

BEFORE THE  
POSTAL REGULATORY COMMISSION  
WASHINGTON, D.C. 20268-0001

COMPLAINT OF GAMEFLY, INC.            )  
  )           Docket No. C2009-1  
  )

COMPELLED RESPONSES OF THE UNITED STATES POSTAL SERVICE  
TO DISCOVERY REQUESTS OF GAMEFLY, INC.  
(GFL/USPS-79-80)  
(October 8, 2009)

Pursuant to Rules 26 and 27 of the Commission's Rules of Practice and Procedure, and Presiding Officer's Ruling No. C2009-1/6, the United States Postal Service hereby provides its compelled responses to the following discovery requests of GameFly, Inc.: GFL/USPS-79-80. These interrogatories were initially submitted on August 28, 2009, and were objected to by the Postal Service on September 8, 2009. The Presiding Officer granted GameFly's Motion to Compel via P.O. Ruling No. C2009-1/6, filed October 1, 2009.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:  
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RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO DISCOVERY REQUEST OF GAMEFLY, INC.

**GFL/USPS-79.** This question concerns the following photograph:



(a) Please confirm that this is a true and accurate photograph of the public mail drop slots in the lobby of the Susanville, California, post office on or about August 1, 2009. If you do not confirm without qualification, please explain fully.

(b) Please confirm that one of the four mail drop slots in the lobby of the Susanville, California, post office is marked "NETFLIX ONLY." If you do not confirm without qualification, please explain fully.

(c) Please confirm that Netflix is the only DVD rental company with a mail drop slot reserved for its return mail in the lobby of the Susanville, California, post office. If you do not confirm without qualification, please explain fully.

(d) Please confirm that Netflix is the only private company of any kind with a mail drop slot reserved for its return mail in the lobby of the Susanville, California, post office. If you do not confirm without qualification, please explain fully.

(e) When was a mail drop slot in the lobby of the Susanville, California, post office first reserved for "NETFLIX ONLY"? If you do not know the precise date, please provide the best approximation you can.

(f) Please identify the organization that devised the idea of reserving a drop slot in the Susanville post office for "NETFLIX ONLY."

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(g) Please identify the organization that created the red "NETFLIX ONLY" sign in the Susanville post office.

(h) Please produce all documents relating to the creation of the "NETFLIX ONLY" drop slot in the Susanville post office.

(i) Has the Susanville post office, or any higher-level entity to which the Susanville post office reports (e.g., P&DC, District, Area office), considered establishing a drop slot in the Susanville post office for the reply mailers of other DVD rental companies? If so, please produce all documents relating to such consideration.

**RESPONSE:**

a. Confirmed that this photograph appears to represent the public mail drop slots in the lobby of the Susanville, CA, post office on or about August 1, 2009. The Netflix mail drop slot has since been removed.

b. Confirmed that this was the case on or about August 1, 2009. The Netflix mail drop slot has since been removed.

c. Confirmed that this was the case on or about August 1, 2009. The Netflix mail drop slot has since been removed.

d. Confirmed that this was the case on or about August 1, 2009. The Netflix mail drop slot has since been removed.

e. January 2009.

f. The Susanville Post Office devised the idea.

g. The staff at the Susanville Post Office created this sign.

h. No responsive documents have been located.

i. No. Mailer-specific drop slots violate postal policy. The 2007 Retail Digest on this issue has already been provided.

RESPONSE OF THE UNITED STATES POSTAL SERVICE  
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**GFL/USPS-80.** This question concerns the following photograph:



(a) Please confirm that this is a true and accurate photograph of the public mail drop slots in the lobby of the Alturas, California, post office on or about August 1, 2009. If you do not confirm without qualification, please explain fully.

(b) Please confirm that one of the four mail drop slots in the lobby of the Alturas, California, post office is marked "NETFLIX ONLY." If you do not confirm without qualification, please explain fully.

(c) Please confirm that Netflix is the only DVD rental company with a mail drop slot reserved for its return mail in the lobby of the Alturas, California, post office. If you do not confirm without qualification, please explain fully.

(d) Please confirm that Netflix is the only private company of any kind with a mail drop slot reserved for its return mail in the lobby of the Alturas, California, post office. If you do not confirm without qualification, please explain fully.

(e) When was a mail drop slot in the lobby of the Alturas, California, post office first reserved for "NETFLIX ONLY"? If you do not know the precise date, please provide the best approximation you can.

(f) Please identify the organization that devised the idea of reserving a drop slot in the Alturas post office for "NETFLIX ONLY."

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TO DISCOVERY REQUEST OF GAMEFLY, INC.

(g) Please produce all documents relating to the creation of the "NETFLIX ONLY" drop slot in the Alturas post office.

(h) Has the Alturas post office, or a higher-level entity to which the Alturas post office reports (e.g., P&DC, District, Area office), considered establishing a drop slot in the Alturas post office for the reply mailers of other DVD rental companies? If so, please produce all documents relating to such consideration.

**RESPONSE:**

a. Confirmed that this photograph appears to represent the public mail drop slots in the lobby of the Alturas, CA, post office on or about August 1, 2009. The Netflix mail drop slot has since been removed.

b. Confirmed that this was the case on or about August 1, 2009. The Netflix mail drop slot has since been removed.

c. Confirmed that this was the case on or about August 1, 2009. The Netflix mail drop slot has since been removed.

d. Confirmed that this was the case on or about August 1, 2009. The Netflix mail drop slot has since been removed.

e. The Postal Service does not know when this mail drop slot was first reserved. The staff at the Alturas Post Office speculates that it was about one year ago.

f. The Alturas Post Office devised the idea.

g. No responsive documents have been located.

h. No. Mailer-specific drop slots violate postal policy. The 2007 Retail Digest on this issue has already been provided.