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7
8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 * * *

11 WASHOE COUNTY, a political
subdivision of the State of Nevada,

12 Plaintiff,

13 vs.

14 LOUIS DEJOY, in his official capacity as
15 Postmaster General of the United States, and the
UNITED STATES POSTAL SERVICE, /

16 Defendants.
17

Case No. 3:24-cv-00224

COMPLAINT FOR DECLARATORY
AND INJUNCTIVE RELIEF

18 Plaintiff Washoe County, a political subdivision of the State of Nevada, by and
19 through its attorney, Lindsay L. Liddell, Deputy District Attorney, hereby complains and
20 alleges as follows:

21 I. Introduction

22 1. The United States Postal Service ("USPS" or the "Postal Service") is vital to
23 a functional democracy, and one of the few public goods set forth in the United States
24 Constitution. See U.S. Const. Art. 1, § 8. As James Madison explained in *The Federalist No.*
25 42, "The power of establishing post roads must, in every view, be a harmless power and
26 may, perhaps, by judicious management, become productive of great public conveniency.

1 Nothing which tends to facilitate the intercourse between the States can be deemed
2 unworthy of the public care." *The Federalist No. 42*, at 271 (James Madison) (Clinton
3 Rossiter ed., 1961).

4 2. For the past several decades, mail originating from Northwestern Nevada has
5 been processed and sorted in the Reno Processing and Distribution Center. When Washoe
6 County sent election mail to its register voters, it would be sorted at the Reno Facility and
7 then transferred to other local mail handlers for further sorting and prompt delivery.

8 3. In May 2020, Louis DeJoy ("DeJoy") was appointed Postmaster General of
9 the USPS. In 2021, DeJoy implemented the Postal Service's "Delivering for America" 10-
10 year strategic plan ("DFA").¹ The DFA includes changes to delivery standards, postage
11 pricing, and a transformation of the Postal Service's "processing and logistics network."

12 4. In 2023, the Postal Service began implementing the DFA phase of
13 "deploying a best-in-class processing and delivery operations network."² The DFA network
14 phase includes reviewing existing processing facilities for possible downsizing into local
15 processing facilities and expansion of regional processing and distribution centers.³ On
16 information and belief, the Postal Service intends to review approximately 190 facilities for
17 changes in their processing operations throughout the United States. **Exhibit 1 at p. 1.**
18 Thus far, the Postal Service has reviewed or started review of 59 existing processing
19 facilities, including the Reno Processing and Distribution Center. **Exhibit 1 at pp. 7-9.**

20 5. In April 2024, USPS announced its unilateral decision to close the Reno
21 Processing and Distribution Center and transfer Northwestern Nevada mail processing

23 ¹ *Delivering for America*, available at https://about.usps.com/what/strategic-plans/delivering-for-america/assets/USPS_Delivering-For-America.pdf (last visited May 20, 2024).

24 ² *Delivering for America Second-Year Progress Report*, available at <https://about.usps.com/what/strategic-plans/delivering-for-america/assets/usps-dfa-two-year-report.pdf> (last visited May 20, 2024).

25 ³ *Modernizing USPS Mail Processing Operations Frequently Asked Questions*, available at
26 <https://about.usps.com/what/strategic-plans/mpfr/documents/fact-sheet-408s.pdf> (last visited May 20, 2024).

1 operations to Sacramento. On information and belief, once USPS implements its plan for
2 Reno, a letter placed in the mail in Reno and destined for another Reno location will first
3 be placed on a truck, driven on Interstate-80 over Donner Pass, delivered to the Sacramento
4 Regional Processing Facility, sorted in Sacramento, California, then placed on a truck,
5 driven back over Donner Pass, and then transferred to the Reno local processing center for
6 ultimate processing and delivery. **Exhibit 2.** The 250-mile roundtrip journey involves a
7 route notorious for its severe weather conditions, traffic holds, and road closures.

8 6. DeJoy and the Postal Service circumvented procedural law requiring them to
9 first request an advisory opinion from the Postal Regulatory Commission before
10 implementing any plans that have a substantially nation-wide effect. 39 U.S.C. § 3661.

11 7. By filing this case, Plaintiff Washoe County seeks: (i) to halt Defendants
12 from implementing the network optimization phase of the DFA plan, including the plan to
13 downsize the Reno Processing and Distribution Center, (ii) declaratory relief deeming
14 Defendants' actions unlawful, and (iii) declaratory relief deeming that any further
15 implementation of the DFA network optimization phase is unlawful in the absence of
16 compliance with the requisite administrative process before the Postal Regulatory
17 Commission.

18 **II. Jurisdiction and Venue**

19 8. This Court has subject matter jurisdiction based on the federal questions
20 presented pursuant to 28 U.S.C. Section 1331 and 39 U.S.C. Section 409. The Court has
21 jurisdiction to award declaratory and other relief pursuant to 28 U.S.C. Section 2201.

22 9. Venue is proper in the District of Nevada, because a substantial part of the
23 acts or omissions giving rise to the claims occurred or will imminently occur in this judicial
24 district. 28 U.S.C. §§ 1391(b)(2), (e)(1). Particularly, a substantial volume of mail is
25 currently sent, processed, and delivered in Northern Nevada. Washoe County relies on
26 USPS to timely deliver voter registration documents, sample ballots, mail-in ballots, other

1 election mail, utility bill correspondence, and various administrative notices including
2 licensing notices, code violation notices, and other legal mail. Implementing the network
3 optimization phase of the DFA plan will delay the receipt and postmarking of Washoe
4 County mail, which harms its departments that rely on mail correspondence and may
5 disenfranchise its residence. The Postal Service's unilateral network optimization phase
6 implementation also deprived Washoe County of its procedural right to be heard and
7 participate in an action before the Postal Regulatory Commission.

8 **III. Parties**

9 10. Plaintiff Washoe County is a political subdivision of the State of Nevada.
10 Washoe County relies on the Postal Service to carry out its business correspondence and its
11 duties regarding elections, code enforcement, licensing, and utility services, among others.

12 11. Defendant Louis DeJoy is the Postmaster General, the chief executive office
13 of USPS. He is sued in his official capacity.

14 12. Defendant USPS is an independent agency of the executive branch of the
15 United States. Congress has waived USPS's immunity from suit. 39 U.S.C. § 401.

16 13. Any and all reference to "Defendants" means the acts of Defendants acting
17 individually, jointly, and/or severally.

18 **IV. Factual Allegations**

19 **A. The Postal Service and Postal Regulatory Commission**

20 14. The United States Constitution, in Article 1, Section 8, vests Congress with
21 the power to "establish Post Offices and Post Roads." In 1792, Congress exercised that
22 power, and President George Washington signed into law the Postal Service Act
23 establishing the U.S. Post Office Department.

24 15. The Postal Service is "a basic and fundamental service provided to the
25 people by the Government of the United States." 39 U.S.C. § 101(a). By law, its "basic
26 function" is "to provide postal services to bind the National together through the personal,

1 education, literary, and business correspondence of the people.” *Id.* “[**The Postal Service**]
2 **shall provide prompt, reliable, and efficient services to patrons in all areas and shall**
3 **render postal services to all communities.**” *Id.* (emph. added).

4 16. Federal law mandates that the Postal Service “serve nearly as practicable the
5 entire population of the United States.” 39 U.S.C. § 403.

6 17. The Postal Service delivers critical mail, including voter registration
7 applications and notifications, sample ballots, mail-in ballots, utility bills, administrative
8 penalty notices, legal mail, prescriptions, county tax assessment notices, and licensing
9 correspondence.

10 18. When creating its policies, the Postal Service is required to “give the highest
11 consideration to the requirement for the most expeditious collection, transportation, and
12 delivery of important letter mail.” 39 U.S.C. § 101(e).

13 19. In 1970, Congress created the Postal Rate Commission, an independent body
14 to oversee postage rates and other Postal Service actions. In 2006, Congress expanded that
15 body into the Postal Regulatory Commission with increased authority over the Postal
16 Service including authority regarding the Postal Service’s mail operations.

17 20. Before making major changes, the Postal Service is required to first
18 participate in a proceeding before the Postal Regulatory Commission. Specifically, “[w]hen
19 the Postal Service determines that there should be a change in the nature of postal services
20 which will generally affect service on a nationwide or substantially nationwide basis, it
21 shall submit a proposal, within a reasonable time prior to the effective date of such
22 proposal, to the Postal Regulatory Commission requesting an advisory opinion on the
23 change.” 39 U.S.C. § 3661(b).

24 21. In the advisory opinion proceedings, there must be “an opportunity for a
25 hearing on the record under [the Administrative Procedure Act] ... accorded to the Postal
26 Service, users of the mail, and an officer of the Commission who shall be required to

1 represent the interests of the general public,” before the Postal Regulatory Commission
2 may issue the advisory opinion. 39 U.S.C. § 3661(c).

