

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

COMPLAINT OF GAMEFLY, INC.

)
)
)

Docket No. C2009-1

MOTION OF THE UNITED STATES POSTAL SERVICE
FOR LATE ACCEPTANCE OF ITS RESPONSES
TO GFL/USPS-77, 108, 144, AND 190
(October 29, 2009)

The Postal Service hereby moves for the late acceptance of its responses to the following discovery requests of GameFly, Inc.: GFL/USPS-77, 108, 144, and 190. The response to GFL/USPS-77 was due on September 11, 2009, the responses to GFL/USPS-108 and 144 were due on October 2, 2009, and the response to GFL/USPS-190 was due on October 20, 2009. The Postal Service was unable to provide responses to these institutional discovery requests within the 14-day timeframe established by the Commission's rules for a number of reasons. With respect to GFL/USPS-77 and 108, time was needed to identify and compile the referenced documents; for the others, extensive cross-functional consultation was needed to provide full, accurate responses. All of this effort was further complicated by the need to also work on the large number of other discovery requests that have also been submitted by GameFly. This consultation with respect to GFL/USPS-144 was further complicated by the fact that these questions inquire into events that occurred a number of years ago. Finally, the Postal Service's ability to respond timely was further delayed by the press of other business in this and other proceedings. The Postal Service regrets the

delay, and wishes to assure the Commission, and all interested parties, that it is attempting to adhere to applicable discovery deadlines as diligently as possible, given current resources.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:
Daniel J. Foucheaux, Jr.
Chief Counsel, Pricing and Product
Support

Jacob D. Howley
Kenneth N. Hollies
Elizabeth A. Reed
Keith E. Weidner

475 L'Enfant Plaza West, S.W.
Washington, D.C. 20260-1137
(202) 268-6252, Fax -6187