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Associate General Counsel

REDACTED – FOR PUBLIC INSPECTION

November 12, 2014

Via ECFS

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

Re: *In the Matter of Technology Transitions; AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition, GN Docket Nos. 13-5 and 12-353 – CenturyLink Proposal for IP Service Trial and Request for Declaratory Ruling*

Dear Ms. Dortch:

Enclosed for filing in the above-referenced proceedings is the CenturyLink Proposal for IP Service Trial and Request for Declaratory Ruling. Also attached to the Proposal is the IP Trial Operating Plan of CenturyLink, which includes a CenturyLink disaster preparedness white paper and various maps depicting the CenturyLink IP service trial area and the portions of the area in which CenturyLink's competitors are active. The Proposal and the Operating Plan include highly confidential information that is the proprietary commercial and financial information of CenturyLink which is entitled to highly confidential treatment and protection from public disclosure.

Although the highly confidential information is protected from disclosure pursuant to the terms of the Second Protective Order¹ adopted in this proceeding, attached to this correspondence is an Appendix in which CenturyLink provides separate justification for highly confidential treatment under 47 C.F.R. §§ 0.457, 0.459.

¹ DA 14-273 (rel. Feb. 27, 2014).

The highly confidential information being submitted includes calculations regarding the VoIP-enabled business market in Las Vegas and at CenturyLink's percentage share of that market, the potential number of available additional customers among VoIP-enabled businesses and the share of CenturyLink's total Las Vegas business revenue derived from approximately the area served by 6 of the 12 CenturyLink Las Vegas wire centers. CenturyLink considers this information to be highly confidential as it is not otherwise available via public sources and it is not routinely available for public inspection.

Consistent with the highly confidential nature of the information provided, as required by the Second Protective Order, this information is marked "**HIGHLY CONFIDENTIAL INFORMATION – SUBJECT TO SECOND PROTECTIVE ORDER IN GN DOCKET NOS. 13-5 & 12-353 BEFORE THE FEDERAL COMMUNICATIONS COMMISSION– ADDITIONAL COPYING RESTRICTED**". The highly confidential information included in these documents is competitively sensitive commercial and financial information that is not available from public sources and thus should not be available for public disclosure. Such information would not ordinarily be made available to the public. Release of this highly confidential information would have a negative competitive impact on CenturyLink. This highly confidential information is also appropriate for non-disclosure under sections 0.457(d) and 0.459 of the Commission's rules (as detailed in the attached Appendix).

Pursuant to the Second Protective Order, CenturyLink is submitting to the Secretary's office one copy of the non-redacted version of its submission that includes the highly confidential information (copies of this cover letter, the CenturyLink Proposal for IP Service Trial and Request for Declaratory Ruling and the IP Trial Operating Plan of CenturyLink, along with associated appendices).² Additionally as required by the Second Protective Order, CenturyLink is separately providing two copies of the non-redacted version with the highly confidential information to Jonathan Reel of the Wireline Competition Bureau (copies of this cover letter, the CenturyLink Proposal for IP Service Trial and Request for Declaratory Ruling and the IP Trial Operating Plan of CenturyLink, along with associated appendices).³

CenturyLink is also submitting today under separate cover, via the ECFS, a redacted version of this submission. The redacted submission is marked "**REDACTED – FOR PUBLIC INSPECTION,**" with the highly confidential information omitted.

² Included with the non-redacted version of the submission are those portions containing no highly confidential information.

³ Included with the non-redacted version of the copies for the Wireline Bureau are those portions containing no highly confidential information.

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The text of this letter is the same for both the non-redacted and redacted versions except for the confidentiality markings and the manner of submission noted in the heading on the initial page.

Please contact me via the above contact information or Melissa Newman in CenturyLink's Federal Regulatory Affairs office (202-429-3120) if you have any questions.