3 22. In a proceeding before the Postal Regulatory Commission, any person is
4 entitled to submit comments. 39 C.F.R. § 3010.140.

5 23. More importantly, a person may become a party to the Postal Regulatory
6 Commission proceeding by filing a notice of intervention. 39 C.F.R. § 3010.142(b). As a
7 party to that proceeding, the intervenor may participate in discovery and motion practice,
8 file testimony, cross examine witnesses, file briefs, and present oral argument to the Postal
9 Regulatory Commission. 39 C.F.R. § 3010.142(a), (e).

10 24. Congress created the advisory opinion proceedings as a check and balance to
11 the Postal Service’s transparency and public accountability.

12 **B. The Delivering For America Plan**

13 25. On March 23, 2021, the Postal Service published a 10-year strategic
14 Delivering for America (“DFA”) plan. The DFA plan contains several strategies to achieve
15 financial stability and involves consolidating and downsizing mail service in the name of
16 efficiency.

17 26. In 2023, Defendants published its DFA Second Year Progress Report
18 regarding an “overhaul” of the USPS processing and delivery networks.

19 27. The DFA network optimization phase involves creating Regional Processing
20 and Distribution Centers (RPDCs or “Regional Centers”) by consolidating and centralizing
21 processing operations.

22 28. The network optimization phase also involves creating Local Processing
23 Centers (“Local Centers” or “LPCs”) from existing facilities including former processing
24 and distribution centers.

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29. Defendants also intend to create Sorting and Delivery Centers (“S&DCs”), some of which will be co-located with Local Centers.

30. On May 20, 2024, DeJoy sent a letter describing these mail processing network changes as a “national strategy.” Ex. 1 at 2.

C. Nationwide Implementation of the DFA — Network Optimization Phase

31. On April 16, 2024, DeJoy stated that Defendants plan to redesign their network from 430 facilities to 220 facilities. *United States Postal Service*, Statement of Postmaster General and Chief Executive Officer Louis DeJoy before the Senate Committee on Homeland Security and Government Affairs, April 16, 2024, at p. 6.

32. In DeJoy’s May 20, 2024 letter, he explained, “We are now in the process of scheduling work for this initiative, which we expect to accomplish over the next 18-24 months.” Ex. 1 at p. 2.

33. In July 2023, Defendants launched the first Regional Center in Richmond, Virginia.

34. Between 2023 and 2024, Defendants implemented its plans and downsized existing processing and distribution centers in (1) Medford, Oregon, (2) Eugene, Oregon, (3) Macon, Georgia, (4) Augusta, Georgia, (5) Greenville, South Carolina, (6) Tallahassee, Florida, and (7) Fort Wayne, Indiana. The mail originating from the aforementioned facilities now travels to a Regional Center for processing prior to delivery.

35. Thus far, Defendants have implemented or begun renovations to create Regional Centers for the DFA network optimization phase in Richmond, Atlanta, Portland, Boise, Charlotte, Chicago, Houston, Jacksonville, Jersey City, Greensboro, Phoenix, Santa Clarita, and Indianapolis. *See* Ex. 1 at p. 3. Specifically, as of May 2024, the following is an excerpt of DeJoy’s May 20, 2024 letter describing the implementation status at those locations:

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1. **Richmond RPDC: Richmond, Virginia** - an existing 680,000 square foot facility substantially complete and operating, awaiting further conveying equipment to be installed in first quarter of next year.
2. **Atlanta RPDC: Palmetto, Georgia** - a new 1,200,000 square foot facility substantially complete and substantially operating awaiting some additional equipment and facility adjustments.
3. **Charlotte RPDC: Gastonia, North Carolina** - a new 700,000 square foot facility substantially completed and partially operating.
4. **Chicago RPDC: Chicago, Illinois** - an existing 720,000 square foot facility currently being substantially renovated and equipped and partially operating. Expected completion prior to year-end.
5. **Portland RPDC: Portland, Oregon** - an existing 780,000 square foot facility substantially complete and operating, awaiting further material handling equipment to be installed prior to the end of the year.
6. **Boise RPDC: Boise, Idaho** - an existing 300,000 square foot facility substantially complete and operating, awaiting further material handling equipment to be installed prior to the end of the year.
7. **Houston RPDC: Houston, Texas** - an existing 850,000 square foot facility currently being substantially renovated and equipped and partially operating.
8. **Indianapolis RPDC: Indianapolis, Indiana** - a new 1,200,000 square foot facility in various levels of completion by function awaiting additional equipment installation. Partially operating for package sortation with increasing functionality and volume through the end of 2024.
9. **Jacksonville RPDC: Jacksonville, Florida** - an existing 780,000 square foot facility currently being substantially renovated and equipped. Partial operations to begin this fall. Expected completion prior to year-end.
10. **Jersey City RPDC: Jersey City, New Jersey** - an existing 1,400,000 square foot facility currently being substantially renovated and equipped and partially operating for package sortation. Expected completion in September of 2025.
11. **Greensboro RPDC: Greensboro, North Carolina** - an existing 460,000 square foot facility currently being substantially renovated and equipped and partially operating. Expected completion in September of 2025.
12. **Phoenix RPDC: Phoenix, Arizona** - a new 500,000 square foot facility in various levels of completion by function awaiting additional equipment installation. Initial operations begin for package sortation in September 2024.
13. **Santa Clarita RPDC: Santa Clarita, California** - An existing 650,000 square foot facility receiving a 200,000 square foot addition scheduled for completion in 2026.

Ex. 1 at p. 3.

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1 36. Implementing the DFA's network optimization phase, on information and
2 belief, the Postal Service will create a mail delay throughout the United States. The Postal
3 Service is currently reviewing 59 processing and distribution centers for potential changes
4 to processing operations, including downsizing those operations. **Exhibit 1** at pp. 7–8. In
5 addition to the change in Northern Nevada set forth below, Defendants' processing changes
6 include:

- 7 a. Removing *all* processing operations within the State of Wyoming,
8 including removing processing operations from Casper, Wyoming and
9 rerouting their processing through a 560-mile round trip to and from
10 Billings, Montana;
- 11 b. Removing processing operations from Medford, Oregon, and processing
12 their mail approximately 4.5 hours away in Portland, Oregon;
- 13 c. Removing processing operations from McAllen, Texas, and processing
14 their mail through a 500-mile round trip to and from San Antonio, Texas;
- 15 d. Removing processing operations from Manchester, New Hampshire, and
16 processing their mail through a notoriously heinous commute in Boston,
17 Massachusetts;
- 18 e. Removing processing operations from Missoula, Montana, and
19 processing their mail through a 408-mile round trip to and from Spokane,
20 Washington; and
- 21 f. Removing processing operations from Grand Junction, Colorado, and
22 processing their mail through a 506-mile round trip to and from Denver,
23 Colorado.

24 37. There have been mail delays in regions where Defendants already
25 implemented the network optimization phase with Regional Centers such as Atlanta and
26 Richmond.

1 38. Based on such delays and on information and belief, the network
2 optimization phase will create nationwide mail delays with longer distances for processing
3 to Regional Centers.

4 **D. Implementing the DFA in Reno, Nevada.**

5 39. The Reno Processing and Distribution Center currently processes mail for
6 zip codes beginning in 895-, 894-, 897-, and 961. **Exhibit 3.** This area includes Washoe
7 County, Carson City, Douglas County, Storey County, Lyon County, Churchill County,
8 Pershing County, Esmeralda County, Humboldt County, Mineral County, part of Elko
9 County, and part of Nye County. *See id.*

10 40. Washoe County relies on the Postal Service and the Reno Processing and
11 Distribution Center for timely delivery of business correspondence and to carry out its
12 duties including for elections, code enforcement, licensing, and utility services.

13 41. On information and belief, nearby Nevada counties also rely on the Postal
14 Service and its Reno Processing and Distribution Center to timely carry out
15 correspondence in the course of their official government business, including for election
16 mail.

17 42. Nevada has a decades-long history of safely and securely administering mail-
18 in ballots. In 1991, Nevada adopted a no-excuse absentee system whereby any voter could
19 request a paper ballot to cast by mail. In 2022, Nevada law shifted a statewide mail-in
20 ballot structure whereby state and local elections officials are required to mail paper ballots
21 to all active registered voters.

22 43. Voting by mail is especially important for Washoe County's rural
23 communities, including the Pyramid Lake Paiute Tribe Reservation, Gerlach, and the
24 northern areas along the California and Oregon borders.

25 44. Under Nevada law, when a mail ballot must be (1) postmarked on or before
26 election day and (2) received by the clerk not later than 5 p.m. on the fourth day following

1 the election. Nev. Rev. Stat. § 293.269921(1)(b). As such, Washoe County relies on the
2 Postal Service to timely deliver mail ballots so the Washoe County Registrar of Voters can
3 ensure all ballots are included in the election results.

