



Squire Patton Boggs (US) LLP
2550 M Street, NW
Washington, DC 20037

O +1 202 457 6000
F +1 202 457 6315
squirepattonboggs.com

Paul C. Besozzi
Peter M. Bean
paul.besozzi@squirepb.com
peter.bean@squirepb.com

February 8, 2019

VIA HAND DELIVERY AND ECFS

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Request for Highly Confidential Treatment – Applications of Securus Technologies, Inc. and Inmate Calling Solutions, LLC d/b/a ICSolutions for Consent to the Transfer of Control of Licenses and Authorizations – WC Docket No. 18-193

Dear Ms. Dortch:

Securus Technologies, Inc. (“STI”) hereby provides the enclosed letter in response to a telephonic request from the Federal Communications Commission (“FCC” or “Commission”) Staff. This filing contains information that is properly designated as Highly Confidential Information under the Protective Order in the above-referenced docket.¹ In accordance with paragraph 3 of the Protective Order, STI has received the prior written approval of the Commission Staff to designate the information provided herewith as Highly Confidential and the enclosed information has been labeled “HIGHLY CONFIDENTIAL INFORMATION – SUBJECT TO PROTECTIVE ORDER IN WC DOCKET NO. 18-193 BEFORE THE FEDERAL COMMUNICATIONS COMMISSION” in accordance with paragraph 5 of the Protective Order.² Pursuant to the procedures set forth in the Protective Order, a copy of the Highly Confidential filing is being provided to the Secretary’s Office. Two copies of the Highly Confidential filing

¹ *In the Matter of TKC Holdings, Inc., Transferor, Inmate Calling Solutions, LLC d/b/a ICSolutions, Licensee, and Securus Technologies, Inc., Transferee, Consolidated Applications for Consent to Transfer Control of Domestic and International Authorizations Pursuant to Section 214 of the Communications Act of 1934, as Amended*, Protective Order, WC Docket No. 18-193, DA 18-938 (rel. Sept. 11, 2018) (“Protective Order”).

² *Id.* ¶¶ 3, 5.

Ms. Marlene H. Dortch
February 8, 2019
Page 2

are being provided to Jodie May and Dennis Johnson of the Commission's Staff. Separately, a redacted copy of this filing labeled "REDACTED – FOR PUBLIC INSPECTION" is being filed electronically through the Commission's Electronic Comment Filing System in the above-referenced docket.³

STI has made a diligent effort to ensure that none of the documents being produced herewith is privileged under the attorney-client privilege or the attorney work product doctrine. To the extent that any privileged documents may have been inadvertently produced, such production does not constitute a waiver of any applicable privilege. STI requests that any privileged documents inadvertently produced be returned to STI as soon as the inadvertent production is discovered by any party, and reserves all rights to seek return of any such documents.

In support of this request for treatment of the enclosed information as Highly Confidential Information, STI provides the following information:⁴

(1) Identification of the specific information for which confidential treatment is sought

STI hereby seeks Highly Confidential treatment of the information after the notation *****BEGIN HIGHLY CONFIDENTIAL INFORMATION***** and before the notation *****END HIGHLY CONFIDENTIAL INFORMATION*****. This information is properly designated as Highly Confidential Information under category 8 of Appendix A of the Protective Order.⁵

(2) Identification of the Commission proceeding in which the information was submitted or a description of the circumstances giving rise to the submission

The information is provided in response to a telephonic request from the Commission Staff in connection with WC Docket No. 18-193.

(3) Explanation of the degree to which the information is commercial or financial or contains a trade secret or is privileged

As explained to the Commission Staff, the subject information is properly designated as Highly Confidential Information under category 8 of Appendix A of the Protective Order.⁶ Additionally, the information provided constitutes proprietary commercial and business information or confidential material not routinely available for public inspection under Exemption

³ *Id.* ¶ 5.

⁴ 47 C.F.R. § 0.459(b).

⁵ Protective Order Appendix A.

⁶ *Id.*

Ms. Marlene H. Dortch
February 8, 2019
Page 3

4 of the Freedom of Information Act (“FOIA”).⁷ STI hereby requests that such information be treated as Highly Confidential Information under the Protective Order and not be made routinely available for public inspection.

(4) Explanation of the degree to which the information concerns a service that is subject to competition

The Highly Confidential Information pertains to STI’s provision of inmate telephone calling and related services (“ITS”), a nationwide competitive service.