Sincerely,

/s/ Timothy M. Boucher

Enclosures

cc: Jonathan Reel (two copies of non-redacted submission)

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APPENDIX

Confidentiality Justification

47 C.F.R. § 0.457

Information included with CenturyLink's November 12, 2014 Proposal for IP Service Trial and Request for Declaratory Ruling and the associated IP Trial Operating Plan is entitled to highly confidential treatment under 47 C.F.R. § 0.457 as well as the February 27, 2014 Protective Order in GN Docket Nos. 13-5 and 12-353.⁴ The highly confidential information being submitted includes calculations regarding the VoIP-enabled business market in Las Vegas and CenturyLink's percentage share of that market, the potential number of available additional customers among VoIP-enabled businesses and the share of CenturyLink's total Las Vegas business revenue derived from approximately the area served by 6 of the 12 CenturyLink Las Vegas wire centers. This is the type of highly confidential and proprietary commercial and financial information not routinely available for public disclosure by the Commission and thus is protected from public availability under 47 C.F.R. § 0.457(d). This information is covered under the Second Protective Order as it is competitively sensitive commercial and financial information relating to CenturyLink's proposal for an IP service trial and its associated IP trial operating plan. This information is not otherwise available from public sources and thus is entitled to highly confidential treatment and protection from public disclosure.

47 C.F.R. § 0.459

CenturyLink also considers the highly confidential information submitted with its November 12, 2014 Proposal for IP Service Trial and Request for Declaratory Ruling and the associated IP Trial Operating Plan as protected from public disclosure pursuant to 47 C.F.R. § 0.459(b) as described as follows.

Information for which confidential treatment is sought

CenturyLink seeks highly confidential treatment for the information included with its November 12, 2014 Proposal for IP Service Trial and Request for Declaratory Ruling and the associated IP Trial Operating Plan, which is highly confidential and proprietary commercial and financial information that is protected from public disclosure and availability. As such, this information is marked "**HIGHLY CONFIDENTIAL INFORMATION – SUBJECT TO**

⁴ DA 14-273 (rel. Feb. 27, 2014).

SECOND PROTECTIVE ORDER IN GN DOCKET NOS. 13-5 & 12-353 BEFORE THE FEDERAL COMMUNICATIONS COMMISSION– ADDITIONAL COPYING RESTRICTED”.

Commission proceeding in which the information was submitted

The CenturyLink Proposal for IP Service Trial and Request for Declaratory Ruling and the associated IP Trial Operating Plan is being submitted in GN Docket Nos. 13-5 and 12-353, *In the Matter of Technology Transitions; AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition*.

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

The highly confidential information being submitted includes calculations regarding the VoIP-enabled business market and CenturyLink’s percentage share of that market, the potential number of available additional customers among VoIP-enabled businesses and the share of CenturyLink’s total Las Vegas business revenue derived from approximately the area served by 6 of the 12 CenturyLink Las Vegas wire centers. This highly confidential and proprietary commercial and financial information is not routinely available for public disclosure from CenturyLink and thus is protected from public availability under 47 C.F.R. § 0.457(d).

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

The types of highly confidential information in CenturyLink’s Proposal for IP Service Trial and Request for Declaratory Ruling and the associated IP Trial Operating Plan 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 its release is likely to cause competitive harm. The services CenturyLink provides, including those at issue here, are all competitive. The release of this highly confidential proprietary information would cause competitive harm by allowing competitors to become aware of sensitive financial and commercial information regarding CenturyLink’s business and internal operations, and the status of competition in the Las Vegas market in which CenturyLink plans to conduct its IP trial.

Measures taken 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 information disclosed in its Proposal for IP Service Trial and Request for Declaratory Ruling and the associated IP Trial Operating Plan as highly confidential, and has protected it from public disclosure.

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

At this time, CenturyLink cannot determine any date on which the information included in its Proposal for IP Service Trial and Request for Declaratory Ruling and the associated IP Trial Operating Plan should not be considered highly confidential.

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

Under applicable FCC 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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