4 45. On January 10, 2024, the Postal Service announced its Notice of Intent to
5 evaluate “[w]hether efficiency could be increased by transferring some mail processing
6 operations currently performed at the Reno PD&C to the Sacramento PD&C in West
7 Sacramento, California.”

8 46. On February 6, 2024, the Postal Service published its “Initial Findings,” to
9 transition the Reno processing and distribution center into a Local Center LPC, and that
10 “the business case supports transferring mail processing outgoing operations to the
11 Sacramento PD&C.”

12 47. On February 28, 2024, Washoe County submitted public comment to the
13 Postal Service through their online portal. Washoe County highlighted its concerns for
14 delayed mail service based on Donner Pass road conditions and the lack of data to support
15 Defendants’ decision to move processing from Reno to Sacramento.

16 48. On or about April 23, 2024, the Postal Service published its “Final MPFR”
17 [Mail Processing Facility Review], announcing its decision to proceed with transferring
18 processing functions from Reno to the Sacramento.

19 49. On information and belief, Defendants’ plan includes removing biohazard
20 detection equipment from the Reno USPS location, rendering Defendants’ staff unable to
21 make an exception and process mail ballots in Reno.

22 50. On information and belief, Defendants intend to fully implement the plan
23 phase for the Reno Processing and Distribution Center in January 2025.

24 51. Interstate 80 experiences severe weather conditions during winter months
25 that cause road closures, weather-related vehicle accidents, chain controls, and semi-truck
26 holds. For example:



- a. The above photograph from the California Highway Patrol's Truckee Division depicts a "jackknifed" FedEx semi-truck blocking Interstate-80 traffic in winter weather conditions;
- b. During the 2016-2017 winter season, trucks were held on Interstate-80 westbound for over 215 hours and eastbound for over 247 hours;
- c. During the 2021-2022 winter season, trucks were held westbound for over 81 hours, and eastbound over 89 hours; and
- d. During the 2022-2023 winter season, trucks were held westbound for over 125 hours, and eastbound almost 127 hours.

52. On information and belief, the volatile road conditions of Donner Pass will create additional and substantial mail delays if and when Defendants implement their plan to move Reno's mail processing to Sacramento, California.

53. Defendants' implementation of the DFA network optimization phase for the Reno Processing and Distribution Center alone will generally affect service on a nationwide or substantially nationwide basis insofar as the service, once implemented, will include the power to impact the outcome of federal elections by failing to timely deliver mail in ballots that would otherwise be processed in Reno, Nevada and counted in an election.

1 54. Northern Nevada voters, many of whom rely on the Postal Service to deliver
2 their ballots, have the power to determine outcomes of statewide elections. For example, in
3 the 2022 general election, United States Senator Catherine Cortez Masto won her race
4 against candidate Adam Laxalt by approximately 8,000 votes in Nevada. A different
5 outcome in Nevada's Senate Race would have impacted the function of the entire U.S.
6 Senate. On information and belief, if Northern Nevada's mail ballots had been processed in
7 Sacramento instead of Reno, there is a substantial likelihood that mail ballots would have
8 been delayed and thus not counted. Specifically:

- 9 a. In the 2022 general election, the counted mail ballots included ballots
10 from Washoe County (103,085), Lyon County (13,261), Carson City
11 (14,158), Douglas County (18,895), and Humboldt County (2,843).
- 12 b. The 2022 general election occurred on November 8, 2022, meaning that
13 mail ballots must have a postmark on or before November 8, 2022, and
14 received at the appropriate clerk's office on or before 5p.m. on November
15 12, 2022, to be counted in that election.
- 16 c. In the days leading up to and following the 2022 general election, Donner
17 Pass on Interstate-80 experienced significant winter weather conditions.
18 **Exhibit 4.** On November 2, 2022, there was a snowstorm that caused icy
19 and slippery road conditions, and chains were required on all vehicles. *Id.*
20 at 1–2. Later that day, traffic was held eastbound on Donner Pass due to a
21 traffic collision. *Id.* at 3. On November 3, 2022, chain control remained in
22 effect over Donner Pass. *Id.* at 4. On November 6, 2022, traffic was held
23 westbound near Donner Lake due to a rockslide. *Id.* at 5. On November
24 7, 2022, the roads remained full of snow and trucks were “at maximum
25 restrictions.” *Id.* at 6–7. On November 8, 2022, election day, snow
26 continued to fall, chains were required, and eventually eastbound

1 Interstate-80 traffic was closed and traffic diverted due to a collision
2 involving three “big rigs.” *Id.* at 8–10. On November 9, 2022, chain
3 controls remained in effect, the snow fall near the road was several feet,
4 and trucks were “at maximum restrictions.” *Id.* at 11–12. On November
5 12, 2022, the date which ballots must be received to be counted,
6 Interstate-80 continued to experience significant snow with chain control
7 in both directions and trucks again at “maximum restrictions.” *Id.* at 13.

8 d. On information and belief, based on the above conditions, the Postal
9 Service would have delayed delivery of mail ballots if ballots were
10 required to travel on a semi-truck through Donner Pass twice before final
11 sorting and delivery in Northern Nevada.

12 55. Alternatively, Defendants’ implementation of the DFA network optimization
13 phase for the Reno Processing and Distribution Center alone will generally affect service on
14 a nationwide or substantially nationwide basis in that, once implemented, a broad
15 geographic region will experience delayed mail service. The population whose mail is
16 currently processed in Reno includes Washoe County (486,492 people), Carson City
17 (58,639 people), Douglas County (49,488 people), Storey County (4,104 people), Lyon
18 County (59,235 people), Churchill County (25,516 people), Pershing County (6,650
19 people), Esmeralda County (729 people), Humboldt County (17,285 people), and Mineral
20 County (4,554 people) — over 700,000 residents.⁴ The delayed delivery of mail generated
21 by residents currently serviced by the Reno Processing and Distribution Center will, on
22 information and belief, have a substantially nationwide effect on service.

23 //

24 _____
25 ⁴ Population totals are based on the 2020 U.S. Census.
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1 **E. Absence of Advisory Opinion Proceedings for the Network Optimization**
2 **Phase**

3 56. In 2021, the Postal Regulatory Commission held that the DFA plan itself, as
4 a generalized 10-year strategic plan, did not require an advisory opinion. *Postal Regulatory*
5 *Commission*, Docket No. C2022-1, Order No. 6067 at pp. 17–18 (Dec. 17, 2021).
6 Nevertheless, in so holding, the Postal Regulatory Commission including that “this is not
7 to say that specific initiatives described in a strategic plan would not require a request for an
8 advisory opinion pursuant to 39 U.S.C. § 3661(b) **in advance of implementation of those**
9 **initiatives...**” *Id.* at p. 18 (emph. added).

10 57. Defendants failed to request an advisory opinion prior to implementing any
11 of its DFA network optimization phase.

12 58. Defendants did not initiate advisory opinion proceedings regarding the
13 processing consolidation changes that already occurred in Richmond, Atlanta, Portland,
14 Boise, Charlotte, Houston, Jacksonville, and Indianapolis. On information and belief, those
15 regions have experienced delayed mail processing since Defendants implemented those
16 changes.

17 59. Defendants continued to review existing processing and distribution facilities
18 for potential downsizing beginning in Fall 2023, again without initiating an advisory
19 proceeding for its implementation of the DFA network optimization phase. Defendants still
20 did not and have not initiated an advisory proceeding before moving forward with the
21 implementation activities set forth on pages 2 and 3 of Exhibit 1.

22 60. In conducting facility reviews, the Postal Service announced its “Decision to
23 Proceed” on altering the function of 56 existing processing and distribution facilities
24 throughout the United States. Each review includes a published notice of intent and
25 internal review of Postal Service operations. Defendants chose which facilities to review
26 and conducted its review without initiating an advisory opinion proceeding.

1 61. Defendants did not seek an advisory opinion prior to removing the following
2 Processing and Distribution Centers throughout the nation: Medford, Oregon; Eugene,
3 Oregon; Macon, Georgia; Augusta, Georgia; Greenville, South Carolina; Tallahassee,
4 Florida; or Fort Wayne, Indiana.

