

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

Spring Dale Post Office
Spring Dale, West Virginia

Docket No. A2012-68

PUBLIC REPRESENTATIVE REPLY COMMENTS
(February 1, 2012)

I. INTRODUCTION

Community members were contacted directly by the Public Representative (PR) to clarify questionnaire comments that conflicted with information contained in the Administrative Record (AR).¹ The PR also wanted to assess if there were language or hearing barriers (in fairness to the Postal Service) that contributed to the nature of the concerns addressed/not addressed dialogue between the Postal Service and this community.² Based primarily on the AR and the clarifying comments provided by the community and business members, the PR can only conclude that the Postal Service did not give meaningful consideration to the valid concerns expressed by nearly all community members. Given the number of hardship cases, the snowy mountainous area, the specific business needs and the number in the community not knowing whether the route will be extended, it would be hard to imagine the proposed alternative service could realistically provide regular and effective service to many. In addition, the Postal Service did not employ its standard financial analysis, and provided inaccurate³ or unreliable data in its public postings and communication materials.

For these reasons, the PR would respectfully ask that the Commission consider remanding the Final Determination back to the Postal Service for further consideration.

¹ The PR references the AR primarily by AR PDF document page number.

²“Concerns not answered” (see selected AR PDF pages at 391, 395, 398, 399, 402, 403, 404, 406, 407, 465, 514) Community concerns (as depicted by the Postal Service) “answered/not answered” dialogue is shown in the “Responsiveness to Community Postal Needs” sections at AR PDF pages 365 and 520.

³ AR “Item Nos. 41 & 49 indicated that the designated replacement service would be highway contract route service. This is in error. The documents should indicate that the designated alternative is rural route carrier service.” United States Postal Service Notice of Supplemental Filing, January 11, 2011.

II. BACKGROUND

The Post Office Community Survey (correctly) states there are many Spring Dale customers with health problems (including both vision and physical) that are not capable of transacting business without assistance. “A larger office would not be able to accommodate their needs.”⁴ The Spring Dale community is considered to be on a mountain (approximately 2,500-3,000 feet elevation). Some route mail boxes due to the terrain would have to be placed on steep hills on one side and a ditch on the other. In winter, the disabled and older community members report they regularly don’t drive (or can’t) for days at a time because of the snow drifts, slick steep roads and residential drives, but are more and sooner able to walk to the Spring Dale Post Office. Some community members described Spring Dale as a “Little Alaska.” Many don’t regularly travel out of town and/or don’t pass other post offices outside of Spring Dale (there are no collection, delivery or retail mail services in town other than those provided at the Spring Dale Post Office).

III. ANALYSIS

Community Concerns Related to Effective and Regular Service

For customers choosing not to travel to the post office, the Postal Service explains that services will be available from the proposed alternative service carrier at roadside mailboxes located in close proximity to customer residences.⁵ The expressed difficulties related to snow removal for both mail boxes and public/private roads, the long distances from some residences lead the PR to believe the Postal Service did not give serious consideration to the provision of effective and regular service. The ambiguity as to those eligible for route extension and the business needs have been unaddressed and discounted.

A number of community members noted in their questionnaire responses they could not shovel snow and were not in areas with regularly or well maintained public roads. The Postal Operations Manual explicitly states that roads must be maintained and clear of snow for both hardship cases and route extensions.⁶

⁴ AR PDF page 23.

⁵ United States Postal Service Comments Regarding Appeal, January 11, 2012 at 6.

⁶ The Postal Operations Manual (POM Issue 9, July 2002, Updated with Postal Bulletin Revisions Through December 13, 2008) states that an extension/expansion of rural delivery service into any areas not presently receiving delivery service that the roads must be well maintained and passable year round. If travel over private roads is proposed, the person responsible for road maintenance must provide a written agreement to keep the road passable at all times (see POM 652.33). Hardship cases must meet the same criteria (see POM 631.42). Approach/mail box free of snow also see POM 632.14 and 632.524.
http://www.nalc.org/depart/cau/pdf/manuals/POM/POM_9--12_08.pdf

The following Postal Service response illustrates how these concerns were “addressed” in the Final Determination :