(5) Explanation of how disclosure of the information could result in substantial competitive harm

Disclosure of the Highly Confidential Information to the public or to competitors of STI would “allow those persons to gain a significant advantage in the marketplace or negotiations.”⁸ The presence of competitors in the ITS market and the likelihood of competitive injury to STI threatened by release of this information should compel the Commission to withhold the information designated as Highly Confidential Information from public disclosure. The Commission has provided assurances that it is “sensitive to ensuring that the fulfillment of its regulatory responsibilities does not result in the unnecessary disclosure of information that might put its regulatees at a competitive disadvantage.”⁹

(6) Identification of any measures taken by the submitting party to prevent unauthorized disclosure

In order to prevent unauthorized disclosure of the subject information, STI is hereby submitting a request that the subject information be treated as Highly Confidential Information indefinitely, and STI has obtained the Commission Staff’s prior written approval to designate the subject information as Highly Confidential Information pursuant to paragraph 3 of the Protective Order.¹⁰ STI takes routine measures to ensure the confidentiality of this information during normal business operations, including instructing its employees and contracting partners not to disclose such information outside of STI, and restricting access to this information internally.

⁷ 5 U.S.C. § 552(b)(4); 47 C.F.R. § 0.457.

⁸ Protective Order ¶ 2.

⁹ *In the Matter of Examination of Current Policy Concerning the Treatment of Confidential Information Submitted to the Commission*, Report and Order, GC Docket No. 96-55, FCC 98-184, 13 FCC Rcd 24816, ¶ 8 (rel. Aug. 4, 1998).

¹⁰ Protective Order ¶ 3.

Ms. Marlene H. Dortch
February 8, 2019
Page 4

(7) Identification of whether information is available to the public and the extent of any previous disclosure of the information to third parties

The subject information is not ordinarily available to the public or to any third parties.

(8) Justification of the period during which the submitting party asserts that material should not be available for public disclosure

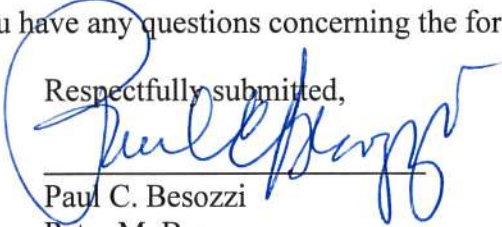
As described above, the subject information contains highly sensitive information pertaining to category 8 of Appendix A of the Protective Order and constitutes proprietary commercial and business information or confidential material not routinely available for public inspection under Exemption 4 of the FOIA.¹¹ Disclosure of this information would cause significant competitive injury to STI if disclosed. For this reason, STI respectfully requests that the Commission protect this information from public disclosure indefinitely.

(9) Any other information that the party seeking confidential treatment believes may be useful in assessing whether its request for confidentiality should be granted

As the subject information is being submitted voluntarily, STI requests that, in the event that the Commission denies STI's request for confidentiality, the Commission return the materials without consideration of the contents therein.

Please contact the undersigned should you have any questions concerning the foregoing.

Respectfully submitted,



Paul C. Besozzi
Peter M. Bean
Squire Patton Boggs (US) LLP
2550 M Street, NW
Washington, DC 20037
202-457-6000 (tel)
202-457-6315 (fax)
paul.besozzi@squirepb.com
peter.bean@squirepb.com

Counsel for STI

Enclosure

cc: Jodie May
Dennis Johnson

¹¹ 5 U.S.C. § 552(b)(4); 47 C.F.R. § 0.457.

REDACTED – FOR PUBLIC INSPECTION

Letter dated February 8, 2019



Squire Patton Boggs (US) LLP
2550 M Street, NW
Washington, DC 20037

O +1 202 457 6000
F +1 202 457 6315
squirepattonboggs.com

Paul C. Besozzi
Peter M. Bean
paul.besozzi@squirepb.com
peter.bean@squirepb.com

February 8, 2019

VIA HAND DELIVERY AND ECFS

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: Applications of Securus Technologies, Inc. and Inmate Calling Solutions, LLC
d/b/a ICSolutions for Consent to the Transfer of Control of Licenses and
Authorizations – WC Docket No. 18-193**

Dear Ms. Dortch:

Securus Technologies, Inc. (“STI”) hereby responds to a telephonic request from Jodie May and Dennis Johnson of the Federal Communications Commission’s Wireline Competition Bureau Staff regarding the number of correctional facilities that STI serves. STI provides the following information:

*****BEGIN HIGHLY CONFIDENTIAL INFORMATION*****

Ms. Marlene H. Dortch
February 8, 2019
Page 2

END HIGHLY CONFIDENTIAL INFORMATION

Please contact the undersigned should you have any questions concerning the foregoing.

Respectfully submitted,



Paul C. Besozzi

Peter M. Bean

Squire Patton Boggs (US) LLP

2550 M Street, NW

Washington, DC 20037

202-457-6000 (tel)

202-457-6315 (fax)

paul.besozzi@squirepb.com

peter.bean@squirepb.com

Counsel for STI

cc: Jodie May
Dennis Johnson