5 62. On April 26, 2024, the Postal Regulatory Commission issued an Order
6 Directing Postal Service to Show Cause or File a Nature of Service Proceeding Regarding
7 Certain Delivering for America Initiatives (“Order to Show Cause”). *Postal Regulatory*
8 *Commission*, Docket No. PI2023-4, Order No. 7061 (Apr. 26, 2024). It noted that “[t]he
9 Commission has a duty to provide transparency, oversight, and ongoing monitoring of the
10 Postal Service’s network transformation plans.” *Id.* at p. 7. Regarding implementation of
11 the DFA network optimization phase, the Order to Show Cause noted, “it has become
12 increasingly apparent that the operational changes to be implemented by the Postal Service
13 nationwide may result in significant service changes over a broad area of the country.” *Id.*
14 at p. 12. It directed the Postal Service to show cause or to file a request for an advisory
15 opinion. *Id.* at pp. 12–13.

16 63. On May 16, 2024, instead of initiating advisory opinion proceedings, the
17 Postal Service filed a Response to the Order to Show Cause. *Postal Regulatory Commission*,
18 Docket No. PI2023-4, *United States Postal Service Response to the Order to Show Cause Regarding*
19 *Certain Delivering for America Initiatives* (May 16, 2024). The Postal Service’s Response
20 argues that the Order to Show Cause exceeded the Postal Regulatory Commission’s
21 authority, and that the Postal Service has sole discretion on whether to seek an advisory
22 opinion. Essentially, the Postal Service seeks to circumvent the “nationwide effect”
23 language that triggers the advisory opinion proceedings by claiming that its implementation
24 is only regional in nature. However, the Postal Service’s Mail Processing Facility Review
25 records belie any claim that its approach is less than nationwide. In fact, the records plainly
26 reveal the rollout of a coast-to-coast campaign. On one single day, January 10, 2024, the

1 Postal Service issued Notices of Intent to review approximately 31 existing processing
2 centers in 22 states, spanning from Massachusetts to California.⁵ See **Exhibit 1** at pp. 7–8.
3 Nonetheless, the Postal Service claimed that it was “actively considering” a request for
4 advisory opinion.

5 64. As of the date and time of this filing, the Postal Service still has not sought
6 an advisory opinion from the Postal Regulatory Commission regarding the implementation
7 of the DFA network optimization phase.

8 65. Washoe County was deprived of an opportunity to be heard and participate
9 in an advisory opinion proceeding before the Postal Regulatory Commission. As such,
10 Washoe County experienced a procedural harm as a result of Defendants’ conduct.

11 V. CAUSES OF ACTION

12 First Cause of Action

13 (*Ultra Vires Agency Action*)

14 66. Plaintiff Washoe County hereby incorporates paragraphs 1-65 of this
15 Complaint as fully set forth herein.

16 67. Under 39 U.S.C. Section 3661, the Postal Service may adopt service changes
17 with the advice of the Postal Regulatory Commission, and subject to the public’s
18 opportunity to comment on the proposed changes.

19 68. As set forth above, Defendants’ implementation of the network optimization
20 phase of the DFA thus far is a change that will generally affect service on a substantially
21 nationwide basis.

22 69. Alternatively, Defendants’ implementation of the network optimization
23 phase of the DFA plan as it relates to the Reno Processing and Distribution Center is a
24

25 ⁵ Mail Processing Facility Review documents are available at [https://about.usps.com/what/strategic-](https://about.usps.com/what/strategic-plans/mpfr/welcome.htm)
26 [plans/mpfr/welcome.htm](https://about.usps.com/what/strategic-plans/mpfr/welcome.htm) (last visited May 20, 2024).

1 change that will generally affect service on a substantially nationwide basis as set forth
2 above.

3 70. Pursuant to 39 U.S.C. Section 3661, the Postal Service was required to seek
4 an advisory opinion prior to effecting *any* implementation of the network optimization
5 phase of the DFA plan.

6 71. By circumventing 39 U.S.C. Section 3661 and unilaterally implementing he
7 network optimization phase of the DFA plan without following federal law procedures,
8 Defendants are acting *ultra vires*.

9 72. Defendants' implementation of the network optimization phase of the DFA
10 plan should be declared unlawful and Defendants should be enjoined because its
11 implementation actions are *ultra vires*.

12 73. Defendants' *ultra vires* actions harmed Washoe County because they deprived
13 Washoe County of an opportunity to be heard before the Postal Regulatory Commission in
14 an advisory opinion proceeding.

15 74. Plaintiff Washoe County is entitled to a declaration that implementing the
16 network optimization phase of the DFA plan without first following the advisory opinion
17 process is unlawful, and an injunction is necessary to prevent Defendants from further
18 implementing the same until they carry out the advisory opinion process.

19 VI. Prayer for Relief

20 Wherefore, Plaintiff Washoe County prays for judgment on its Complaint and
21 respectfully requests that the Court:

22 1. Declare unlawful Defendants' changes set forth above for being outside
23 procedures required by law as they constitute changes that will affect service substantially
24 nationwide, and thus may not be implemented prior to their submission to the Postal
25 Regulatory Commission for proceedings, including a public hearing, pursuant to 39 U.S.C.
26 Section 3661;

2. Declare the actions described herein to be *ultra vires* because they exceed DeJoy's statutory and regulatory authority as Postmaster General;

3. Preliminarily and permanently enjoin DeJoy, the Postal Service, and their respective agents, officers, employees, and successors, and all persons acting in concert with each or any of them under their direction or control, from implementing and/or continuing to implement any actions to further the network optimization phase of the DFA plan, including removal of Reno's mail sorting machines, removal of Reno's biohazard detection equipment, making any changes to Reno's mail processing operations, and carrying out any other processing facility reviews and moves;

4. Direct DeJoy and the Postal Service to immediately act to reverse any of the actions described herein and declared unlawful, including those which have been previously implemented in whole or in part by DeJoy or USPS in the absence of an appropriate advisory opinion so as to restore the status quo before their illegal actions;

5. Award Washoe County its reasonable costs and attorneys' fees; and

6. Grant other and further relief as the Court may deem proper or as the interests of justice may require.

Dated this 28th day of May 2024.

Respectfully submitted,

CHRISTOPHER J. HICKS
District Attorney

By /s/ Lindsay L. Liddell
LINDSAY L. LIDDELL
Deputy District Attorney
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lliddell@da.washoecounty.gov
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ATTORNEY FOR WASHOE COUNTY

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EXHIBIT 1

EXHIBIT 1

LOUIS DEJOY
POSTMASTER GENERAL, CEO



May 20, 2024

The Honorable Gary Peters
Chairman
Homeland Security and Government Affairs Committee
United States Senate
Washington, DC 20510

Dear Chairman Peters:

Despite the significant efforts of the consistent and transparent communications we have provided about our Delivering for America Plan initiatives, confusion continues to proliferate in some circles about the work we have underway to rescue the United States Postal Service. I am writing to clarify the various initiatives we have ongoing that are part of the nearly \$15.3 billion in committed self-funded investments and those initiatives that we agreed to "pause" in my letter to you on May 9.

What has been Paused for 2024 - Further Implementations Resulting from Mail Processing Facility Reviews

Over the past several months we have been conducting mail processing facility reviews pursuant to a long-standing practice the postal service has used to analyze the efficiency of our operations and to inform our employees, the communities we serve, and other interested stakeholders of certain options we are considering improving our operations and save costs in our local mail processing plants. This is a formal process which requires public notice, the conduct of a specific study, information sharing and townhall meetings over a month or more period for each facility. In most instances the key component of the facility reviews is to consider whether to move originating mail operations and volume to fewer regional plants to create consistency, precision, and efficiency. I have attached the list of these sites that I previously forwarded, which specifies the status of the facility study, the outcome of our determination, and the level of investment and cost savings that would be implicated. You can also view the details of this process by location on our website. In all cases on the list, we are moving a very small subset of our operations. This process has been regularly undertaken across the country over the last 14 years.

However, contrary to past facility reviews, where the intention was to close the mail processing facility when we moved out mail processing operations, the current facility review process has no such intention. To the contrary, the review process we are undertaking also includes substantial investment in the facilities we are studying. In the past, these changes have been initiated without an eye towards improving the workplace or growing our business because in many instances the intention was to discontinue operations in the facility or to significantly curtail its operations. That is because before the Delivering for America Plan, there had not been a comprehensive strategy to repair our business and to restore our vitality. If you review our website, you will find that pursuant to our current plan, hundreds of millions of dollars will be invested in these facilities to refurbish and equip them to transform this organization to ensure

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that we can serve our communities far into the future. Under our current plan, in addition to moving small portions of the operations, we are also modernizing these facilities with significant investment to ensure that deferred maintenance is completed, state-of-the art automation equipment is installed that meets our current business needs, and employee amenities are upgraded, all with the goal of enhancing the efficiency and capacity of our mail and package processing operations, improving our retail capability, and helping our employees do their jobs better and under better working conditions. In some cases, the movement of these operations is freeing up space so that a Sorting and Delivery Center, equipped with new vehicles, many electric, can be co-located at the facility, which could end up adding to our employee complement at the site while also better serving the public.