“There are several guidelines which must be met prior to a road being approved for delivery. The road to be traveled must be maintained at all times of the year. There must also be a minimum of one family per one-half mile of travel. If you have applied for and been denied an extension, you may wish to contact your local county commission or other county officials to determine if they can bring your road up to these standards. At that point, you may reapply for delivery if you have not previously applied for a rural route extension the Postmaster at the Meadow Bridge Post Office may assist you.”⁷

Based on the questionnaire and community specific concerns in the AR, the Postal Service appears to have left out enough specific words in the concern/response dialogue to not fully illustrate how the community members would be impacted (their specific concerns were fundamentally discounted given the practical considerations available/at their disposal).

Questionnaire respondents stated they lived in an area where currently the “route service did not extend” and were unsure of their delivery and service options. A number of others live from one-half mile to a mile from the main road, others live on dirt (not publicly maintained roads) and even more expressed an inability to clear the snow away from their mailboxes (due to advanced age, disability, or snow drifts).

Since it is regularly physically impossible to maintain community / dirt access/exit roads and snow free mail box areas for many (delivery otherwise, would be against other Postal Service regulations), the PR cannot believe the Postal Service’s claim that many of these delivery and retail services will be provided by the carrier to a roadside mailbox located close to customers’ residences.”⁸ Many won’t be able to keep their mail box area free from snow (the snow plow repeatedly goes through their town “re-piling” snow around and on the mail box route), many are not eligible for highway/rural route service (don’t live off of publicly maintained roads), and others have to wait till neighbors clear snow off their house vehicle drives/private dirt roads. In addition, there are a number of customers who can’t safely physically make it out to their mail box (nor could the Postal Service accommodate them as a typical “hardship” case due to the Postal Service regulations related to road maintenance and snow removal around route mail boxes).

⁷ AR at PDF page 514.

⁸ United States Postal Service Comments Regarding Appeal, January 11, 2012 at 6.

Multiple community members voiced concerns about obtaining delivery of their mail-order medications under these conditions (even further complicated by disability, no local health services or pharmacy).⁹ Some community members receive insulin and were concerned of it freezing if they could not get to it in their mail box.¹⁰ Another disabled veteran (besides not being able to keep the snow clear for home delivery), told the PR that his medications due to the quantity and size, periodically don't fit in his current PO box. Despite the Postal Service's assertions that exceptions are made for "hardship cases," as a matter of practice and policy, it will only do so if the roads are well maintained and mail box areas are cleared of snow.

With the current proposed alternative service (if it is accurate),¹¹ those who are not eligible for a route mail box won't know if they have received mail unless they travel to the Meadow Bridge post office (assuming they would obtain a post office box for the 40+ community members not accounted for in the alternative service cost analysis proposal). Members without a route mail box would not have their own local means for mailing letters as the Spring Dale blue collection box will not be retained.¹²

The window transaction study is believed to be inaccurate by the business owners and other community members due to the nature of their needs and business. Alvarez Contracting has "spurts" of mailing needs revolving around contracts/work plans, and Greenbrier Graphics, LLC mails about twenty-five packages of varying and heavier weights per week. They frequently need to send packages or documents/plans to engineers/lawyers/other workers multiple times throughout the day and at the close of a business day for next day/overnight/priority mailings.¹³ Community members reported to the PR that due to their needs for special assistance, the window time per transaction is vastly under estimated (national average time used per transaction misestimates/does not take into account the actual additional time needed for multiple community members

⁹"Limited access to transportation can make it difficult for rural residents to obtain needed medications. People may need to drive many miles to the nearest pharmacy, and pharmacy hours may be more limited in rural areas, requiring even those people in a town with a pharmacy to drive elsewhere in the evening or on weekends. Rural residents may face geographic barriers to reaching a pharmacy, such as mountains or rivers, and roads may sometimes be impassable due to weather or seasonal closure. Public transportation options are also more limited." See <http://www.raconline.org/topics/pharmacy/pharmacyfaq.php#barriers> and <http://www.raconline.org/topics/transportation/>.

¹⁰ Crystallization (as in the freezing process) of these liquid medications would make them unusable. Confirmed by Dr. Cannon from the University of Maryland School of Pharmacy and is included in the final pages for convenience.

