



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

BARBARA D. UNDERWOOD  
ATTORNEY GENERAL

DIVISION OF ECONOMIC JUSTICE  
ANTITRUST BUREAU

August 24, 2018

Donald Stockdale  
Chief, Wireless Telecommunications Bureau  
Kathy Harris  
Mobility Division, Wireless Telecommunications Bureau  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

RE: WT Docket No. 18-197, Confidentiality of NRUF/LNP Data

Dear Mr. Stockdale and Ms. Harris:

The New York State Office of the Attorney General (“Office of the Attorney General”) is working with a multistate group and the United States Department of Justice to investigate the proposed merger of T-Mobile US, Inc. and Sprint Corporation. In connection with that investigation, the Office of the Attorney General plans to seek access to materials filed with the Federal Communications Commission (“FCC”) that contain or incorporate Numbering Resource Utilization and Forecast (“NRUF”) data and local number portability (“LNP”) data provided by telecommunications carriers. This letter sets forth the confidentiality protections that the Office of the Attorney General will accord to NRUF and LNP data and any filings containing such data that are obtained in connection with its investigation of the proposed transaction.

The Office of the Attorney General will use NRUF and LNP data, and any materials containing such data, only for legitimate law enforcement purposes and will keep such data confidential under the authority provided to the Attorney General of New York State under N.Y. General Business Law § 343. The Office of the Attorney General will not disclose such data unless such disclosure is required by law or is reasonably required to further a legitimate law enforcement purpose. Should the Office of the Attorney General disclose any NRUF/LNP data, or confidential information that is based on that data, in a court filing or otherwise, the Office of the Attorney General will notify the affected parties as soon as is reasonably practicable, seek to file such information under seal, and make reasonable efforts to limit the disclosure of the information until the affected parties have had an opportunity to appear before the court and the court has ruled on any request by the affected party or parties.

Furthermore, if a request is made under New York's Freedom of Information Law, N.Y. Public Officers Law §§ 84-90 ("FOIL"), for the disclosure of NRUF/LNP data, or information based on such data, the Office of the Attorney General will assert any exemptions it deems applicable and use its best efforts to provide concerned parties with notice prior to the release of any such data or information. If NRUF data, LNP data, and/or confidential information based on that data become the subject of discovery in any litigation to which the State of New York or any unit thereof is a party, the Office of the Attorney General will use its best efforts to ensure that a protective order is entered and will make reasonable efforts to avoid providing the requested data or information until all concerned parties have had an opportunity to review and comment on the protective order and to apply to the court for further protection.

Please do not hesitate to contact me if you have any questions about this matter or need further information.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Elinor Hoffmann". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Elinor Hoffmann  
Deputy Bureau Chief  
Antitrust Bureau

cc (via email): Joel Rabinovitz, FCC Office of General Counsel, joel.rabinovitz@fcc.gov  
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