Through the beginning of May, and at the time of our discussions on this matter, we have been executing on our administrative requirements facility by facility to determine their future role in our network and the investments required to modernize them as described above. As this initiative is not just about moving small portions of our mail processing operations, but mostly about significant investment in the facilities consistent with our national strategy, our workload in this area needs to be aggregated and planned in an organized and systematic manner. As stated previously, this is far different and a stark contrast to past facility reviews, when work was moved without the need to consider any corresponding investment given the limited intentions for the facilities being studied.

At this point of the facility review process, we have made our decisions and quantified our investments over the 59 sites, which are reflected on the attached list. We are now in the process of scheduling our work for this initiative, which we expect to accomplish over the next 18 to 24 months. Our position has been, unlike in the past, that we do not just move the mail processing operations without a firm committed and capitalized plan to the improvements we have specified in our notifications to the public and the community. Our goal is, by site, for it all to occur near concurrently.

Therefore, your request to pause implementation and do some further analysis, including the possibility of asking the Postal Regulatory Commission for an advisory opinion, was something I could accommodate as we are in the work planning phase of this initiative. Starting implementation of these changes after the first of the year is a logical choice considering where we are in the planning cycle, the additional work we have ongoing, our current efforts to stabilize service, and the upcoming election.

As I stated in my letter dated May 9, we will keep you and other members of Congress informed as we progress with our implementation plans. I will also let you know of our decision concerning a filing with the Postal Regulatory Commission.

What Activities Remain Ongoing in 2024

As I identified above, I wish to clarify the confusion regarding ongoing activities we are endeavoring to accomplish during the remainder of the year. They are as follows:

Completion of Initiated Regional Processing and Distribution Centers (RPDCs)

RPDCs are larger, new or renovated processing facilities equipped to handle substantial truck traffic, aggregate large volumes of mail and packages, and perform a high volume of selected mail and package processing functions as well as cross-docking operations. Our plan currently provides for 60 locations (some may be a multiple facility configuration) to be deployed

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throughout the country. We have several underway in various stages of progress. In many cases these are existing facilities that we will refurbish and equip to perform our required operations in a more standardized and consistent way with a dramatically improved work environment. The projects underway and their status are identified below:

1. **Richmond RPDC: Richmond, Virginia** - an existing 680,000 square foot facility substantially complete and operating, awaiting further conveying equipment to be installed in first quarter of next year.
2. **Atlanta RPDC: Palmetto, Georgia** - a new 1,200,000 square foot facility substantially complete and substantially operating awaiting some additional equipment and facility adjustments.
3. **Charlotte RPDC: Gastonia, North Carolina** - a new 700,000 square foot facility substantially completed and partially operating.
4. **Chicago RPDC: Chicago, Illinois** - an existing 720,000 square foot facility currently being substantially renovated and equipped and partially operating. Expected completion prior to year-end.
5. **Portland RPDC: Portland, Oregon** - an existing 780,000 square foot facility substantially complete and operating, awaiting further material handling equipment to be installed prior to the end of the year.
6. **Boise RPDC: Boise, Idaho** - an existing 300,000 square foot facility substantially complete and operating, awaiting further material handling equipment to be installed prior to the end of the year.
7. **Houston RPDC: Houston, Texas** - an existing 850,000 square foot facility currently being substantially renovated and equipped and partially operating.
8. **Indianapolis RPDC: Indianapolis, Indiana** - a new 1,200,000 square foot facility in various levels of completion by function awaiting additional equipment installation. Partially operating for package sortation with increasing functionality and volume through the end of 2024.
9. **Jacksonville RPDC: Jacksonville, Florida** - an existing 780,000 square foot facility currently being substantially renovated and equipped. Partial operations to begin this fall. Expected completion prior to year-end.
10. **Jersey City RPDC*: Jersey City, New Jersey** - an existing 1,400,000 square foot facility currently being substantially renovated and equipped and partially operating for package sortation. Expected completion in September of 2025.
11. **Greensboro RPDC*: Greensboro, North Carolina** - an existing 460,000 square foot facility currently being substantially renovated and equipped and partially operating. Expected completion in September of 2025.
12. **Phoenix RPDC*: Phoenix, Arizona** - a new 500,000 square foot facility in various levels of completion by function awaiting additional equipment installation. Initial operations begin for package sortation in September 2024.
13. **Santa Clarita RPDC: Santa Clarita, California** - An existing 650,000 square foot facility receiving a 200,000 square foot addition scheduled for completion in 2026.

* Please note Jersey City, Greensboro and Phoenix listed above were not transmitted on the RPDC list we provided to you May 1 due to their stage of construction.

Local Processing Centers (LPCs)

LPCs are destinating oriented mail and package processing centers and cross dock operations consisting almost entirely of renovated existing facilities. These facilities are being equipped to handle selected mail and package processing functions as well as cross-docking operations. Our plan currently provides for approximately 190 of these locations (some may be a multiple facility configuration—some may be configured inside an RPDC) and will be deployed throughout the country. We have many renovation and equipment installation projects

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underway in various stages of progress. As stated above, many of these are existing facilities that will be refurbished and equipped to perform our required operations in a more standardized way with a dramatically improved work environment. The projects underway and their status are identified below:

1. **Richmond, Virginia LPC** – Configured and fully operating within the newly renovated Richmond RPDC.
2. **Norfolk, Virginia LPC** – an existing 200,000 square foot facility equipped and fully operating.
3. **Portland, Oregon LPC** – Configured and fully operating within the newly renovated Portland RPDC.
4. **Medford, Oregon LPC** – an existing 100,000 square foot facility currently being renovated and equipped and is substantially operating.
5. **Eugene, Oregon LPC** – an existing 150,000 square foot facility currently being renovated and equipped and is substantially operating.
6. **Duluth, Georgia LPC** - an existing 600,000 square foot facility currently being substantially renovated and equipped and is partially operating.
7. **Atlanta, Georgia LPC** - an existing 400,000 square foot facility currently being substantially renovated and equipped and is partially operating.
8. **Macon, Georgia LPC** – an existing 100,000 square foot facility currently operating.
9. **Augusta, Georgia LPC** – an existing 100,000 square foot facility currently operating.
10. **Boise, Idaho LPC** – An existing facility, configured and fully operating within the newly renovated Boise RPDC.
11. **Pocatello, Idaho LPC** - an existing 50,000 square foot facility fully operating.
12. **South Houston, Texas LPC** - a new 400,000 square foot facility under construction substantially completed and equipped and partially operating.
13. **Beaumont LPC** – An existing 150,000 square foot facility currently being renovated and equipped.
14. **Charlotte, North Carolina LPC** - an existing 400,000 square foot facility under total renovation with significant equipment additions and currently not operating. Operations will be relocated back to the facility prior to the end of this year.
15. **Johnson City, Tennessee LPC** - a new 100,000 square foot facility under renovation and being equipped. Operations to commence in 2025.
16. **Greenville, South Carolina LPC** – an existing 250,000 square foot facility to be renovated and equipped in 2025.
17. **Jacksonville, Florida LPC** – An existing 300,000 square foot facility currently being renovated and equipped.
18. **Tallahassee, Florida LPC** – An existing 150,000 square foot facility currently being renovated and equipped.
19. **Indianapolis, Indiana LPC** – An existing 400,000 square foot facility to be equipped for 2025 commencement.
20. **Fort Wayne, Indiana LPC** – An existing 100,000 square foot facility to be equipped for 2025 commencement.

As laid out above, nearly all these RPDC and LPC facilities for which we are not pausing implementation are existing and operating. The work we are engaging in with these initiatives is to catch up on 20 years of deferred maintenance, upgrade 30-year-old technology, install modern sortation equipment and rearrange our production floor layout to logically accommodate the difference between the size of a letter and the size of a package.

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Sorting and Delivery Centers (S&DCs)

S&DCs are the Postal Service's new concept to aggregate small delivery units and the mail carriers that worked there into larger, fully renovated, and equipped delivery units. These facilities are almost entirely existing underutilized facilities long ago eliminated from their original use. They are in significant disrepair and now may have small carrier units and are performing random storage functions. As these were formally plants, they have significant parking, work floor space, docks and electrical infrastructure. Our plan currently provides for several hundred of these facilities and large delivery units to be renovated and newly equipped, which will enable them to accommodate our newly acquired package sorting equipment and 66,000 Electric Vehicle over the next few years. These will also be a significant contributor to the growth we aspire to have in our regional package delivery business. These facilities will enable us to be the delivery provider of choice, not just for the last mile, but for the last 150 miles. To date, we have deployed 55 S&DC'S and will deploy an additional 28 prior to September 30, 2024, at the following locations.

