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**REDACTED FOR PUBLIC INSPECTION - REQUEST FOR CONFIDENTIAL  
TREATMENT PURSUANT TO 47 C.F.R. §§ 0.457 AND 0.459**

November 26, 2018

**Via Electronic Filing**

Marlene H. Dortch

Secretary

Federal Communications Commission

445 12th St., SW

Washington, DC 20554

Re: *Response of Sprint* – Request for Confidential Treatment  
PS Docket No. 11-60

Dear Ms. Dortch:

Sprint Corporation (“Sprint”) hereby submits the attached redacted version of its Response to the request made by the Federal Communications Commission (“FCC” or “Commission”) in the above-referenced docket (“Response”).<sup>1</sup> An unredacted version of the Response has been filed today. Consistent with the commitments made as part of the 2016 Wireless Network Resiliency Cooperative Framework (“Framework”), Sprint is providing this Response to the Commission as it commences a review of the Framework.

Pursuant to Exemption 4 of the Freedom of Information Act (“FOIA”) and the rules of the Federal Communications Commission (“FCC” or “Commission”),<sup>2</sup> Sprint

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<sup>1</sup> Letter from Lisa M. Fowlkes, Bureau Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, to Charles W. McKee, Vice President, Government Affairs, Federal and State Regulatory, Sprint Corporation (dated Nov. 6, 2018).

<sup>2</sup> 5 U.S.C. § 552(b)(4); 47 C.F.R. §§ 0.457(d) and 0.459; *see also* 18 U.S.C. § 1905 (prohibiting disclosure “to any extent not authorized by law” of “information [that] concerns or relates to the trade secrets, processes, operations, style of work, or apparatus, or to the identity, confidential statistical data, amount or source of any income, profits, losses, or expenditures of any person, firm, partnership, corporation, or association”).

requests confidential treatment for the information in the attachment to the response (“Sprint Information”), which contains commercially sensitive information. The Sprint Information relates to Sprint’s provision of wireless roaming services and includes company-specific, highly confidential and/or proprietary commercial information, including information protected from disclosure by FOIA Exemption 4<sup>3</sup> and the Commission’s rules protecting information that is not routinely available for public inspection and that would customarily be guarded from competitors.<sup>4</sup>

1. *Identification of the specific information for which confidential treatment is sought.* Sprint requests that all of the information contained in the attachment to the response be treated as confidential pursuant to Exemption 4 of FOIA and Sections 0.457(d) and 0.459 of the Commission’s rules, which protect confidential commercial and other information not routinely available for public inspection. The Sprint Information concerns the company’s provision of wireless roaming services. This is company-specific, competitively-sensitive, business confidential and/or proprietary and commercial information concerning Sprint’s operations that would not routinely be made available to the public, and has been carefully guarded from competitors. If it were disclosed, Sprint’s potential competitors could use it to determine information regarding Sprint’s competitive position, operations, and performance, and could use that information to gain a competitive advantage over Sprint.

2. *Identification of the Commission proceeding in which the information was submitted or a description of the circumstance giving rise to the submission.* Sprint is submitting this information to the Federal Communications Commission’s Public Safety and Homeland Security Bureau as required by Section 20.18(i)(3)(ii) of the Commission’s rules.<sup>5</sup>

3. *Explanation of the degree to which the information is commercial or financial, or contains a trade secret or is privileged.* The Sprint Information contains company-specific, competitively-sensitive, confidential and/or proprietary, commercial information.<sup>6</sup> This information can be used to determine information about Sprint’s operations that is sensitive for competitive and other reasons. This information would not

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<sup>3</sup> 5 U.S.C. § 552(b)(4).

<sup>4</sup> 47 C.F.R. §§ 0.457(d) and 0.459.

<sup>5</sup> 47 C.F.R. § 20.18(i)(3)(ii).

<sup>6</sup> The Commission has broadly defined commercial information, stating that “[c]ommercial” is broader than information regarding basic commercial operations, such as sales and profits; it includes information about work performed for the purpose of conducting a business’s commercial operations.” *Southern Company Request for Waiver of Section 90.629 of the Commission’s Rules*, Memorandum Opinion and Order, 14 FCC Rcd 1851, 1860 (1998) (citing *Public Citizen Health Research Group v. FDA*, 704 F.2d 1280, 1290 (D.C. Cir. 1983)).

customarily be made available to the public in this form and customarily would be guarded from all others, especially potential competitors, that could use the information to enhance their market position at Sprint's expense.

