

Before the
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

New Cambria Post Office
New Cambria, Kansas

Docket No. A2012-59

PUBLIC REPRESENTATIVE COMMENTS
OPPOSING REMAND
(January 19, 2012)

After careful review of the Postal Service's Final Determination, the materials in the Administrative Record, the arguments presented by Petitioners, and the Postal Service Comments, the Public Representative concludes that the Postal Service has followed applicable procedures, that the decision to close the New Cambria Post Office is neither arbitrary nor capricious, and that the Postal Service's decision is supported by substantial evidence. However, there is some uncertainty regarding replacement service and economic savings.

The Final Determination (FD) states that New Cambria will receive “delivery and retail services by rural route service Service will be provided to cluster box units (CBUs).”¹ It also states that

CBUs can offer the security of individually locked mail compartments.
Parcel lockers provide convenient parcel delivery for customers.

FD at 5, Advantage No. 4. However, the Final Determination contains conflicting statements:

CBU's or curblines or a combination of both *may be used*. The MPOO and the administrative Postmaster will study the area.

Id., Concern No. 16 (emphasis added).

¹ Corrected Administrative Record (AR), Item 47, at 8, November 30, 2011.

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Customers are responsible for mailbox installation and maintenance.

Id. at 4, Concern No. 10.

Large parcels will be left outside the mailbox or at a designated location or a notice will be left in the mailbox.

Id., Concern No. 13.

The Postal Service states in its comments, "There is a one time cost of \$2500 incurred in relation to the construction of CBUs," citing to the Final Determination, the Proposal, the revised Proposal, and the Proposal Checklist.² Of these cited documents, only the Proposal Checklist indicates a one-time expense of \$2500 "for installation of CBUs and parcel lockers."³ The other documents identify the \$2500 expense as being "incurred for the movement of this facility." FD at 7; AR, Item 33, at 7; *id.*, Item 41, at 7. Whether New Cambria patrons will receive replacement delivery service to CBUs or must install a curblin mailbox at their own expense is ambiguous at best.

The Postal Service also identifies in its comments a one-time expense of "\$8400 to terminate the current lease." Comments at 11. This one-time expense does not appear in the Final Determination, nor anywhere else in the Administrative Record. It apparently represents four years of rent on a lease that expires October 31, 2015. See AR, Item 6, at 2 (Active Lease Data); *id.*, Item 15, Line 3; *id.*, Item 18, Line 16a; *id.*, Item 42, Line 16a. Since the New Cambria Post Office will not close before May 16, 2012, due to the moratorium on closings, this one-time expense will actually be less than \$8400.

Respectfully submitted,

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² United States Postal Service Comments Regarding Appeal, January 3, 2012, at 10 (Comments).

³ AR, Item 29, at 2. The Post Office Survey Sheet also shows the one-time \$2500 expenditure for CBUs. *Id.*, Item 15, at 2, Line 13.e.