- | | |
|-------------------------------|-----------------------------------|
| 1. Boston, MA SDC | 15. Carbondale, IL SDC |
| 2. Ft. Lauderdale, FL SDC | 16. Columbus Oakland Park, OH SDC |
| 3. Hicksville, NY SDC | 17. Dayton, OH SDC |
| 4. Kalamazoo, MI SDC | 18. High Point, NC SDC |
| 5. Lakeland, FL SDC | 19. La Cross, WI SDC |
| 6. New Brunswick, NJ SDC | 20. Lake Charles, LA SDC |
| 7. Newark, NJ SDC | 21. Olympia, WA SDC |
| 8. Orange, CA SDC | 22. Sarasota, FL SDC |
| 9. Phoenix Rio Salado, AZ SDC | 23. Severna Park, MD SDC |
| 10. Saint Petersburg, FL SDC | 24. Shawnee Mission, KS SDC |
| 11. Southern Maryland, MD SDC | 25. Southern Connecticut, CT SDC |
| 12. Springfield, MA SDC | 26. Vineland, NJ SDC |
| 13. Stockton Airport, CA SDC | 27. Wilkes Barre, PA SDC |
| 14. Acworth, GA SDC | 28. York East, PA SDC |

Air Transportation and Supporting Network

After 22 years we have redesigned and recomputed our Priority Mail Air Network transportation operations. Over the next several months we will be re-routing all our air traffic (approximately 150 flights a day) to 61 different airport hubs across the nation. Concurrently as we make this transition, we will be continuing to insource many of our over 70 Terminal Handling Centers into our regional centers to reduce handling time and cost. This is a continuation of our efforts to reduce air traffic and integrate mail and package movement with our ground transportation network. In addition, we continue our efforts to reduce our air transportation, which has resulted in significant savings and carbon emissions reduction. We expect this transition to be complete in September of 2024.

Ground Transportation

The Postal Service runs approximated 50,000 truck transport trips a day. Because of the nature of our public service mission and the poor design of our network, we had averaged less than

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40% trailer utilization significantly driving up our costs. We will continue to design and implement better routings for both national and local transportation to support our efforts to be more efficient and reliable. We expect these initiatives to continue through August, at which point we will begin to pause to accommodate the demands of the elections and peak season. This effort involves ongoing schedule adjustments, routing changes, cross docking, and trip elimination.

In conclusion, I hope I have clarified what actions we will and will not be taking during the remainder of the year. As I have previously discussed, nothing we have done to date has required the filing with the Postal Regulatory Commission for an Advisory Opinion. However, we are evaluating certain service constraints that should we decide to change, would require us to do so. We anticipate conclusion of this evaluation in the next 30 days and will keep you advised of our progress.

As you have witnessed, over the past ten years, and prior to the issuance of the Delivering for America Plan, the Postal Service endured close to \$100 billion in financial losses and was well on its way to lose over an additional \$160 billion over the next 10 years. This has led to deferred maintenance more than \$20 billion and an ill equipped, operationally ineffective, and devastated infrastructure with poor operating strategy and discipline. Our facilities are often unpleasant places to work, our vehicles are ancient, and we are ill equipped in most of our operations to efficiently engage in our work. As laid out in the Delivering for America Plan, we are working to change all of this to achieve long-term financial viability. The nearly \$15.3 billion of committed self-funded investments is a key building block of our efforts.

I have not disputed that we had difficulty in the initial implementation of some of the changes we are making and are working hard to correct for them and will do so. However, simply put, we are digging out of one of the biggest financial and operating institutional holes ever dug and the demanding pace of this change is required because it should have begun many years ago. We have a few years to correct our trajectory, or we will run out of cash and require a federal bailout or some other more drastic solution. I look forward to working with Congress to avoid more draconian results, and to restoring the Postal Service to a high performing and financially healthy organization.

Sincerely,



Louis DeJoy

Enclosure

cc:

Senator Susan M. Collins
Senator Jacky Rosen
Senator Cynthia M. Lummis
Senator Michael F. Bennet
Senator Kevin Cramer
Senator Jeanne Shaheen
Senator John Barrasso
Senator Catherine Cortez Masto
Senator Steve Daines
Senator Kyrsten Sinema
Senator Shelley Moore Capito
Senator Angus S. King
Senator John Hoeven

Senator Jeff Merkley
Senator Deb Fischer
Senator Jon Tester
Senator Roger F. Wicker
Senator Debbie Stabenow
Senator M. Michael Rounds
Senator Joe Manchin III
Senator Marsha Blackburn
Senator Cory A. Booker
Senator Pete Ricketts
Senator Margaret Wood Hassan
Senator John Cornyn

MPFR Status Tracking + Final Decision Data

Study Name	State	GR Liaison Group	Facility Change	Status	Notice of Intent	Date of Public Meeting	Initial Findings	Public Comment Closing Date	Final Decision	Investment	Annual Savings
Abilene	TX	West	Abilene, TX P&DC to North Texas P&DC	Decision to Proceed	1/10/24	2/21/24	2/14/24	3/7/24	4/16/24	\$6M-\$8M	\$1.4M-\$1.8M
Augusta	GA	East	Augusta, GA P&DC to Atlanta, GA RPDC	Decision to Proceed	7/12/23	8/9/23	8/1/23	8/24/23	8/25/23	\$9M	\$2.0M-\$2.7M
Bemidji	MN	Midwest	Bemidji, MN P&DC to Fargo, ND P&DC	Notice of Intent	1/10/24	TBD	-	-	-	-	-
Bismarck	ND	Midwest	Bismarck, ND P&DC to Fargo, ND P&DC	Decision to Proceed	11/8/23	12/7/23	11/29/23	12/22/23	3/26/24	\$3.5M	\$410K-\$550K
Brockton	MA	East	Brockton, MA P&DC to Providence, RI P&DC	Decision to Proceed	1/10/24	3/6/24	2/28/24	3/21/24	4/16/24	\$8M-\$10M	\$1.8M-\$2.4M
Buffalo	NY	East	Buffalo, NY P&DC to Rochester, NY P&DC	Decision Not to Proceed	11/22/23	2/27/24	1/30/24	3/13/24	3/29/24	N/A	N/A
Burlington	VT	East	Burlington P&DC in Essex Junction, VT to Hartford, CT P&DC	Decision to Proceed	1/10/24	3/12/24	3/4/24	3/27/24	4/23/24	\$7M-\$9M	\$750K-\$1M
Casper	WY	West	Casper, WY P&DC to Billings, MT P&DC	Decision to Proceed	1/10/24	2/21/24	2/14/24	3/7/24	4/16/24	\$6M-\$8M	\$2.4M-\$3.2M
Champaign	IL	Midwest	Champaign, IL P&DC to South Suburban P&DC in Bedford Park, IL and Chicago South RPDC in Forest Park, IL	Decision to Proceed	1/10/24	3/12/24	3/4/24	3/27/24	4/23/24	\$15M-\$20M	\$2.7M-\$3.5M
Charleston	WV	Midwest	Charleston P&DC in South Charleston, WV to Pittsburgh, PA P&DC and Pennwood Place P&DC in Warrendale, PA	Decision to Proceed	11/22/23	2/14/24	1/30/24	2/29/24	4/2/24	\$20M-\$30M	\$6.6M-\$8.8M
Charleston	SC	East	Charleston P&DC in North Charleston, SC to Columbia, SC P&DC	Decision to Proceed	1/10/24	3/11/24	3/4/24	3/26/24	4/30/24	\$15.2M	\$4.5M-\$5.9M
Chattanooga	TN	Midwest	Chattanooga, TN P&DC to Nashville, TN P&DC and Music City, TN Annex	Decision to Proceed	10/25/23	11/28/23	11/21/23	12/23/23	3/19/24	\$8M	\$3.3M-\$4.3M
Cheyenne	WY	West	Cheyenne, WY P&DC to Denver, CO P&DC	Decision to Proceed	11/8/23	12/12/23	11/29/23	12/27/23	3/26/24	\$3.5M	\$2.5M-\$3.3M
Columbia	MO	Midwest	Columbia, MO P&DC to St Louis, MO P&DC	Decision to Proceed	10/18/23	11/16/23	11/7/23	12/1/23	3/6/24	\$4M	\$1.7M-\$2.3M
Corpus Christi	TX	West	Corpus Christi, TX P&DC to San Antonio, TX P&DC	Decision to Proceed	1/10/24	2/14/24	2/6/24	3/1/24	4/9/24	\$4-\$6M	\$3.0M-\$3.9M
Dakota Central (Huron)	SD	Midwest	Dakota Central P&DC in Huron, SD to Fargo, ND P&DC	Decision to Proceed	11/8/23	12/6/23	11/29/23	12/23/23	3/26/24	\$3M	\$650K-\$860K
Eastern Maine (Hampden)	ME	East	Eastern Maine P&DC in Hampden, ME to Southern Maine P&DC in Scarborough, ME	Decision to Proceed	11/22/23	2/29/24	1/30/24	3/15/24	4/9/24	\$15-\$25M	\$610K-\$810K
EL Paso	TX	West	El Paso, TX P&DC to Albuquerque, NM P&DC	Decision to Proceed	10/25/23	11/28/23	11/21/23	12/13/23	3/19/24	\$9M	\$2.9M-\$3.8M
Eugene	OR	West	Eugene, OR P&DC to Portland, OR RPDC	Decision to Proceed	7/12/23	8/8/23	8/1/23	8/23/23	8/25/23	*	\$4.0M-\$5.4M
Fort Myers	FL	East	Fort Myers, FL P&DC to Tampa P&DC and Your City P&DC in Tampa, FL	Decision to Proceed	11/22/23	2/6/24	1/30/24	2/21/24	4/9/24	\$20M-\$30M	\$2.4M-\$3.2M
Fort Wayne	IN	Midwest	Ft Wayne, IN P&DC to Indianapolis, IN RPDC	Decision to Proceed	10/25/23	11/29/23	11/21/23	12/14/23	3/19/24	\$5M	\$2.6M-\$3.5M
Fresno	CA	West	Fresno, CA P&DC to Sacramento P&DC in West Sacramento, CA	Decision to Proceed	1/10/24	2/14/24	2/6/24	2/29/24	4/9/24	\$12M-\$15M	\$1.4M-\$1.9M
Grand Forks	ND	Midwest	Grand Forks, ND P&DC to Fargo, ND P&DC	Decision to Proceed	11/8/23	12/6/23	11/29/23	12/21/23	3/26/24	\$1.5M	\$330K-\$440K
Grand Junction	CO	West	Grand Junction, CO P&DC to Denver, CO P&DC	Decision to Proceed	1/10/24	2/22/24	2/14/24	3/8/24	4/16/24	\$6M-\$8M	\$2.2M-\$3.0M
Greenville	SC	East	Greenville, SC P&DC to Charlotte, SC RPDC	Decision to Proceed	9/27/23	11/1/23	10/25/23	11/16/23	12/1/23	*	\$8.5M-\$11.3M

