

UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

Before

Chairman Steiger, Vice-Chairman Crutcher,
Commissioners Bright, Duffy and Folsom

In the Matter of:

Foraker, Indiana 46525.

(Violet A. Herr, et al., Petitioners)

Docket No. A84-5

COMMISSION OPINION REMANDING DETERMINATION
FOR FURTHER CONSIDERATION
39 U.S.C. § 404(b)(5)

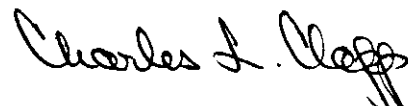
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(March 6, 1984)

On January 5, 1984, the Commission received an appeal letter from Violet A. Herr, et al. concerning the Postal Service's decision to close the Community Post Office (CPO) at Foraker, Indiana. In Order No. 544, the Commission established Docket No. A84-5 for the consideration of the appeal. On January 20, 1984, the Postal Service filed a motion to terminate this docket, stating the Foraker CPO was not a "post office" within the meaning of the applicable statute [39 U.S.C. § 404(b)].

The factual situation and the Postal Service's legal arguments in this case are precisely the same as in Docket No. A83-30, Knob Fork, West Virginia. Therefore, for the reasons explained in the Knob Fork decision which are incorporated by reference, we are remanding the Postal Service's decision to close the Foraker CPO for proceedings consistent with 39 U.S.C. § 404(b).

Accordingly, the Postal Service's determination to close the community post office at Foraker, Indiana, is set aside as having been made without observance of the procedure required by law.

By the Commission.


Charles L. Clapp
Secretary