4. *Explanation of the degree to which the information concerns a service that is subject to competition.* The confidential information at issue relates to the provision of wireless roaming services, which is subject to vigorous competition from other wireless telecommunications providers. If the information is not protected, Sprint's competitors and potential competitors will be able to use it to their competitive advantage.

5. *Explanation of how disclosure of the information could result in substantial competitive harm.* Since the Sprint Information generally would not be subject to public inspection and would customarily be guarded from competitors, the Commission's rules recognize that release of the information is likely to produce competitive harm. Disclosure could cause substantial competitive harm, because Sprint's competitors and potential competitors could assess aspects of Sprint's commercial operations and could use that information to undermine Sprint's competitive position.

6.-7. *Identification of any measures taken by the submitting party to prevent unauthorized disclosure, and identification of whether the information is available to the public and the extent of any previous disclosure of the information to third parties.* The Sprint Information is not available to the public, and has not otherwise been disclosed previously to the public. Sprint takes precautions to ensure that this information is not released to the general public or obtained by its competitors and potential competitors through other means.

8. *Justification of the period during which the submitting party asserts that the material should not be available for public disclosure.* Sprint requests that the Sprint Information be treated as confidential indefinitely, as it is not possible to determine at this time any date certain by which the information could be disclosed without risk of harm.

9. *Any other information that the party seeking confidential treatment believes may be useful in assessing whether its request for confidentiality should be granted.* The Commission has recognized that such information is among the categories of commercial information that should be routinely treated as confidential, and the Commission's rules contemplate that this information will be accorded confidential treatment. Under applicable Commission and federal court precedent, the information provided by Sprint on a confidential basis should be shielded from public disclosure. Exemption 4 of FOIA shields information that is (1) commercial or financial in nature; (2) obtained from a person outside government; and (3) privileged or confidential. The commercial information in question clearly satisfies this test.

Additionally, where disclosure is likely to impair the government's ability to obtain necessary information in the future, it is appropriate to grant confidential treatment

to that information.<sup>7</sup> Failure to accord confidential treatment to this information is likely to dissuade providers from voluntarily submitting such information in the future, thus depriving the FCC of information necessary to evaluate facts and market conditions relevant to applications, policy and public safety issues under its jurisdiction.

If a request for disclosure occurs, please provide sufficient advance notice to the undersigned prior to any such disclosure to allow Sprint to pursue appropriate remedies to preserve the confidentiality of the information.

If you have any questions or require further information regarding this request, please do not hesitate to contact me at (703) 433-4220.

Respectfully submitted,

/s/ Ray Rothermel  
Ray Rothermel  
Counsel, Legal/Government Affairs

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<sup>7</sup> See *National Parks and Conservation Ass'n. v. Morton*, 498 F.2d 765, 770 (D.C. Cir. 1974); see also *Critical Mass Energy Project v. NRC*, 975 F.2d 871, 878 (D.C. Cir. 1992) (*en banc*) (recognizing the importance of protecting information that “for whatever reason, ‘would customarily not be released to the public by the person from whom it was obtained’”) (citation omitted).



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**REDACTED FOR PUBLIC INSPECTION – SUBJECT TO REQUEST FOR  
CONFIDENTIAL TREATMENT PURSUANT TO 47 C.F.R. §§ 0.457 AND 0.459**

November 26, 2018

**Via Electronic Filing**

Lisa M. Fowlkes  
Bureau Chief  
Public Safety and Homeland Security Bureau  
Federal Communications Commission  
445 12th St., SW  
Washington, DC 20554

Re: *Response of Sprint* – In the Matter of Reliability and Continuity of  
Communications Networks, Including Broadband Technologies Effects on  
Broadband Communications Networks of Damage or Failure of Network  
Equipment or Severe Overload, PS Docket No. 11-60

Dear Ms. Fowlkes:

Thank you for your letter of November 6, 2018, regarding the Federal Communications Commission's ("FCC's" or "Commission's") reexamination of the 2016 Wireless Network Resiliency Cooperative Framework ("Framework").<sup>1</sup> Sprint is proud to have been one of the original signatories to the Framework which established a voluntary commitment between carriers to provide mutual aid and assistance during emergencies and disasters. As detailed more fully herein, Sprint has actively collaborated with other participating wireless carriers to promote more resilient wireless networks during disasters and will continue to do so.

