



November 25, 2013

Sai  
PO Box 401159  
San Francisco, CA 94110

RE: FOIA Case No. 2014-FPRO-00057

Dear Postal Customer:

This responds to your November 18, 2013 telephone call to our office and subsequent email on November 23, 2013 regarding the fee estimate you received in response to your Freedom of Information Act (FOIA) request, dated October 18, 2013. You requested records pertaining to five listed items in connection with private address forwarding and PRC docket MC2013-60.

In your email you state that your fee waiver request was not responded to and that your request for electronic format (not paper) documents was not addressed. It is noted that in your initial request you ask for expedited processing. We apologize for the oversight in not addressing these matters in the fee estimate letter dated November 6, 2013.

In order to be granted expedited processing of a FOIA request, you must provide information in sufficient detail to demonstrate compelling need for the records and certify this statement to be true and correct to the best of your knowledge and belief.

Compelling need exists if either of the following applies: 1) failure of the requester to obtain the records on an expedited basis could reasonably be expected to pose an imminent threat to the life or physical safety of an individual, or 2) in the case of a request made by a person primarily engaged in disseminating information, there is an urgency to inform the public concerning actual or alleged federal government activity. We do not feel that you have demonstrated how either of these situations applies to your request. Accordingly, your request for expedited processing has been denied. Your request will be processed based in the order in which it was received, or in other words, on a first-in, first-out basis.

In response to your request for a waiver of fees, we decline your request for a fee waiver. You state in your letter that you will make the responsive records available to the public in connection with PRC docket MC2013-60.

Postal regulations governing the waiver of fees (section 265.9(g) (3) of Title 39, Code of Federal Regulations) permit waiver of a fee when it is determined that furnishing the records is deemed to be in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the federal government and is not primarily in the commercial interest of the requester.

The waiver request must describe the following: how the information will be used; to whom it will be provided, including the public; how the public is to benefit from the disclosure; any personal or commercial benefit that the requester expects from disclosure; and the intended user's identity, qualifications, and expertise in the subject area (see Section 4-2.3, AS353 Handbook).

Your fee waiver request did not include all of the required information. In particular, you have not demonstrated your qualifications and expertise in the subject area, or the ability and intention to disseminate the information to the public. Requesters who make no showing of how the information would be disseminated, other than through passively making it available on a website, do not meet the burden of demonstrating with particularity that the information will be communicated to the public.

With respect to the estimated cost for processing your request, we note that you did not limit the search for records to a particular department or office. Based on the subject matter of your request, we conducted preliminary searches for records at Postal Service Headquarters. This preliminary search found that responsive records may exist within two Headquarters departments - Product Information and the Office of the General Counsel. The fee estimate is for the time it will take to search for responsive records within these two departments (one hour by Product Information and 27 hours by the Office of the General Counsel). As an alternative, which could be less expensive, and could produce documents more timely to you, you could limit the search of documents to a particular department or to a specific report or document type.

With respect to duplication fees, provided you are willing to pay for the search fees, we are unable to estimate the duplication fees that may be incurred in processing your request until the search for records has been completed. As stated in my prior letter, the cost for hard copy duplication is at the rate of 15 cents per page after the first 100 pages which are provided at no charge. We understand that you have asked to be provided copies of responsive records in electronic format. We will comply with your request to be provided records in electronic format if able to do so.

We look forward to hearing from you as to how to proceed with your request. If we do not hear back from you within 14 calendar days of this letter, we will assume you do not wish to incur costs to process your request, and we will close out this request.

You have the right to appeal the denial of your request for expedited processing and your fee waiver request by writing to the General Counsel, U.S. Postal Service, Washington, D.C. 20260-1100, within 30 days of the date of this letter. The letter of appeal should include statements concerning this response, the reasons why it is believed to be erroneous, and the relief sought, along with copies of the original request letter, this letter, and any other related correspondence.

If you need assistance in reformulating your request, you may contact me at (202) 268-2030.

Sincerely,

*Nancy P. Chavannes-Battle*

Nancy P. Chavannes-Battle  
Consumer Research Analyst