*Investment total not available

** Decision to proceed reversed

MPFR Status Tracking + Final Decision Data

Gulfport	MS	West	Gulfport, MS P&DC to Jackson, MS P&DC	Decision to Proceed	1/10/24	3/6/24	2/28/24	3/21/24	4/23/24	\$2M-\$3M	\$1.9M-\$2.6M
Iron Mountain	MI	Midwest	Iron Mountain P&DC in Kingsford, MI to Green Bay, WI P&DC	Decision to Proceed	1/10/24	4/1/24	2/1/24	4/16/24	5/7/24	\$3M-\$5M	\$1.1M-\$1.5M
Johnstown	PA	Midwest	Johnstown, PA P&DC to Pittsburgh, PA P&DC	Decision to Proceed	1/10/24	2/8/24	2/1/24	2/23/24	4/2/24	\$4M-\$6M	\$1.4M-\$1.8M
Knoxville	TN	Midwest	Knoxville, TN P&DC to Louisville, KY P&DC	Decision to Proceed	10/25/23	11/30/23	11/21/23	12/15/23	4/2/24	*	\$3.1M-\$4.1M
Lehigh Valley	PA	Midwest	Lehigh Valley, PA P&DC to Harrisburg, PA P&DC	Decision to Proceed	10/18/23	11/30/23	11/7/23	12/15/23	3/6/24	\$11M	\$5.3M-\$7.0M
Lubbock	TX	West	Lubbock, TX P&DC to Amarillo, TX P&DC	Decision to Proceed	1/10/24	2/23/24	1/30/24	3/9/24	4/9/24	\$3M-\$5M	\$2.6M-\$3.5M
Macon	GA	East	Macon, GA P&DC to Atlanta, GA RPDC	Decision to Proceed	7/12/23	8/8/23	8/1/23	8/23/23	8/25/23	*	\$3.9M-\$5.2M
Manchester	NH	East	Manchester, NH P&DC to Boston, MA P&DC	Decision to Proceed	1/10/24	2/8/24	2/1/24	2/23/24	4/2/24	\$16M-\$18M	\$1.2M-\$1.5M
McAllen	TX	West	McAllen, TX P&DC to San Antonio, TX P&DC	Decision to Proceed	1/10/24	3/26/24	3/15/24	4/10/24	5/7/24	\$11M-\$13M	\$2.7M-\$3.5M
Medford	OR	West	Medford, OR P&DC to Portland, OR RPDC	Decision to Proceed	7/12/23	8/9/23	8/1/23	8/24/23	8/25/23	*	\$4.8M-\$6.4M
Midland	TX	West	Midland, TX P&DC to Amarillo, TX P&DC	Decision to Proceed	1/10/24	2/22/24	2/14/24	3/8/24	4/16/24	\$13M-\$15M	\$1.9M-\$2.5M
Minneapolis	MN	Midwest	Minneapolis, MN P&DC to St. Paul, MN P&DC	Decision to Proceed	9/27/23	11/1/23	10/25/23	11/16/23	12/1/23	*	\$3.4M-\$4.4M
Missoula	MT	West	Missoula, MT P&DC to Spokane, WA P&DC	Decision to Proceed	1/10/24	3/15/24	3/6/24	3/30/24	4/30/24	\$12.2M	\$1.3M-\$1.7M
North Platte	NE	Midwest	North Platte, NE P&DC to Denver, CO P&DC	Decision to Proceed	1/10/24	3/28/24	3/15/24	4/12/24	5/7/24	\$4M-\$6M	\$1.5M-\$1.9M
NW Arkansas (Fayetteville)	AR	West	NW Arkansas P&DC in Fayetteville, AR to Peoria, IL P&DC	Decision to Proceed	11/22/23	12/6/23	11/29/23	12/21/23	3/26/24	\$3.3M	\$2.5M-\$3.2M
Peoria	IL	Midwest	Peoria, IL P&DC to South Suburban P&DC in Bedford Park, IL	Decision to Proceed	1/10/24	2/21/24	2/14/24	3/7/24	4/16/24	\$8M-\$10M	\$1.7M-\$2.2M
Provo	UT	West	Provo, UT P&DC to Salt Lake City, UT ASF	Decision to Proceed	9/27/23	11/2/23	10/25/23	11/17/23	12/1/23	*	\$1.0M-\$1.3M
Quad Cities (Milan)	IL	Midwest	Quad Cities P&DC in Milan, IL to Des Moines, IA P&DC	Decision to Proceed	1/10/24	2/21/24	1/30/24	2/21/24	4/2/24	\$5M-\$10M	\$970K-\$1.3M
Raleigh	NC	East	Raleigh, NC P&DC to Greensboro, NC P&DC and RPDC	Decision to Proceed	1/10/24	2/13/24	2/6/24	2/28/24	4/9/24	\$25M-\$27M	\$5.2M-\$7.0M
Reno	NV	West	Reno, NV P&DC to Sacramento P&DC in West Sacramento, CA	Decision to Proceed	1/10/24	2/13/24	2/6/24	2/28/24	4/23/24	\$12M-\$14M	\$3.1M-\$4.2M
Santa Barbara	CA	West	Santa Barbara, CA P&DC to Santa Clarita, CA P&DC	Decision to Proceed	1/10/24	3/26/24	3/12/24	4/10/24	5/7/24	\$14M-\$18M	\$2.7M-\$3.8M
Sioux Falls	SD	Midwest	Sioux Falls, SD P&DC to Omaha, NE P&DC	Decision to Proceed	1/10/24	3/13/24	3/6/24	3/28/24	4/30/24	\$12.75M	\$2.0M-\$2.6M
South Jersey (Bellmawr)	NJ	East	South Jersey P&DC in Bellmawr, NJ to Philadelphia, PA P&DC	Decision to Proceed	1/10/24	3/7/24	2/28/24	3/21/24	4/23/24	\$20M-\$25M	\$4.0M-\$5.4M
South Suburban (Bedford Park)	IL	Midwest	South Suburban P&DC in Bedford Park, IL P&DC to Chicago South RPDC	Not Implemented**	9/27/23	11/1/23	10/25/23	11/16/23	11/16/23	N/A	N/A
Springfield	IL	Midwest	Springfield, IL P&DC to St. Louis, MO P&DC	Decision to Proceed	1/10/24	3/26/24	3/15/24	4/10/24	5/7/24	\$5M-\$8M	\$700K-\$930K
Tacoma	WA	West	Tacoma, WA P&DC to Seattle, WA P&DC	Decision to Proceed	10/25/23	11/28/23	11/21/23	12/13/23	3/19/24	\$5M	\$1.1M-\$1.5M
Tallahassee	FL	East	Tallahassee, FL P&DC to Jacksonville, FL NDC	Decision to Proceed	10/18/23	11/14/23	11/7/23	11/29/23	3/6/24	\$5M	\$4.9M-\$6.5M
Trenton	NJ	East	Trenton, NJ P&DC to Philadelphia, PA P&DC	Decision to Proceed	9/27/23	11/2/23	10/25/23	11/17/23	12/1/23	*	\$3.7M-\$4.8M
Tulsa	OK	West	Tulsa, OK P&DC to Oklahoma City, OK P&DC	Decision to Proceed	1/10/24	3/7/24	2/28/24	3/22/24	4/30/24	\$22.5M	\$3.6M-\$4.7M

