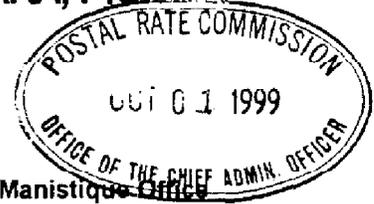


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Docket No. C2000-1

September 20, 1999

U.S. Postal Rate Commission
475 L'ensant Plaza S.W.
Washington, DC 20260

Dear Postal Rate Commission

I am writing on behalf of my client, John Westfall, a WWII veteran. Because of his health, he is now confined to a wheelchair.

Mr. Westfall lives in rural Marquette County in Michigan's Upper Peninsula. Currently, postal services are provided to Mr. Westfall via a contract post office in Arnotd, Michigan. Mr. Westfall sought to acquire rural delivery. At the time, he enlisted the services of United States Senator Spence Abraham. Mr. Westfall submitted various petitions for rural delivery, which were denied for technicalities. Mr. Westfall finally submitted a petition that met all the statutory requirements. This petition was reviewed by Mr. Robert Bartlett, a delivery analyst in Milwaukee, Wisconsin. Mr. Bartlett denied the petition because of general support in the community to keep the contract post office. Apparently, a counter-petition was filed against Mr. Westfall receiving rural delivery. The counter-petition was executed by individuals who already received rural delivery. From what I gather, Mr. Westfall's petition for rural delivery was denied because others were concerned that the contract post office would lose its identity, and would be shut down if it could not operate at a profit. The record is devoid of any other reason for denial of Mr. Westfall's petition for rural delivery.

We have gone through the local postmaster in Gladstone, Michigan, as well as the regional office in Milwaukee, Wisconsin, to try to get some answers. No one can provide any explanation as to why Mr. Westfall's petition for rural delivery was denied, other than the fact that there was general community support to keep the contract post office open.

Part of our concern in this matter is the fact that Mr. Westfall receives vital medications from the VA Hospital in Iron Mountain, Michigan. The VA only sends the medications via the U.S. Postal service, and will not ship them via U.P.S. or any other method to ensure that they reach Mr. Westfall. Mr. Westfall has no means of transportation to the contract post office, he cannot get his medication in

a timely manner. Equally alarming is the fact that even if Mr. Westfall could get to the contract post office, he could not get inside with his wheelchair, because the store is not handicap accessible.

In accordance with U.S.C.S. Title 39, §3662, we wish to register a complaint with the Postal Rate Commission based on the fact that Mr. Westfall is not receiving postal services-in accordance with the policies of the U.S. Postal Service.

I would also note that in accordance with 39 U.S.C.S. §101(b), the reasons for denying Mr. Westfall's petition lack merit. §101 (b) specifically states 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. No small post office shall be closed solely for operating at a deficit, it being the specific intent of the Congress that effective postal services be ensured to residents of both urban and rural communities."

Whether the contract post office in Mr. Westfall's community would be profitable or not if rural delivery was granted to Mr. Westfall or not is immaterial, and should have absolutely no bearing on the Postal Service's decision to grant or deny Mr. Westfall's petition.

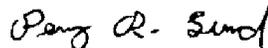
Mr. Westfall submitted the proper petition to receive rural delivery, which was denied. We believe the denial was politically motivated.

As a prerequisite to filing a claim in U.S. Federal District Court, we must exhaust our remedies. Therefore, at this time, pursuant to 39 USCS §3662, we request a formal investigation of this matter by the Commission.

Please contact me at my Escanaba office, listed above, to discuss this matter further.

Very truly yours,

OLSEN, FILORAMO, JARVI
& McNAMARA, P.C.



Perry R. Lund
Attorney at Law

PRL/jm
cc: John Westfall