¹¹ Only a total of 48 rather than 88 is used in the cost analysis calculation for the replacement service.

¹² AR PDF page 25.

¹³ Alvarez Contracting has offices in Maryland, Virginia, and West Virginia. They are a heavy highway construction company with various Federal government contracts (past two years contracts totaled approximately \$20 million). Headquarters office is based in Spring Dale.

inability to complete transactions independently, e.g., eyesight, disability or other difficulties).

The PR believes it is unrealistic to expect business members would be able to compile all their business day mailings to be timed with arrival of the mail carrier. Given the number and type of transactions the major businesses currently use and need at the Spring Dale office, this could not feasibly be possible with the current proposed alternative service. The lost sales from these businesses is not accounted for in the economic analysis as they reportedly will need to shift to private mail services that could accommodate their needs.¹⁴ Supporting AR evidence has been included and is listed below for specific Commission review.

Selected AR Evidence Community Concerns Related to Effective and Regular Service

- ***Community members who reported disability and /or can't clear snow from mailbox or drive, have difficulty entering and exiting dirt road access:*** (Questionnaire respondents at AR PDF pages 59, 66, 155, 207, 219, 221, 234, 238, 301, 339, 341,352, 385, 387, 417, 418, 420,423);
- ***No rural route service/road is closed/not near a carrier route, lives half-mile/one mile off route:*** (Questionnaire respondents at AR PDF pages 150, 185, 187, 188, 207, 386);
- ***Snowy mountain road, steep driveways, snowed in for days, delayed mail, can walk to/easier to get to current Spring Dale post office:*** (Questionnaire respondents at AR PDF pages 100, 112,213,138, 145,156, 374, 375, 376, 414, 424, 425, 427);
- ***Business owners won't have effective and regular service that meets their business needs:***(Questionnaire respondents at PDF pages 142,422, 428,429 and petitioners);
- ***Community name change is the norm despite Postal Service claims:*** (Questionnaire respondents at AR PDF pages 155, 341, 409, 410,416, 421- and as told to the PR and confirmed by the retired Postmaster);

¹⁴ Greenbrier Graphics , LLC spends around \$14,000 annually at the local Springdale Post Office.

- **Number of PO Boxes is contested (96 versus Postal Service count of 88)**
(Questionnaire respondents at AR PDF page 178 and petitioners filings);
- **“Concerns not answered”:**
(AR PDF pages at 391, 395, 398, 399,402,403, 404, 406,407, 465, 514)

Economic Analysis

Due to the large anomalies in the economic analysis, the PR can't conclude the Postal Service has adequately considered the economic savings resulting from the closure nor is the information sufficient to completely discontinue the Spring Dale post office.¹⁵

Throughout the AR, public postings, questionnaire letters and the Final Determination, the Postal Service states the community will be getting a highway contract route as the alternative service. Contrary to these statements, the AR alternative service costs calculation worksheet only shows figures in the Carrier Route worksheet.

These specific alternative service worksheets in question were extracted from the AR and follow.¹⁶

¹⁵ Using the 2004 version of PO-101 Handbook of Discontinuance Procedures (The discontinuance steps procedures and supporting materials, on which the Spring Dale Final Determination was based, directly align and are intended to be used with the older technical definition of a Post Office-headed by a Postmaster).

¹⁶ AR PDF pp. 27- 28.

Highway Contract Route Cost Analysis Form

Highway Contract Route Estimated Cost for Alternative Service			
Office Name:	<u>SPRING DALE</u>	District:	<u>APPALACHIAN PFC</u>
Office Zip+4:	<u>25986 -9998</u>		
1.	Enter the number of additional boxes to be added to the route	<u>0</u>	x 3.64 hours per year <u>0.00</u>
2.	Enter the number of additional miles to be added to the route	<u>0.00</u>	x 10.40 hours per year <u>0.00</u>
			Total time added to the route <u>0.00</u>
3.	Enter the HCR hourly rate (Contact Area Manager, Purchasing/Contracting Officer)		<u>0.00</u>
	Total additional compensation (HCR hourly rate x total time added to the route)		<u>0.00</u>

Based on external and internal references, the economic analysis is essentially unusable since it appears to have been miscalculated and did not factor in the minutes per box (which looks to be a standard procedure that should have been applied in this PO determination shown below).¹⁷

¹⁷ See Rural Daily Operations Training Handbook Determining and Using the Box and Volume Factors at page 23 and 24, extracted and included in final pages of these comments (<http://www.wirlca.org/Documents/GLASAW.pdf>) and other PRC filed post office appeals administrative record worksheet cost calculations.

