

REDACTED – FOR PUBLIC INSPECTION**Non-Redacted Via Courier – Redacted Via ECFS**

April 1, 2019

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

Re: *In the Matter of Rates for Interstate Inmate Calling Services*
WC Docket No. 12-375

Dear Ms. Dortch:

Pursuant to the FCC's December 19, 2013 Protective Order issued in WC Docket No. 12-375,¹ CenturyLink Public Communications, Inc. ("CenturyLink") submits the attached Annual Reporting Form, FCC Forms 2301(a), and 2301(b).

CenturyLink regards certain information contained in its Annual Reporting Form 2301(a) as confidential information to be filed pursuant to the Protective Order. Each page of the non-redacted version of the submission has been marked "**CONFIDENTIAL INFORMATION - SUBJECT TO PROTECTIVE ORDER IN WC DOCKET NO. 12-375 BEFORE THE FEDERAL COMMUNICATIONS COMMISSION**". CenturyLink requests that the non-redacted version of its submission be withheld from public inspection.

This information is also protected from disclosure to the public by sections 0.457(d) and 0.459 of the Commission's rules.² The confidential information included in the Annual Reporting Form 2301(a) is competitively sensitive ADP, service volumes and site commission information by correctional facility and thus should not be available for public inspection. Such information

¹ *In the Matter of Rates for Interstate Inmate Calling Services*, Protective Order, WC Docket No. 12-375, 28 FCC Rcd 16954 (rel. Dec. 19, 2013); *see also* Public Notice, Wireline Competition Bureau Informs Providers of Inmate Calling Services that They May File Their Annual Reports Pursuant to Existing Protective Order, WC Docket No. 12-375, DA 17-508 (rel. May 24, 2017).

² 47 C.F.R. §§ 0.457(d) (2017), 0.459 (2011).

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would not ordinarily be made available to the public. Release of the confidential information in this Annual Reporting Form would have a substantial negative competitive impact on CenturyLink. Accordingly, the non-redacted information in question is appropriate for non-disclosure under sections 0.457(d) and 0.459. Pursuant to 47 C.F.R. § 0.459(b), CenturyLink provides justification for the confidential treatment of this information in the Appendix to this letter.

For the non-redacted version of its submission, CenturyLink is providing to the Office of the Secretary an original hard copy of the cover letter and the Annual Reporting Forms, along with an extra copy to be stamped and returned to the courier. Additionally, consistent with the requirements of the Protective Order, and the Public Notice, DA 19-173, of March 12, 2019, CenturyLink is transmitting via email and hard copy both the non-redacted cover letter and CenturyLink's non-redacted Annual Reporting Form, FCC Form 2301(a) to Gregory Capobianco and Pamela Arluk of the Wireline Competition Bureau. CenturyLink is also filing today under separate cover, via the Commission's Electronic Comment Filing System (ECFS), a redacted version of its Annual Reporting Form and cover letter (along with a copy of the certification). Each page of the redacted version of the Annual Reporting Form 2301(a) (mirroring the corresponding pages of the non-redacted version with confidential information) is marked **"REDACTED – FOR PUBLIC INSPECTION,"** with the confidential information omitted.

This cover letter includes no confidential information and the text is the same in both the non-redacted and redacted versions except for the confidentiality markings.

Please contact me via the above contact information if you have any questions.

Respectfully Submitted,

/s/ John E. Benedict

Enclosures

cc: Pamela Arluk

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APPENDIX

Confidentiality Justification

CenturyLink requests confidential treatment of certain information in the attached Annual Reporting Form, FCC Form 2301(a) of CenturyLink. The information includes ADP, service volumes and site commission information by correctional facility which is competitively sensitive and its public disclosure would have a negative competitive impact on CenturyLink. Such information would not ordinarily be made available to the public, and should be afforded confidential treatment under both 47 C.F.R. §§ 0.457 and 0.459. In addition, the confidential information is protected from disclosure under the December 19, 2013 Protective Order³ in the above-referenced docket.

47 C.F.R. § 0.457

Specific ADP, service volumes and site commission information by correctional facility in the Annual Reporting Form is confidential and proprietary to CenturyLink as “commercial or financial information” under section 0.457(d). Disclosure of such information to the public would risk revealing company-sensitive proprietary information and have a harmful competitive effect on CenturyLink’s ongoing business enterprise and its operations. Therefore, in the normal course of Commission practice this information should be considered “Records not routinely available for public inspection.”

47 C.F.R. § 0.459

The specific ADP, service volumes and site commission information by correctional facility is also subject to protection under 47 C.F.R. § 0.459(b), as demonstrated below.

Information for which confidential treatment is sought

CenturyLink requests that the specific ADP, service volumes and site commission information by correctional facility be treated on a confidential basis under Exemption 4 of the Freedom of Information Act. This information is competitively sensitive data that CenturyLink maintains as confidential and does not normally make available to the public. Release of the information would have a substantial negative competitive impact on CenturyLink. Each page of the non-

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redacted version of the submission has been marked “**CONFIDENTIAL INFORMATION - SUBJECT TO PROTECTIVE ORDER IN WC DOCKET NO. 12-375 BEFORE THE FEDERAL COMMUNICATIONS COMMISSION**”.

Commission proceeding in which the information was submitted

The information is being submitted in connection with CenturyLink’s Annual Reporting Forms, FCC 2301(a) and 2301(b) as filed in WC Docket No. 12-375.

Degree to which the information in question is commercial or financial, or contains a trade secret or is privileged

The information designated in the Annual Reporting Form 2301(a) as confidential is ADP, service volumes and site commission information by correctional facility. As noted above, this data is competitively sensitive information that is not normally released to the public, as such release would have a substantial negative competitive impact on CenturyLink.

Degree to which the information concerns a service that is subject to competition; and manner in which disclosure of the information could result in substantial competitive harm

This type of commercial information would generally not be subject to routine public inspection under the Commission’s rules (47 C.F.R. § 0.457(d)), demonstrating that the Commission already anticipates that the release of this kind of information likely would produce competitive harm. CenturyLink confirms that release of the information designated as confidential in its submission would cause it substantial competitive harm by allowing its competitors to become aware of sensitive proprietary information regarding the operation of CenturyLink’s business.

Measures taken by CenturyLink to prevent unauthorized disclosure; and availability of the information to the public and extent of any previous disclosure of the information to third parties

CenturyLink has treated and treats the non-public information included in its submission (in non-redacted form) as confidential and has protected it from public disclosure to parties outside the Company. CenturyLink has not made the information available to the public.

Justification of the period during which CenturyLink asserts the material should not be available for public disclosure

CenturyLink cannot determine at this time any date on which this information should not be considered confidential or would become stale for purposes of the current matters, except that the information would be handled in conformity with general CenturyLink records retention policies, absent any continuing legal hold on the data.

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Other information that CenturyLink believes may be useful in assessing whether its request for confidentiality should be granted

Under applicable Commission and court rulings, the information in question should be withheld from public disclosure. Exemption 4 of the Freedom of Information Act shields information that is (1) commercial or financial in nature; (2) obtained from a person outside government; and (3) privileged or confidential. The information in question satisfies this test.

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