The Framework established goals for enhancing coordination during an emergency or disaster by providing for reasonable roaming when technically feasible, fostering mutual aid among wireless providers, enhancing municipal preparedness and restoration by convening meetings with local government public safety representatives to develop best practices, working

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<sup>1</sup> Letter from Lisa M. Fowlkes, Bureau Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, to Charles W. McKee, Vice President, Government Affairs, Federal and State Regulatory, Sprint Corporation (dated Nov. 6, 2018).

to increase consumer readiness and preparation and improving public awareness and stakeholder communications on service and restoration status with county-by-county information. The Framework has proven effective in preparation for and during disasters and emergencies as wireless carriers work together to help ensure wireless networks are available to consumers and public safety.

Per the Commission's request, below is a summary of the actions taken and progress made during the disastrous hurricanes that occurred during 2017 and 2018. Specifically, the events for which the FCC activated the Disaster Information Reporting System ("DIRS") (and the National Response Coordination Center ("NRCC") activated Emergency Support Function # 2 ("ESF-2")) included Hurricane Michael (October 9 – October 26, 2018), Hurricane Florence (September 12 – September 24, 2018), Hurricane Lane (August 22 – August 26, 2018), Hurricane Maria (September 20, 2017 – March 23, 2018), Hurricane Nate (October 8 – October 9, 2017), Hurricane Irma (September 6 - September 18, 2017) and Hurricane Harvey (August 25 - September 5, 2017).

- **Hurricane Michael**

Hurricane Michael struck Florida in October, 2018. As anticipated by the Framework, Sprint both provided roaming to other carriers, and made arrangements to secure roaming for its own customers. Sprint establishes its roaming arrangements well in advance of any disaster. Attached as Appendix A is a list of the roaming agreements Sprint has with other wireless service providers in the areas effected by Hurricane Michael. The roaming agreements allow wireless subscribers from other wireless providers to roam onto Sprint's wireless network and vice versa when and where technically feasible.<sup>2</sup> Roaming on partner wireless networks during disasters does not typically require a proactive change or system selection to allow wireless traffic to traverse either network and should, in most cases, be automatic for most wireless subscribers. Wireless devices are generally programmed to allow for roaming on preferred providers when Sprint wireless network service is not available.

There were no instances we are aware of in which Sprint or another carrier declined a request for mutual aid or roaming during this event. Sprint maintains significant resources to help respond to disasters, including on-the-ground, trained technicians, portable diesel generators, specialized repair vehicles, cell sites-on-wheels ("COW's"), and predesignated strategic locations for staging equipment and other resources. For this particular disaster, we deployed numerous satellite cell sites-on-light-trucks ("SatCOLT's") throughout the impacted areas providing cellular voice and Long Term Evolution ("LTE) data for public safety first responders, medical facilities and the general public. We also utilized a number of satellite "fly away" systems and femto cells to help support governmental, military and public safety operations, including an emergency operations center, hospital and debris management facility, for dedicated internet access, cellular voice, and 3G data at specific locations.

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<sup>2</sup> Because of differences in air interface protocols, spectrum bands, and devices, not all customers can roam on every network, or their ability to access voice or data services may be limited.

Sprint does not routinely need to reach out to other wireless carrier participants in the Framework to request aid, but stands ready to assist other carriers with all available resources as necessary and appropriate upon request. Wireless carriers present in areas impacted by hurricanes regularly gather either in-person or by teleconference to share information gained on-site, which allows for more precise assessment of status and actual damage on location. For this event in particular, we compared the impact of the storm and outages that were occurring and, as is typical, the carriers willingly offered support to each other. There were also daily communications regarding backhaul service and status of service restoration and the potential for alternative solutions for our wireless cell sites.

Coincidental to the visit by the FCC Chairman in Tallahassee, Florida, after the damaging winds and rain from the storm had subsided, the wireless carriers present informally discussed the status of restoration efforts and shared information about what was occurring on the ground. There was a mutual spirit of cooperation and willingness to help each other in a bona fide effort to restore wireless services during the disaster. Sprint worked diligently to repair impacted sites and restore facilities in the most expeditious manner with the goal of bringing wireless voice, text and data back to public safety first responders and consumers.

Prior to Hurricane Michael, and as part of the original efforts related to the Framework, Sprint partnered with CTIA and the other nationwide wireless carriers to enhance voluntary coordination and information sharing during and after emergencies and disasters. The industry convened meetings with representatives from the wireless industry and local government public safety to help develop the CTIA Best Practices for Enhancing Emergency and Disaster Preparedness and Restoration (“CTIA Best Practices”).