**Rural Route Carrier
Estimated Cost for Alternative Replacement Service**

Office Name: SPRING DALE
Office Zip+4: 25986 -9998 District: APPALACHIAN PFC

1.	Enter the number of additional boxes to be added to the rural route	<u>48</u>	
2.	Enter the number of additional miles to be added to the route	<u>2.00</u>	
	Enter the volume factor	<u>2.11</u>	
Total (additional boxes x volume factor)		<u>101.28</u>	A
3.	Enter the number of additional boxes to be added to the rural route	<u>48</u>	
	Centralized boxes	<u>0.00</u>	x 1.00 Min <u>0.00</u>
	Regular L route boxes	<u>0.00</u>	x 1.82 Min <u>0.00</u>
	Regular Non-L route boxes	<u>0.00</u>	x 2.00 Min <u>0.00</u>
Total additional box allowance		<u>0.00</u>	B
4.	Enter the number of additional daily miles to be added to the rural route	<u>2.00</u>	x 12 Mileage Standard <u>24.00</u>
Total additional minutes per week (miles carried to two decimal places)		<u>125.28</u>	C
5.	Total additional annual minutes (additional minutes per week year)	<u>125.28</u>	x 52 Weeks <u>6,514.56</u>
6.	Total additional annual hours (additional annual minutes/ 60 minutes per hour)	<u>6,514.56</u>	/ 60 Minutes <u>108.58</u>
7.	Enter the rural cost per hour (see national payroll summary report – rural carrier, consolidated)	<u>33.71</u>	
Total Annual Cost (additional annual hours x rural cost per hour)		<u>3,660.10</u>	
8.	Enter lock pouch allowance (if applicable)		0.00
Total annual cost for alternate service (annual cost minus lock pouch allowance)		<u>3,660.10</u>	

B step was omitted (should not be 0)

Result /sum here should be: A+B+C =

The Postal Service appears to also have largely miscalculated the workload and savings calculations. If portrayed accurately, it would appear that the workload data only shows by itself that the Spring Dale Post Office should have a part-time, not full-time Postmaster (and would not be sufficient justification for complete discontinuance).

The Postal Service used the full-time EAS-11 Postmaster salary from the last evaluation, rather than the current (lower part-time Postmaster salary-EAS-E) to calculate

savings.¹⁸ The related AR workload calculations and PO-101 Handbook Reference material follow.

Worksheet for calculating Workload Service Credit (WSC) for Post Offices

Worksheet for calculating Workload Service Credit (WSC) for Post Offices					
Office Name:	<u>SPRING DALE</u>		District:	<u>APPALACHIAN PFC</u>	
Office Zip+4:	<u>25986 -9998</u>				
Activity WSCs					
General Delivery Families Served (Item 3, PS Form 150)	0	X 1.0	=	0	
Post Office Boxes/Call Boxes Rented (Item 4, PS Form 150)	88	X 1.0	=	88	
Possible City Deliveries (Item 5, PS Form 150)	0	X 1.33	=	0	
Administrative Rural Boxes Served (Item 6, PS Form 150)	0	X 1.0	=	0	
Intermediate Rural Boxes Served (Item 7, PS Form 150)	0	X 0.7	=	0	
Administrative Responsibility for Intermediate Rural Boxes for Other Offices (Item 8, PS Form 150)	0	X 0.3	=	0	
Administrative Highway Contract/Star Route Boxes Served (Item 9, PS Form 150)	0	X 1.0	=	0	
Intermediate Highway Contract/Star Route Boxes Served (Item 10, PS Form 150)	0	X 0.7	=	0	
Administrative Responsibility for Intermediate Highway Contract/Star Route Boxes for Other Offices (Item 11, PS Form 150)	0	X 0.3	=	0	
Total Activity WSCs				88	
Revenue WSCs					
First	25 revenue units:	1.00	X	25 units	= 25.00
Next	275 revenue units:	0.50	X	21 units	= 10.50
Next	700 revenue units:	0.25	X	0 units	= 0.00
Next	5000 revenue units:	0.10	X	0 units	= 0.00
	Balance of revenue units:	0.01	X	0 units	= 0.00
	Total revenue WSCs:				35.50
Activity WSCs	88	+	Revenue WSCs	= 35.50	Base WSCs
					123.50
					= EAS Grade
					E
Previous evaluation: EAS grade	11				
Effective date of change in service hours:	(if appropriate)				
(when a vacancy exists, hours must reflect the appropriate EAS grade)					
Worksheet completed by:					
PA	A Workload Service Credit (WSC) score value of 123 justifies a part-time Postmaster salary reduction		PAUL.D.BRADSHAW@USPS.GOV		
Pr			Signature		
AR			02/17/2011		
Title			Date		

