. 949).

³ United States Notice of Filing, November 14, 2011; see *a/so* United States Postal Service Notice of Filing, December 21, 2011 (Administrative Record). The Final Determination appears as item 47 of the Administrative Record.

⁴ Participant Statement received from the Citizens of Amoret, November 28, 2011; Participant Statement received from Mildred K. Bell, December 1, 2011; Participant Statement Received from Jane Hettinger, December 6, 2011 (Participant Statements).

⁵ Answering Brief in Support of the Postal Service, December 21, 2011 (Postal Service Comments).

The petitioners raise several issues, three of which require further examination. Petitioners Hettinger and Ridley allege the Postal Service stated that the postman would be available for picking up packages at delivery points. The Petitioners are now being told that the postman will only pick up Priority Mail packages or above (The Public Representative assumes "above" refers to more expensive package services).

The Postal Service reiterates that "the rural carrier will accept any letters or packages for mailing via any service method." Postal Service comments at 11.

In a phone call with a Amoret customer, the Public Representative also was informed of instances where the postman refused to accept packages for pickup. The Public Representative would encourage the Commission to suggest to the Postal Service that they take immediate steps to educate both its employees and Amoret customers concerning Postal Service policies and procedures for package pickup along the carrier route.

Petitioners Bell and Hettinger allege that when a post office is closed, the community cannot successfully obtain a federal grant. Petitioner Bell, the City Clerk of Amoret, explains that in 1999 a grant was received to run water lines, and again in 2004 a grant was received to build the city's sewer system. Last year, she states, there was notification that a sanitation system would have to be added. If this happens, a full grant will be necessary because funds are not sufficient to add this system.

The Postal Service states that even if the above allegations are true, its impact would not outweigh the totality of factors the Postal Service must consider in making its determination, nor is it required to consider such economic impact in its savings calculation. Postal Service Comments at 4.

In a phone conversation with an Amoret customer, the Public Representative was lead to believe there is some correlation between an area being identified by a postal ZIP Code and receiving a federal grant. It was explained that continuous use of a ZIP Code, and not necessarily the physical presence of a post office, is what is important. There was concern expressed that in other cases where the Postal Service promised to retain a ZIP Code when closing a post office, it did not carry through on this

promise. The Public Representative was unable to independently verify the allegations and does not know what role the Commission should play in this circumstance. However, if accurate, the issue highlights the potentially severe impact small post offices closing have on less advantaged communities.

Petitioners Bell, Hettinger, and Ridley allege the Postal Service did not follow proper procedures for conducting the community meeting in accordance with PO-101, section 253(c). They contend the District Manager or MPOO is responsible for conducting the management presentation and providing responses to customer's questions. However, they assert that Joanne Dean, the discontinuance coordinator, (not the MPOO or district manager) conducted the Amoret community meeting and answered questions.

The Postal Service responded that "practical realities may require that such responsibilities be delegated in appropriate circumstances." Post Service Comments at 6.

Absent any allegation that the Postal Service representative was not knowledgeable or could not respond to questions, the Public Representative does not view the title of the Postal Service representative a material factor for consideration.

The Final Determination indicates the postmaster retired on November 1, 2010. Administrative Record, Item No. 47. The calculation of economic savings based upon a postmaster salary, and not the actual salary of the OIC, remains problematic and likely inflates any economic benefit that the Postal Service will realize by closing this office. The economic benefit further assumes that the OIC will be terminated and not reassigned.

Finally, the Postal Service has provided no guidance on how far, in time and distance, is too far to expect customers to travel in order to obtain effective and regular postal services. In this instance, the administrative responsibility for providing postal services lies with the Butler post office, which is located 15 miles away. The Postal Service also indicates that service also will be available at the Amsterdam post office located 7 miles away. The Public Representative again suggests that the Commission

require the Postal Service to disclose its standards on time and distance. If the Postal Service is unable or unwilling to provide this information, it may be time for the Commission to establish standards on its own for evaluating this issue.

The Postal Service's Final Determination to close the Amoret post office appears procedurally in order. However, the estimate of cost savings and the reasonableness of the distance to the alternative postal retail facility are problematic. This docket also highlights the potentially negative impact small post office closings might have on local communities, and the need for the Postal Service to better inform both its own employees and the local community on the policies and procedure for providing alternative service along the carrier route.

Respectfully submitted,

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