The CTIA Best Practices serve as flexible tools carriers and local governments can utilize to coordinate joint efforts to maintain service continuity, promote resiliency efforts, and expedite restoration activities during and after a disaster. We fully recognize and embrace the importance of planning before disasters occur, facilitating coordination during disasters and helping to create public awareness around preparedness. The wireless carriers, including Sprint, worked closely with local governments to help speed restoration and coordination efforts and Sprint provided information to public officials and its customers regarding its outages throughout the event.

- **Hurricane Florence**

Hurricane Florence made landfall in the Carolinas on September 12, 2018 and Sprint fulfilled its obligations under the Framework with regard to reasonable roaming and mutual aid during this disaster. Again, the roaming agreements we have in place with the other wireless service providers listed in the confidential attachment hereto allowed Sprint subscribers to roam onto other compatible wireless networks when and where technically feasible.

By all accounts, roaming we have in place functioned as designed during this event. We did not modify the agreements based on the scope, location or and/or duration of the disaster, nor did we need to take any special actions to operationalize the agreements. Again, they are intentionally designed to operate automatically and are effective in connecting wireless subscribers

to available and compatible wireless networks. We did not face any known impediments in implementing or honoring these agreements.

There were no instances we are aware of in which Sprint or another carrier declined a request for mutual aid or roaming during this disaster. Again, available resources to help respond to events, including highly trained technicians, portable diesel generators, specialized repair vehicles and designated locations for staging equipment and other resources generally put us in a favorable position without the need to request additional aid, but we are happy to assist other carriers, upon request. Carriers share disaster information, which allows for better assessment of status and actual damage on location, and work together to restore service.

Consistent with the CTIA Best Practices, Sprint and the other wireless carriers and local governments worked closely together to help restoration and coordination efforts along with the sharing of outage and restoration information so local governments and first responders could determine where to deploy critical resources.

- **Hurricane Lane**

Hurricane Lane impacted Hawaii in August, 2018. Sprint fulfilled its obligations under the Framework for reasonable roaming and mutual aid during the storm by relying on the agreements listed in the confidential attachment. Sprint subscribers were able to roam on other compatible wireless networks and wireless subscribers from those roaming partners could also roam on Sprint's network, when technically feasible.

The roaming arrangements in place functioned as designed during this disaster. Sprint did not modify the agreements based on the scope, location or and/or duration of the disaster, nor did we need to take any special actions to operationalize the agreements, as the intent is to operate automatically in connecting wireless subscribers to other available, compatible wireless networks. We did not face any known impediments in implementing or honoring these agreements.

There were no known instances in which Sprint or another carrier declined a request for mutual aid or roaming during this disaster. Due to on-site technicians, backup generators, repair vehicles and other resources, we did not have to request additional aid and were ready to assist other carriers, as well as share information to allow for assessment of damage and plan for restoration.

Consistent with the CTIA Best Practices, Sprint worked with other wireless carriers and local governments to share information and coordinate restoration efforts.

- **Hurricane Maria**

Hurricane Maria affected Puerto Rico and the U.S. Virgin Islands in September, 2017, resulting in DIRS and ESF-2 remaining active until March, 2018. As per the discussion above, Sprint fulfilled its obligations under the Framework for reasonable roaming and mutual aid during the disaster leveraging the agreements listed in the confidential attachment. We also engaged in

several efforts to negotiate additional roaming arrangements with other wireless carriers specific to Hurricane Maria. As a result, Sprint subscribers were able to roam on other compatible wireless networks and wireless subscribers from those roaming partners could also roam on Sprint's network, as it became available and when technically feasible.

The roaming arrangements in place and established as a result of the storm functioned as intended during this disaster. As detailed in the confidential attachment hereto, Sprint modified some agreements based on the scope, location, and/or duration of the disaster, primarily to accommodate for the provision of voice traffic on several compatible wireless networks present in the impacted area. We did not need to take any special actions to operationalize the agreements, which are meant to automatically allow for connecting subscribers to other available, compatible wireless networks. We did not face any known impediments in implementing or honoring these agreements.