¹⁸ This discontinuance was conducted pursuant to Handbook PO-101, dated August 2004, and updated with Postal Bulletin revisions through August 2, 2007.

Exhibit 222c (p. 3)
Workload Service Credit Ranges

Grade EAS	Service Hour Category	Zone of Tolerance**	WSC Range*	Zone of Tolerance**	Lower Grade	WSCs Required to Raise Grade
A	2 hr	-----	1-40	41-45	-----	46
C	4 hr	36-40	41-82	83-93	35	94
E	6 hr	73-82	83-125	126-141	72	142
11	Full-time	111-125	126-335	336-376	110	377
13		298-335	336-820	821-914	297	915
15		736-820	821-2,075	2,076-2,291	735	2,292
		1,869-2,075	2,076-5,500	5,501-6,049	1,868	6,050
		4,951-5,500	5,501-13,000	13,001-14,299	4,950	14,300
		11,701-13,000	13,001-26,000	26,001-28,599	11,700	28,600
		23,401-26,000	26,001-68,200	68,201-75,020	23,400	75,021
24		61,381-68,200	68,201-167,200	167,201-183,919	61,380	183,920
26		150,481-167,200	167,201 and up	-----	150,480	-----

A Workload Service Credit (WSC) score value of 123 justifies a part-time Postmaster salary

*WSC Range: Applies in ranking Post Offices with vacant postmaster positions.

**Zone of Tolerance: Applies in ranking Post Offices with incumbent postmasters. A Post Office with an incumbent postmaster will not change grade unless (1) the WSCs fall below or exceed the Zone of Tolerance WSCs for the current grade; or (2) the WSCs fall within the Zone of Tolerance for the current grade and have consistently remained within the Zone for 2 years, which must be documented. The 2-year waiting period begins when a PS Form 150, *Postmaster Workload Info*, is submitted and verified by the district

Postmaster Salary and Benefits
 *Complete Exhibit 222f is shown in final pages of the PR Comments

EAS-A Minimum Salary	\$7,057
Fringe Benefits (33.5%)	\$2,364
EAS-B Minimum Salary	\$10,586
Fringe Benefits (33.5%)	\$3,546
EAS-C Minimum Salary	\$14,114
Fringe Benefits (33.5%)	\$4,728
EAS-D Minimum Salary	\$17,643
Fringe Benefits (33.5%)	\$5,910
EAS-E Minimum Salary	\$21,172
Fringe Benefits (33.5%)	\$7,092

Observance of Procedure by Law (additional considerations)

The Postal Service itself has enacted into the law that “The previous regulations shall continue to apply to discontinuance actions initiated earlier...”¹⁹ Thus, a workload shift to a lower Postmaster EAS salary level, in and of itself would not substantiate complete discontinuance (in light of the employee labor management, and postal regulations in effect/harmonized with the 2004 PO-101 Handbook of Discontinuance Procedures).²⁰ The PR believes it would be legitimate to hold the Postal Service accountable for portraying and using the discontinuance procedures correctly (as intended for the regulations on which they were based).

