

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

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

APPLICATION OF THE UNITED STATES POSTAL SERVICE
CONCERNING NONPUBLIC STATUS OF ITS
RESPONSES TO DISCOVERY REQUESTS OF GAMEFLY, INC.
(GFL/USPS-97, 110, 133, 141, 162, 201, 203-208)
(October 22, 2009)

The Postal Service has today filed responses to several discovery responses of GameFly, Inc. under seal: GFL/USPS-97, 110, 133, 141, 162, 201, 203-208. First, GFL/USPS-97, 110, 141, and 162 provide customer-specific information (though because GFL/USPS-110 references only GameFly, the Postal Service would not object to this response being unsealed at GameFly's request, so long as unsealing the response would not constitute a waiver of the Postal Service's claim of confidentiality concerning the internal Postal Service PowerPoint presentation from which the discovery request quotes). Second, GFL/USPS-133 provides further clarification regarding an internal email conversation between Postal Service employees. Third, GFL/USPS-201 and 203-208 provide detailed information concerning aspects of a cost study that examined customer-specific DVD processing costs.

The Postal Service considers all of this information inherently confidential, for the reasons discussed in the pleading it filed on October 19, 2009. See Opposition of the United States Postal Service to the Motion of GameFly, Inc. to

Unseal Certain Documents Produced in Discovery. The Postal Service hereby incorporates that document by reference.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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