* Investment total not available

** Decision to proceed reversed

MPFR Status Tracking + Final Decision Data

Waterloo	IA	Midwest	Waterloo, IA P&DC to Des Moines, IA P&DC	Decision to Proceed	1/10/24	3/26/24	3/15/24	4/10/24	5/7/24	\$6M-\$8M	\$860K-\$1.1M
Wenatchee	WA	West	Wenatchee, WA P&DC to Spokane, WA P&DC	Decision to Proceed	10/25/23	11/29/23	11/21/23	12/14/23	3/19/24	\$2M-\$3M	\$270K-\$360K
White River Junction	VT	East	White River Junction, VT P&DC to Hartford, CT P&DC	Decision to Proceed	1/10/24	3/26/24	3/15/24	4/10/24	5/7/24	\$4M-\$6M	\$710K-\$940K
Wilmington	DE	East	Wilmington, DE P&DC to Philadelphia, PA P&DC	Decision to Proceed	10/18/23	11/29/23	11/21/23	12/14/23	3/6/24	\$9M	\$3.1M-\$4.2M
Yakima	WA	West	Yakima, WA P&DC to Spokane, WA P&DC	Decision to Proceed	1/10/24	2/28/24	2/14/24	3/14/24	4/16/24	\$4M-\$6M	\$80K-\$110K

*Investment total not available

** Decision to proceed reversed

*Investment total not available
 ** Decision to proceed reversed

EXHIBIT 2

EXHIBIT 2

Estimated Minimum Reno Local Mail Delivery Effects

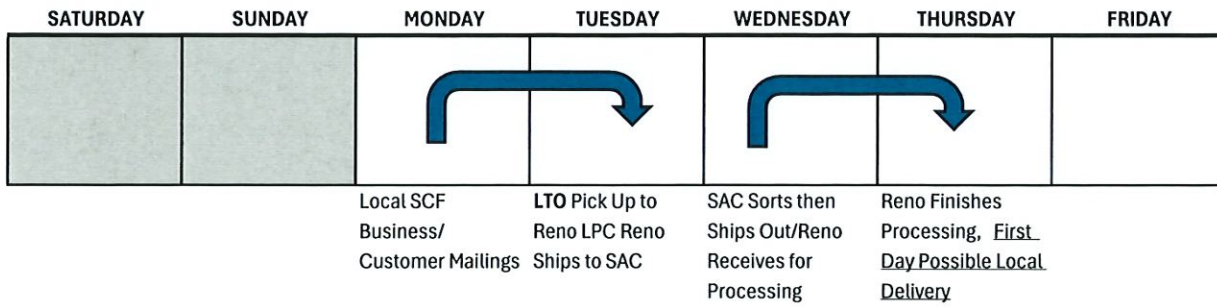


EXHIBIT 3

EXHIBIT 3

Map of Service Areas



EXHIBIT 4

EXHIBIT 4



CHP Truckee @CHP_... · 11/2/22 ...

It's going to be a slow and go commute this morning ❄️ ❄️

The snow is continuing to fall this morning and the roads are slick and icy....so take your time and SLOW DOWN so you can make it to your destination safely.

- I-80 is R2 in both directions from Nyack to Truckee.





CHP Truckee @CHP_... · 11/2/22 ...

And we're back!! Chain control is back up on I-80 over Donner Summit... SLOW DOWN!!

- I-80 is R2 in both directions from the Donner Lake Interchange to Kingvale.
- SR-267 is R1 from Northstar to Kings Beach.
- SR-89 is R1 from Tahoe City to Truckee.



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CHP Truckee @CHP_... · 11/2/22 ...
!! TRAFFIC ALERT !!

Traffic is being held on I-80 eastbound at the Donner Pass rest area due to a traffic collision. Expect delays...

[#chptruckee](#) [#trafficalert](#)



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CHP Truckee @CHP_... · 11/3/22 ...

CHAIN CONTROL UPDATE:

Chain control is still up on I-80 over Donner Summit.

- I-80 is R2 in both directions from Eagle Lakes to the Donner Lake Interchange.
- SR-267 is R1 from Northstar to Kings Beach
- Trucks are at minimum restrictions.





CHP Truckee @CHP_... · 11/6/22 ...

We are temporarily holding traffic on westbound I-80 west of the Donner Lake interchange due to a rock slide.



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CHP Truckee @CHP_... · 11/6/22 ...

!! Rock slide has been cleared !!



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CHP Truckee @CHP_... · 11/5/22 +...

!! BE ADVISED !! SNOW



CHP Truckee @CHP_... · 11/7/22 ...

Chain control is back up on
I-80 over Donner Summit 🗝️🗝️



- I-80 is R2 in both directions from the Donner Lake Interchange to Alta.
- Trucks are at maximum restrictions.

** For road condition updates visit: quickmap.dot.ca.gov

[#chptruckee](#) [#chaincontrol](#)
[#winterdriving](#)



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CHP Truckee @CHP_... · 11/7/22 ...



CHAIN CONTROL UPDATE ❄️

- I-80 is R2 in both directions from the Nevada State line to Alta.
- SR-267 is R2 from Northstar to Kings Beach.
- SR-89 is R2 from Tahoe City to Truckee.
- Trucks are at maximum restrictions.





CHP Truckee @CHP_... · 11/8/22 ...

And we were doing so good at Floriston... 🙄

!! Be advised !! Eastbound I-80 traffic is being diverted onto Hirschdale Rd. due to several traffic collisions including an overturned big rig on eastbound I-80 at Floriston. No estimated time of reopening.





CHP Truckee @CHP_... · 11/8/22 ...

Eastbound I-80 at Floriston has been reopened. Took a minute to clear the collision due to the fact that 3 big rigs were involved in the crash. Luckily, no one was hurt as a result of this collision. The snow will continue to fall throughout the night so you know the routine...



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CHP Truckee @CHP_... · 11/8/22
SLOW DOWN!!



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CHP Truckee @CHP_... · 11/8/22 ...

CURRENT CONDITIONS:

- I-80 westbound is R2 from the Nevada State line to Alta.
- I-80 eastbound is R2 from Drum Forebay to the Nevada State line.
- SR-89 is R1 from Tahoe City to Truckee.
- SR-267 is R2 from Northstar to Kings Beach.

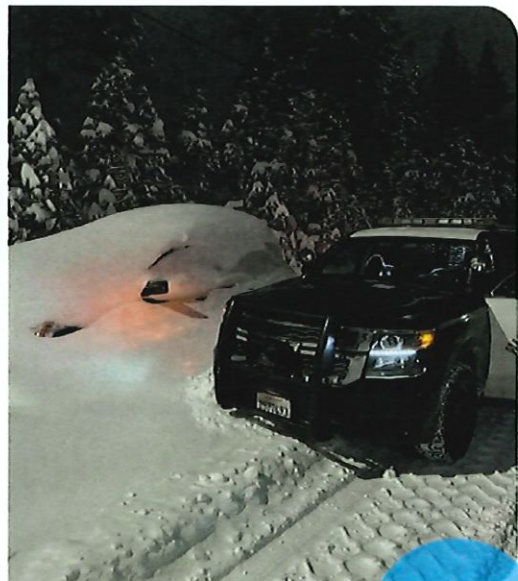




CHP Truckee @CHP_... · 11/9/22 ...

Good morning! ❄️ Chain control is still up on I-80 from the Nevada State line to Alta. Trucks are at maximum restrictions. For road condition updates visit: quickmap.dot.ca.gov

Also, please avoid abandoning and parking your vehicle on the side of the road during a



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CHP Truckee @CHP_... · 11/9/22 ... CHAIN CONTROL UPDATE:

- I-80 is R2 in both directions from Boca to Drum Forebay.
- Trucks are at maximum restrictions.

**for road condition updates visit: quickmap.dot.ca.gov





CHP Truckee @CHP... · 11/12/22 ...

!! CHAIN CONTROL !!

- I-80 is R2 in both directions from the Donner Lake Interchange to Drum Forebay.
- Trucks are at maximum restrictions.

** for road condition updates visit: quickmap.dot.ca.gov



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