The Postal Operations Manual (POM) in effect with the 2004 PO-101 Handbook of Discontinuance Procedures also states: “Post Offices are established to ensure that **complete** postal services are available to **all** customers in a community within specified boundaries of a named geographic place.” (POM 123.11, emphasis added).²¹

“Supplemental” Information

The two Postal Service supplemental filings appear to be better characterized as an omission to the Administrative Record and a correction to the Administrative Record (on which the Postal Service based its Final Determination).²²

On December 13, 2011 the Postal Service filed its first Notice of Supplemental Filing (to the Administrative Record). They were notified by the PR (via the Petitioner Mr. McClung) that an Enclosure letter from the Concerned Citizens of Spring Dale had not been included with the AR filed with the PRC.²³

¹⁹ “Consistent with disclaimers in the proposed rule and this final rule, a new paragraph 241.3(a)(1)(iii) is added to clarify that the revised regulations are mandatory only for discontinuance actions commenced on or after the regulations’ effective date. The previous regulations shall continue to apply to discontinuance actions initiated earlier, unless management directs utilization of the new rules.”
<http://www.gpo.gov/fdsys/pkg/FR-2011-07-14/html/2011-17529.htm>

²⁰ <http://about.usps.com/manuals/elm/elmarch.htm>

²¹ Postal Operations Manual, Issue 9 http://www.nalc.org/depart/cau/pdf/manuals/POM/POM_9--12_08.pdf

²² The PR believes the supplements filed appear to be after-the-fact revisions of the Administrative Record prohibited by section 404(d)(5).

²³ United States Postal Service Notice of Supplemental Filing, December 13, 2011. Note: The Petitioner included this email correspondence in his Reply Comments filed December 19, 2011 at page 10. It is included in part at the end of the PR’s comments for convenience.

It is clear to the PR that the six-page enclosure letter from the Spring Dale citizens was omitted from the official record/AR as it does not follow in the Postal Service's official record/indexing order/enumeration.²⁴ The Postal Service's second supplemental filing to the Administrative Record states:

"The attached document reflects a correction to the administrative record, and through this filing it is added to the administrative record submitted in this docket."

"Item Nos. 41 & 49 indicated that the designated replacement service would be highway contract route service. This is in error. The documents should indicate that the designated alternative is rural route carrier service."²⁵

The Postal Service Reply Comments omitted listing this supplemental filing²⁶ which was a correction to the AR that had been filed nearly six-weeks earlier.²⁷

"Substantial" Evidence Consideration

The data used to "show" projected population and business growth (lack of) between 2010 and 2015 is incomplete, inadequate and certain to be unreliable. The AR only mentioned source appears to be the Postal Services ZIP Code Demographics database. A 0.3% projected decline between 2010 and 2015 only shows two fewer "households" and 12 less population (how business growth could be extrapolated from the provided data is unknown).²⁸

²⁴ AR PDF page 434 (Postal Service Official Record Notation Stamp is shown in upper right corner of copied paper page as Item 34, pp. 59-61).

²⁵ United States Postal Service Notice of Supplemental Filing, January 11, 2012.

²⁶ United States Postal Service Comments Regarding Appeal, January 11, 2012 at 1.

²⁷ United States Postal Service Notice of Filing Administrative Record, November 29, 2011.

²⁸ AR PDF page 26

IV. Summary

The proposed alternative service, for a variety of reasons is more likely to not provide effective and regular services to the Spring Dale community. The continuing ambiguities surrounding the number of route mail boxes and type of proposed service indicate the Postal Service did not give serious consideration to specific community concerns. The projected estimates, economic savings analysis and calculations also suggest that incorrect and arbitrary data may have been used in an attempt to substantiate complete discontinuance of the Spring Dale Post Office. For these reasons, the PR would ask the Commission to consider remanding the Final Determination to close the Spring Dale post office.

Respectfully submitted,

/s/ Manon A. Boudreault
Manon A. Boudreault
Public Representative

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Washington, DC 20268-0001
(202) 789-6852: Fax (202) 789-6861
e-mail: manon.boudreault@prc.gov

Permission granted for inclusion of this email correspondence.

From: Cannon, David [<mailto:dcannon@rx.umaryland.edu>]

Sent: Friday, January 06, 2012 12:25 PM

To: BOUDREAU, MANON A

Subject: RE: Medication Temperature Excursions Question-Post Office Closings will result in some rural areas having a group of outdoor cluster mailboxes or an individual mailbox at the end of a long rural road.