Sprint partnered with other wireless carriers to share assets and knowledge gained during Hurricane Maria, in particular. With the isolation somewhat unique to the geography of Puerto Rico, there were situations where we could provide support to other carriers to either improve restoration times to wireless subscribers or help prevent disruptions in wireless service. We also received similar support and cooperation in some instances. Such support included sharing portable diesel generators for various wireless network components, diesel fuel for the portable generators, sharing of reconnaissance, along with the shared use of a helicopter to help assess overall damage and plan the next level of recovery following the damaging storms. Sprint partnered with a major airline for delivery of key network components to help provide temporary satellite wireless solutions and also worked with a large delivery company for regular shipments of smaller network parts to begin restoration of services. Portable generators, refueling pods and fuel trucks were delivered by cargo plane and freightliner. Sprint also shared resources and knowledge on its use of satellite backhaul with other carriers for their consideration in restoring wireless connectivity and service on the island.

During Hurricane Maria specifically, Sprint made arrangements with three other wireless carriers to allow Sprint subscribers to roam on other local wireless networks. While the parties to the roaming agreements are precluded from sharing any specific information related to the agreements, including the names of the parties, Sprint is providing that information in the confidential attachment as part of this response to assist the Commission in its efforts to review the effectiveness of the Framework. During the disaster, Sprint and our partner carriers acted with a great sense of urgency to help improve access to available compatible wireless networks for many wireless subscribers in the impacted areas.

There were no known instances in which Sprint or another carrier declined a request for mutual aid or roaming during Hurricane Maria.

- **Hurricane Nate**

Hurricane Nate made landfall in Louisiana and Mississippi in October, 2017. Sprint fulfilled its obligations under the Framework for reasonable roaming and mutual aid during the storm by relying on the agreements listed in the confidential attachment. As described above,

Sprint subscribers were able to roam on other compatible networks and wireless subscribers from those roaming partners could also roam on Sprint's network, when technically feasible. We did not face any known impediments in implementing or honoring these agreements.

There were no known instances in which Sprint or another carrier declined a request for mutual aid or roaming during this disaster. Due to planning and existing resources, we did not have to request additional aid and stood ready to assist other carriers and share information on the assessment of damage and plans for restoration.

As stated above, Sprint worked with the other carrier participants on the CTIA Best Practices to enhance voluntary coordination and information sharing for disasters and joined representatives from industry and local government to coordinate efforts to maintain service, promote network resiliency and expedite service restoration. Sprint, other wireless carriers and local governments worked together and shared information for the benefit of local governments and public safety first responders.

- **Hurricane Irma**

Hurricane Irma struck Florida in September, 2017. Sprint fulfilled its obligations under the Framework for reasonable roaming and mutual aid during the storm by relying on the agreements listed in the confidential attachment. We did not face any known impediments in implementing or honoring these agreements.

There were no known instances in which Sprint or another carrier declined a request for mutual aid or roaming during this disaster. Due to planning and existing resources, we did not need to request additional aid, but were ready to assist other wireless carriers and share information on the assessment of damage and plans for restoration.

Due to our participation with the other carrier members in the CTIA Best Practices, we engaged in voluntary coordination and information sharing and joined other representatives from industry and local government in coordinating efforts to maintain service, promote network resiliency and expedite service restoration. Sprint worked together with local government officials and other wireless carriers to share information to benefit the public and to restore wireless network connectivity as soon as possible.

- **Hurricane Harvey**

Hurricane Harvey impacted Texas and Louisiana in August, 2017. Sprint fulfilled its obligations under the Framework for reasonable roaming and mutual aid during the storm by relying on the agreements listed in the confidential attachment. We did not face any known impediments in implementing or honoring these agreements.

There were no instances we are aware of in which Sprint or another carrier declined a request for mutual aid or roaming during this storm and we did not need to request additional aid. Under the terms of the Framework, we were ready to assist other wireless carriers, share information damage assessment and discuss restoration plans.

As described above, Sprint's involvement and commitment in the CTIA Best Practices provided guidance for voluntary coordination and information sharing and we joined other representatives from industry and local government in coordinating efforts to maintain service, promote network resiliency and expedite service restoration. Sprint worked with local representatives and other wireless carriers in the restoration of service.

Sprint is pleased to provide this summary report as the FCC begins a review of the Framework. As one of the original signatories, we actively participate in wireless industry efforts and with other wireless carrier signatories to the Framework to help promote resiliency and recovery of wireless communications services during and following disasters. Consistent with the goals of the Framework, we have worked to provide wireless roaming when technically feasible, foster mutual aid among wireless providers, enhance municipal preparedness and restoration by convening with local government public safety representatives to develop best practices, worked to increase consumer readiness and preparation and helped improve public awareness and stakeholder communications on service and restoration status with county-by-county information. We have not identified any a situation in which Sprint did not implement the Framework when both ESF-2 and DIRS were activated during 2017 and 2018.

