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December 9, 2009

Hon. Shoshana M. Grove, Secretary
Postal Regulatory Commission
901 New York Avenue N.W., Suite 200
Washington, D.C. 20268-0001

Re: Docket No. C2009-1, *Complaint of GameFly, Inc.*

Dear Ms. Grove:

MMAVault, Inc., respectfully submits this letter as its comments on the standards for unsealing of documents proposed in Presiding Officer's Ruling No. C2009-1/12.

MMAVault, a privately held company based in San Diego, rents DVDs by subscription to consumers. Our business model is similar to that of Netflix and GameFly, except that we focus on mixed martial arts videos. Our website is www.mmavault.com.

We have followed GameFly's discrimination complaint against the Postal Service with interest and concern. Like most individuals involved in the DVD rental business, I have devoted a great deal of time and expense in an effort to reduce the high rate of DVD breakage experienced when return DVD mailers undergo automated letter processing from the Postal Service. And, like many in the DVD rental industry, I have observed with frustration the favoritism received by Netflix, including manual culling and processing of DVD mailed at First-Class letter rates without a non-machinable surcharge.

MMAVault is a much smaller business than GameFly. We do not have the resources to pursue the drawn-out and costly litigation that GameFly has undertaken. MMAVault has read the pleadings and other papers in Docket No. C2009-1 with great interest, however.

Unfortunately, the large percentage of documents that have been filed under seal has impeded our ability to follow the record. The same is true of other small

DVD rental companies that have followed the case. If we knew what was occurring in the case, we might be able to help GameFly correct the record about any inaccuracies in the Postal Service's claims about the treatment that other small DVD mailers have received. In addition, we could make better-informed decisions about whether to seek relief for our own companies. Finally, exposing the Postal Service's practices to the sunshine of public disclosure could avoid the new to incur GameFly's discovery costs anew if we were to decide to pursue relief through a complaint case of our own.

As a privately owned business, MMAVault does not advocate public disclosure of information whose release could cause genuine competitive injury. But information like customer lists and other commercially sensitive information stand on a very different footing from information whose release might be politically embarrassing to the Postal Service, but not commercially sensitive. Except for information whose disclosure would truly injure the competitive interests of the Postal Service, Netflix or other customers, the public interest is best served by the broadest possible public unsealing of the documents.

Very truly yours,

Norman Baccash
President
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