Greetings Ms. Boudreault,

Sorry for the delayed response.

As Dr. Knapp has said the official US body that determines guidelines for storage and transportation would be the United States Pharmacopeia specifically the <1079> section on Good Storage and Shipping Practices that is currently being updated.

To answer your question in a general sense, each medication would have unique temperature and humidity requirements that differ from drug to drug and are usually outline by the manufacturer in the package insert.

Controlled Room Temperature*— A temperature maintained thermostatically that encompasses the usual and customary working environment of 20° to 25° (68° to 77 °F); that results in a mean kinetic temperature calculated to be not more than 25°; and that allows for excursions between 15° and 30° (59° and 86°F) that are experienced in pharmacies, hospitals, and warehouses. Provided the mean kinetic temperature remains in the allowed range, transient spikes up to 40° are permitted as long as they do not exceed 24 hours. Spikes above 40° may be permitted if the manufacturer so instructs. Articles may be labeled for storage at "controlled room temperature" or at "up to 25°", or other wording based on the same mean kinetic temperature. The mean kinetic temperature is a calculated value that may be used as an isothermal storage temperature that simulates the nonisothermal effects of storage temperature variations. An article for which storage at Controlled Room Temperature is directed may, alternatively, be stored and distributed in a cool place, unless otherwise specified in the individual monograph or on the label.

Typically we would worry more about the extreme heat than extreme cold as heat is what will cause the medication to actually degrade and lose potency.

Extreme cold temperature can be a problem for certain medications like liquid formulations that could crystallize making them pretty much useless if they underwent freezing.

Injectable medications would also fall under the category of drugs affected by extreme cold as well with crystallization being a major concern.

If it was expected that the medications would typically be left in a non temperature/humidity controlled environment for longer than a period of 24 hours then I would certainly expect it to have some effect on the potency of the medications being delivered.

Let me know if you have any more questions about this.

Regards,

Dr. Cannon

*www.usp797.org original source- paraphrased for clarity in this email

Dave Cannon PharmD

Lab Pharmacist

University of Maryland School of Pharmacy

Shady Grove Campus

dcannon@rx.umaryland.edu

(301)-738-6166

Note:

The following email exchange was forwarded with permission to Mr. McClung the petitioner which he included in his Reply Comments filed with the Commission on December 19, 2011 see PDF page 10)

From: BOUDREault, MANON A
Sent: Monday, December 12, 2011 4:28 PM
To: 'Howley, Jacob D - Washington, DC'
Subject: RE: Docket A2012-68 Administrative Record-missing info is 6 pages and has unique information other than this submission you found

Sure, thank you. Manon

From: Howley, Jacob D - Washington, DC [<mailto:Jacob.D.Howley@usps.gov>]
Sent: Monday, December 12, 2011 4:27 PM
To: BOUDREault, MANON A
Subject: RE: Docket A2012-68 Administrative Record-missing info is 6 pages and has unique information other than this submission you found

That would be fine. Thank you for asking.

Jacob Howley
Attorney, Legal Policy & Legislative Advice
U.S. Postal Service Law Department
475 L'Enfant Plaza, Room 6027
Washington, DC 20260-1137
phone: +1 / 202 268 8917
fax: +1 / 202 268 5628

From: BOUDREault, MANON A [<mailto:manon.boudreault@prc.gov>]
Sent: Monday, December 12, 2011 4:26 PM
To: Howley, Jacob D - Washington, DC
Subject: RE: Docket A2012-68 Administrative Record-missing info is 6 pages and has unique information other than this submission you found

Could I forward this email to Mr. McClung? Thanks. Manon

From: Howley, Jacob D - Washington, DC [<mailto:Jacob.D.Howley@usps.gov>]
Sent: Monday, December 12, 2011 4:14 PM

To: BOUDREAULT, MANON A

Subject: RE: Docket A2012-68 Administrative Record-missing info is 6 pages and has unique information other than this submission you found

Ms. Boudreault:

The Discontinuance Coordinator managed to find the original letter from Mr. Johnson, with the enclosure of Mr. McClung's letter to Mr. Johnson. It seems there had been a misunderstanding about the enclosure, but it should have been included in the Administrative Record. I will file this with the Commission as supplemental information, and it will be posted in the affected facilities. Thank you very much for bringing this oversight to my attention. Please let me know if further assistance would be helpful.

