

**Village of Freistatt  
105 E. Third Street  
Freistatt, Missouri 65654  
417-236-9650**

**James M. Ortwein, Eva Jobe, Delpha Bowling, Rose Ortwein and Elmer Conway, Trustees**

July 21, 2013

Postal Regulatory Commission  
901 New York Ave., NW Ste. 200  
Washington, D.C. 20268-0001

Re: Docket #1364133-65654 – Our Request to Extend Due Date for Appeal & Accept Our Appeal for Review

To the Commissioners:

**Request to Extend Due Date for Appeal For Good Cause Shown as Follows:**

- I am the City Clerk for the Village of Freistatt and have been chosen as the sole representative for the entire community of Freistatt to process documents and Appeal the Closing of the Freistatt Post Office. The entire town of Freistatt and surrounding community are depending upon me to speak for them.
- Shortly after the formal posting of the Notice of Final Closing, I was called away to help with a very serious illness in my family. I have just recently returned to get caught up on my clerical work for the city and to file this Appeal. At the time, there was no way for me to know how long I would be helping with my family situation and had no way to communicate about my delay to you until I returned.
- There was no one else to act in my place as I was the only one knowledgeable with the document to be prepared or the points to make regarding our appeal.
- During the Emergency Suspension of the Freistatt Post Office, USPS representatives lied to you, the Commissioners, as well as the people in and around Freistatt. Because we know how seriously you feel about the integrity of the USPS, we feel it is important for you to know how your representatives made false statements regarding the reasons they had to emergency suspend the Freistatt Post Office and how they have caused us to lose trust in the USPS as a whole.

I would like to formally apologize in the delay in filing our Appeal for the Freistatt Post Office and sincerely say that if there had been any way to avoid my emergency situation or to make time to prepare someone else to take over the responsibility of filing our Appeal, I would have done so. My circumstances, however, did not permit me to do so.

For the above reasons, I request that you make an exception for this late filing and accept our Appeal to follow immediately below.

**Appeal to the Freistatt Post Office Closing**

- The Freistatt Post Office was first established August 14, 1884 and 32 years before Freistatt was even Incorporated (1916). As far as anyone can tell from our records, the Freistatt Post Office remained a lucrative business (relocating, but within the Freistatt Corporate limits) up until March 29, 2013, the date of the emergency suspension under false pretenses.
- The final notice to close the Freistatt Post Office was not properly posted for public viewing as it was taped to the back of the recently installed CBU's where no mail customer has a reason to

look for any such posting. No special sign was made to inform the public of the notice that was taped to the back. I was the only person informed of the location of the posting and although I am the spokesperson for the public in our Appeal, it was the USPS responsibility to post the notice in a more proper public place where the public was aware of the posting.

- The reason given for our Post Office being studied for possible closing (stated in the Notice) is “failed lease negotiations.” According to the land owner, there were two lease agreements sent to him (prepared by the USPS under the USPS’s own terms offered to the land owner) which were signed and returned long before the expiration date of the active lease. Each of these two leases were offered with different terms, but nonetheless offered by the USPS to the land owner and the land owner accepted both leases by signature. This can be verified by contacting Andrew Spodek of Brush Creek Partners (Nationwide Postal Management), 123 Grove Ave, Suite 222, Cedarhurst, N.Y., 11516, Phone #516-295-7820, or E-mail: [aspodek@nationwidepostal.com](mailto:aspodek@nationwidepostal.com) Once you can verify the facts, I believe you will find the statements made in the Final Notice to be false. Because of these false statements made to us (as well as you, the Postal Commissioners), the integrity of any other statements made by the USPS’s Notice are compromised as to their validity.
- Due to the long history of Freistatt having a Post Office and based upon the lies we have been told in the past, we strongly question the validity of the figures given with regard to revenue. According to our former Postmaster, all shipping and postage figures were not allowed to be included in the determination of “real” revenue collected at the Freistatt Post Office. A full and proper audit should be required to determine if the figures given to you (and us) are correct.
- The people in Freistatt were offered only one meeting with the USPS which was conducted almost two years ago when they first tried to close our Post Office. Since the false statements made about the lease agreement, the public has numerous questions to offer about that specific situation. In addition, the public has expressed their willingness to accept fewer hours of operation, but were never given the chance to speak to anyone with respect to this possibility.
- After the emergency suspension on March 29, 2013, the mail customers in Freistatt were left without any delivery of mail for seventy-six (76) days until CBU’s were installed and delivery resumed. Approximately ninety (90) mail customers were forced to drive 16 miles roundtrip to pick up their mail each day. There was no justification given to us for the delay or the interruption of mail delivery during that long period of time.

The Village of Freistatt has had a United States Post Office within its corporate limits for well over a century and the residents feel it has been an important role in its growth and vitality. The Post Office has been located on H Highway, the main corridor from I-44 to the Arkansas state line. Thus, its location has attracted not only local business, but has offered an important drop-off for visitors traveling thru our town. Convenient parking along H Highway thru our town has proven to make the Freistatt Post Office a main stopping point for those driving trucks to mail in their daily log tickets and packages during the holiday seasons.

For the specific statements made above, we do not believe the closing of our Freistatt Post is warranted. Further, we do not feel the closing has been conducted properly. We respectfully request that you accept this Appeal to the Freistatt Post Office Closing for the purpose of further review (1) as to how this closing was conducted and (2) with regard to the validity of statements made to you in the Notice.

Respectfully,

*Deborah Schoen*

Deborah Schoen, Clerk  
Village of Freistatt