

Before The
Postal Regulatory Commission
Washington, DC 20268

Postal Regulatory Commission
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In the Matter of: Fernandina Beach Downtown Station, FL 32035

Docket No. 1363326 - 32034

SUSPENSION PENDING REVIEW REQUESTED – Suspension of the Final Determination of the Postal Service to close the Fernandina Beach Downtown Station is requested immediately due to insufficient closing notice time being provided to patrons served by this post office. See 4.a. below.

Petition for Review

Appeal of the Postal Service’s Final Determination to close the Fernandina Beach Downtown Station post office. The Final Determination was posted July 9, 2013.

Location of Post Office to be closed:

401 Centre Street
Fernandina Beach, FL 32034

Petitioner:

David A. Granger
PO Box 75
Fernandina Beach, FL 32035
Phone: 904-491-1902

Petitioner Street Address (no mailbox to receive mail)

1619 Clinch Drive
Fernandina Beach, FL 32034

Participant Statement:

1. Petitioner is appealing the Postal Service’s Final Determination to close the Fernandina Beach Downtown Station post office. The Final Determination was posted July 9, 2013.
2. In accordance with applicable law, 39 U.S.C., section 404(d)(5), the Petitioner requests the Postal Regulatory Commission to review the Postal Service’s Final Determination on the basis of the Administrative Record before the Postal Service in the making of the Final Determination.
3. Petitioner is served by the post office that the Postal Service has decided to close.
4. Facts in support of this Appeal:
 - a. The Final Determination is “without observance of procedure required by law” (39 U.S.C., section 404(d)(5)(B)). Under 39 U.S.C., section 404(d)(4), “The Postal Service shall take no action to close or consolidate a post office until 60 days after its written determination is made available to persons served by such post office”. The Final Determination was posted in the post office on July 9, 2013. The

closing date of the post office has been communicated to patrons of the post office as August 9, 2013. This is only 30 days, not the required 60 days.

- b. The Final Determination is “without observance of procedure required by law” (39 U.S.C., section 404(d)(5)(B)) as it violates 39 U.S.C., section 101(b), which requires “that the Postal Service shall provide a maximum degree of effective and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining”. The post office on Centre Street in the small town of Fernandina Beach is a vital component of the economy. The closing this post office cannot “provide a maximum degree of effective and regular postal services” to this small town. This small town post office not only serves the downtown business, but also local residents, many who are elderly, who can walk to the facility. The post office also attracts tourist, which the local economy is completely dependent on for survival, to this historic town as the building was built in 1912 with Italian Revival architecture.
- c. The Final Determination is “unsupported by substantial evidence on the record” (39 U.S.C., section 404(d)(5)(C)). Facts in dispute:
 - i. The Final Determination projects cost savings for the Postal Service of \$315,000 over the next 10 years. There is no logical basis for this conclusion. The post office to be closed is currently profitable. How can 10 year cost savings be projected for closing a post office that is providing net profit to the Postal Service? The reverse could be concluded, that by closing the post office there will be a net loss to the Postal Service over the next 10 years.
- d. The Final Determination is “arbitrary, capricious, an abuse of discretion ...” (39 U.S.C., section 404(d)(5)(A)). The Postal Service never considered the option of consolidating the post office rather than closing. Petitioner attended the public meeting held in November 2011 at the First Baptist Church in Fernandina Beach. This meeting was held prior to the “Notice of Taking Proposal and Comments Under Internal Consideration” which was posted on January 21, 2012. In this meeting Postal Service representatives only proposed the closure of the post office, not the possibility of a consolidation. When the representatives were asked about relocating the post office boxes, they stated that when an office was closed the boxes could not be moved. They did not entertain the option of a consolidation, as it appeared the decision to close had already been made. This was arbitrary, capricious, and an abuse of discretion in not considering the option of consolidation, which would result in a lesser impact on the post office box patrons. Many families have held these boxes for multiple generations. Our family has held this box for over 70 years. Having to find an alternative source of receiving mail, and sending notifications of an address change, are not small matters, especially for some of the more elderly patrons.

5. Petitioner requests an immediate Suspension Pending Review due to the short time before the closing on August 9, 2013. This suspension would also provide adequate time to review other facts in dispute, including those stated above.

Thank you for considering this Petition for Review and Appeal.

Respectfully,

David A. Granger

Patron of Fernandina Beach Downtown Station