Jacob Howley
Attorney, Legal Policy & Legislative Advice
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DETERMINING AND USING THE BOX AND VOLUME FACTORS

[\[PS Form 4241-A\]](#), does not show the Box Factor, but instead shows the Volume Factor. The total time for each box can be determined by adding the Volume Factor and the appropriate Box Factor. Volume factors are unique to each route.

Example: (Assuming the Volume Factor on the PS 4241-A is a 2.5)

NON-"L" ROUTE

Regular Boxes

Volume Only Factor ...2.50 (PS 4241-A)
Box Factor 2.00
 Time per box4.50

Centralized Boxes

Volume Only Factor ...2.50 (PS 4241-A)
Box Factor 1.00
 Time per box3.5 0

"L" ROUTE

Regular Boxes

Volume Only Factor ...2.50 (PS 4241-A)
Box Factor 1.82
 Time per box4.14

Centralized Boxes

Volume Only Factor ...2.50 (PS 4241-A)
Box Factor 1.00
 Time per box3.50

See Rural Daily Operations Training Handbook Determining and Using the Box and Volume Factors at page 23 and 24, extracted and included in final pages of these comments (<http://www.wirlca.org/Documents/GLASAW.pdf>)

NON-"L" ROUTE

In the following illustration, 43 boxes are added to a non-"L" route; 22 of them regular boxes and 21 of them centralized delivery type. The Volume Only Factor is 2.5.

- No. Boxes43 X Volume Only Factor 2.5 = 107.50
- No. Regular Boxes 22 X 2 minutes = 44.00
- No. Centralized Boxes 21 X 1 minute = 21.00
- Total Time Added = 172.50
- Hours & Minutes = 2:30

"L" ROUTE

In the next illustration, we will assume 43 boxes, 22 of them regular boxes and 21 centralized are being added to an "L" Route. The Volume Only Factor is 2.5.

- No. Boxes43 X Volume Only Factor 2.5 = 107.50
- No. Regular Boxes 22 X 1.82 minutes = 40.04
- No. Centralized Boxes 21 X 1 minute = 21.00
- Total Time Added = 168.54
- Hours & Minutes = 2:31
- Any increase in Miles traveled would be added at the rate of 12 minutes per mile.
- When boxes are transferred from one route to another use the correct *Volume Factor* of the route from which the boxes came.

See Rural Daily Operations Training Handbook Determining and Using the Box and Volume Factors at page 23 and 24, extracted and included in final pages of these comments (<http://www.wirlca.org/Documents/GLASAW.pdf>)

EAS A-E Postmaster Salary Schedule Hourly Rates Grade A-

E Postmasters Effective December 27, 2003

EAS Grade	Minimum	25th Percentile	50th Percentile	75th Percentile	Maximum
A-E	11.31	12.41	13.52	14.62	15.72

Grade	Weekly Service	Annual Service
A (51)	12 Hours	624 Hours
B (52)	18 Hours	936 Hours
C (53)	24 Hours	1,248 Hours
D (54)	30 Hours	1,560 Hours
E (55)	36 Hours	1,872 Hours

Postmaster Salaries and Fringe Benefits

**EAS A-E Post Offices Effective
December 27, 2003 Current Yearly
Salary and Benefits**

EAS-A Minimum Salary	\$7,057
Fringe Benefits (33.5%)	\$2,364
EAS-B Minimum Salary	\$10,586
Fringe Benefits (33.5%)	\$3,546
EAS-C Minimum Salary	\$14,114
Fringe Benefits (33.5%)	\$4,728
EAS-D Minimum Salary	\$17,643
Fringe Benefits (33.5%)	\$5,910
EAS-E Minimum Salary	\$21,172
Fringe Benefits (33.5%)	\$7,092

Current hourly rate schedules are posted on the Human Resources Web site at <http://blue.usps.gov/hrisp/comp>.