

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

COMPLAINT OF GAMEFLY, INC.

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Docket No. C2009-1

**APPLICATION OF GAMEFLY, INC., FOR
NON-PUBLIC TREATMENT OF ANSWERS TO
PUBLIC REPRESENTATIVE INTERROGATORY PR/GFL-1
AND USPS DISCOVERY REQUESTS USPS/GFL-52,
USPS/GFL-54 (APPENDIX), and USPS/GFL-59 (APPENDIX)
(May 25, 2010)**

Pursuant to Rule 3007.22, 39 C.F.R. § 3007.22, GameFly, Inc. ("GameFly") applies for nonpublic treatment of portions of the answers that GameFly is filing today to the following discovery requests: PR/GFL-1, USPS/GFL-52, USPS/GFL-54 (appendix only) and USPS/GFL-59 (appendix only). All of these documents contain information that warrants protection from public disclosure under Rule 3007.22, or that another party has claimed to warrant such protection.

The redacted portion of the answer to PR/GFL-1 contains Netflix-specific information that the Postal Service has designated as protected.

The redacted portions of the answer to USPS/GFL-52 contains sensitive GameFly-specific price and cost information whose disclosure could subject GameFly to competitive injury.

The appendix to GameFly's answer to USPS/GFL-54 contains a large volume of GameFly-specific data on mail volumes, loss and damage rates, Confirm scan reports, and other proprietary company data disaggregated by location and time period. This is

highly proprietary information, and its disclosure could subject GameFly to competitive injury.

The appendix to GameFly's answer to USPS/GFL-59 is an email thread between GameFly and Postal Service employees on potential measures for reducing the rate if GameFly disc breakage. The email thread identifies a number of employees of the Postal Service, information that the Commission has indicated should be kept under seal. See POR-17 at 28, Ordering Paragraph 4 ("GameFly will be required to redact the names, title, and indentifying characteristics . . . of all individual employees.")

Respectfully submitted,

David M. Levy
Matthew D. Field
Alexandra Megaris
Seung Hyun-Ryu
VENABLE LLP
575 7th Street, N.W.
Washington, DC 20004
(202) 344-4800

Counsel for GameFly, Inc.

May 25, 2010