Overall, the Framework has proven effective as wireless carriers work together to help ensure wireless networks and services are available and operational during emergencies and disasters.

Thank you for your attention to this important issue. Please contact me if you have any further questions or concerns.

Sincerely,

/s/ Charles W. McKee

Charles W. McKee

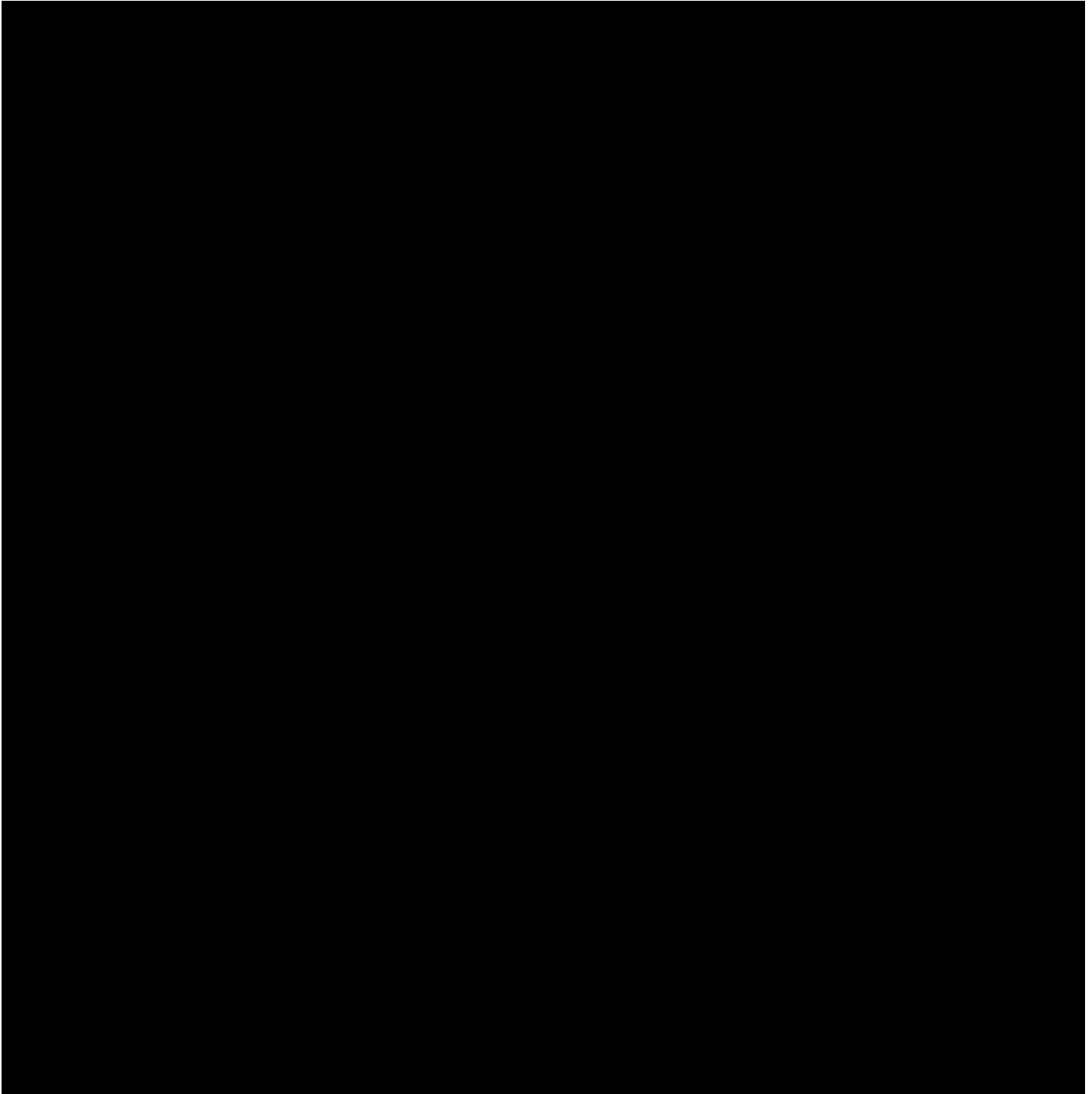
*Vice President, Government Affairs*

cc: Jeffrey Goldthorp  
Renee Roland

Confidential Attachment

**CONFIDENTIAL ATTACHMENT**

**[BEGIN CONFIDENTIAL]**



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