

UNITED STATES OF AMERICA  
POSTAL REGULATORY COMMISSION  
WASHINGTON, DC 20268-0001

Before Commissioners: Ruth Y. Goldway, Chairman;  
Robert G. Taub, Vice Chairman;  
Mark Acton;  
Tony Hammond; and  
Nanci E. Langley

Complaint of GameFly, Inc.	Docket No. C2009-1R
Competitive Product List Adding Round-Trip Mailer	Docket No. MC2013-57
Competitive Product Prices Round-Trip Mailer (MC2013-57)	Docket No. CP2013-75

ORDER GRANTING ADDITIONAL REQUEST FOR ACCESS

(Issued August 28, 2013)

On August 27, 2013, GameFly, Inc. (GameFly) filed a motion pursuant to 39 C.F.R. § 3007.40 for access by Peter M. Kiesel to the non-public library references USPS-MC2013-57/NP1 and USPS-MC2013-57/NP3 through NP6 filed by the Postal Service on August 5 and August 26, 2013, respectively.<sup>1</sup> A signed copy of Appendix A of 39 C.F.R. part 3007 is included with the Motion.<sup>2</sup>

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<sup>1</sup> Motion of GameFly, Inc., for Access by Peter M. Kiesel to Nonpublic Library References USPS-MC2013-57/NP1 and USPS-MC2013-57/NP3 through–NP6, August 27, 2013 (Motion). See also Response to Order No. 1794 and Notice of Filing of Nonpublic Library Reference USPS-MC2013-57/NP1, August 5, 2013; Notice of Filing of Nonpublic Library References, August 26, 2013.

<sup>2</sup> GameFly filed a corrected Appendix A on August 27, 2013. See Notice of Errata of GameFly, Inc., to Motion for Access by Peter M. Kiesel to Nonpublic Library References, August 27, 2013.

Mr. Kiesel acknowledges willingness to comply with protective conditions. Motion at 1. GameFly states that Mr. Kiesel has previously been granted access to non-public material in Docket No. C2009-1. *Id.* The Motion asserts that access to the library references is necessary to evaluate the Postal Service's request to transfer the Round-Trip DVD Mailer product to the competitive product list. *Id.*

Counsel for GameFly represents that neither the Postal Service nor Netflix oppose the Motion.

Accordingly, Mr. Kiesel is granted access to library references USPS-MC2013-57/NP1, USPS-MC2013-57/NP3, USPS-MC2013-57/NP4, USPS-MC2013-57/NP5, and USPS-MC2013-57/NP6, effective upon the issuance of this Order.

*It is ordered:*

The August 27, 2013, Motion of GameFly, Inc., for access by Peter M. Kiesel to non-public library references USPS-MC2013-57/NP1, USPS-MC2013-57/NP3, USPS-MC2013-57/NP4, USPS-MC2013-57/NP5, and USPS-MC2013-57/NP6 is granted, effective upon the issuance of this Order.

By the Commission.

Shoshana M. Grove  
Secretary