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September 30, 2014

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

Re: REDACTED – FOR PUBLIC INSPECTION
Adak Eagle Enterprises, LLC Request for Confidential Treatment and Redacted
Submission of Information

Dear Ms. Dortch:

On behalf of Adak Eagle Enterprises, LLC; Adak Telephone Utility, LLC; and Windy City Cellular, LLC (collectively, the Companies), and in accordance with the Protective Order adopted in the above referenced proceedings,¹ enclosed please find a Request for Confidential Treatment and two (2) copies of the Redacted filing that responds in part to the additional request for information posed by staff in the Wireline Competition Bureau of the Federal Communications Commission (FCC or Commission) by phone on September 29, 2014. The Companies are also submitting one (1) copy of the Confidential version of the filing to the Office of the Secretary, and two (2) additional copies of the Confidential version of this filing are being delivered to Lynne Hewitt Engledow, Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission.

¹ *Connect America Fund et al.*, WC Docket 10-90 *et al.*, Protective Order, 25 FCC Rcd 13160 (Wireline Comp. Bur. 2010).

44 Offices in 21 Countries

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Should you have any questions concerning the foregoing request, please contact the undersigned.

Respectfully submitted,

A handwritten signature in blue ink that reads "Koylyn Miller". The signature is written in a cursive style and is positioned above the printed name.

Koylyn Miller
Squire Patton Boggs (US) LLP
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202-457-7535
Counsel to Adak Eagle Enterprises, LLC; Adak Telephone Utility, LLC; and Windy City Cellular, LLC

September 30, 2014

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

Re: Request for Confidential Treatment – Adak Eagle Enterprises, LLC in CC DOCKET NO. 01-92, WC DOCKET NOS. 05-337, 07-135 AND 10-90 AND GN DOCKET NO. 09-51 Before the Federal Communications Commission

Dear Ms. Dortch,

On behalf of Adak Eagle Enterprises, LLC (AEE); Adak Telephone Utility, LLC (ATU); and Windy City Cellular, LLC (WCC) (collectively, the Companies), and in accordance with the Protective Order issued in the above referenced proceedings¹ and Federal Communications Commission (FCC or Commission) rules—specifically Section 0.459² of the Commission's rules—the Companies request Confidential Treatment of the attached document, which responds to the additional request for information posed by staff in the FCC's Wireline Competition Bureau by phone on September 29, 2014. In particular, the Companies request Confidential Treatment of the attached exhibit provided in further response to question 17 of the Commission's August 12, 2014 letter.³ Accordingly, the Companies hereby seek Confidential Treatment, request that the Confidential Information be withheld from public inspection, and answer the questions set forth in Section 0.459(b) of the Commission's rules.⁴

¹ *Connect America Fund et al.*, WC Docket 10-90 et al., Protective Order, 25 FCC Rcd 13160 (Wireline Comp. Bur. 2010).

² 47 C.F.R. § 0.459.

³ See Letter from Carol E. Matthey, Acting Chief, Wireline Competition Bureau, to Larry Mayes, President/CEO, Adak Eagle Enterprises, LLC and Windy City Cellular, LLC (Aug. 12, 2014).

⁴ 47 C.F.R. § 0.459(b).

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4816-5631-3886.3.

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

All of the information designated as “Confidential Information” being submitted herewith is confidential commercial information under Exemption 4 of the FOIA.⁵ As explained in more detail below, the Confidential Information contains proprietary commercial and financial information. Accordingly, pursuant to Section 0.459(a) of the Commission’s rules, the Companies request that such information not be made routinely available for public inspection.⁶

(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 being provided to the Commission as part of the petitions for waiver filed by AEE and WCC⁷ of Section 54.302 of the Universal Service Fund and Inter-carrier Compensation reform rules adopted by the Commission as part of its November 18, 2011, Report and Order.⁸

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

The data contained in the Confidential Information are not customarily disclosed to the public or within the industry. The Confidential Information shows sensitive financial information related to the Companies. The disclosure of such information would cause harm to the Companies. This sensitive commercial and financial information is not made available to the public by the Companies.

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

The data contained in the Confidential Information being provided to the Commission describe the business and operational details of AEE, as well as business and operational details with respect to WCC and ATU. All of the Confidential Information concerns competitive voice and broadband services. Indeed, Alaska Wireless competes to provide communications services in the downtown area of Adak.

⁵ 5 U.S.C. § 552(b)(4).

⁶ 47 C.F.R. § 0.459(a).

⁷ Petition for Waiver of Adak Eagle Enterprises, LLC, WC Docket No. 10-90, *et al.* (filed May 22, 2012); Petition for Waiver of Windy City Cellular, LLC, WC Docket No. 10-90, *et al.* (filed Apr. 3, 2012).

⁸ *Connect America Fund et al.*, WC Docket 10-90 *et al.*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663 (2011) (Report and Order).

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

The presence of competition in downtown Adak and the likelihood of competitive injury threatened by release of the information provided to the Commission by the Companies should compel the Commission to withhold the 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, and pursuant to the Protective Order issued in these proceedings,¹⁰ the Companies are filing a confidential version of this filing with the Office of the Secretary. The Companies take routine measures to ensure the confidentiality of this information during normal business operations.

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

The data and explanations contained in the Confidential Information are not 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 noted in response to question (1) above, all of the data being submitted herewith is confidential commercial information under Exemption 4 of the FOIA.¹¹ Consequently, the Companies would never make this information available publicly due to its sensitive and proprietary nature. For this reason, the Companies respectfully request that the Commission protect this information from public disclosure in perpetuity.

(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 Confidential Information contains proprietary commercial and financial information, which the Companies will forever keep confidential. Because of the competitive sensitivity of the Confidential Information, the Companies seek Confidential Treatment indefinitely.

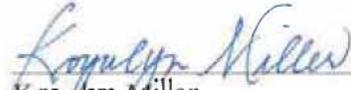
⁹ *Examination of Current Policy Concerning the Treatment of Confidential Information Submitted to the Commission*, Report and Order, 13 FCC Rcd 24816, ¶ 8 (1998).

¹⁰ See *supra* note 1.

¹¹ 5 U.S.C. § 552(b)(4).

Should you have any questions concerning the foregoing request, please contact the undersigned.

Respectfully submitted,



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EXHIBIT 1 – Lease Agreement Supplement
Further Response to Question 17

REDACTED