

April 21, 2015

Accepted / Filed

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

APR 21 2015

Federal Communications Commission
Office of the Secretary

Re: REQUEST FOR CONFIDENTIAL TREATMENT
CG Docket Nos. 10-51 & 03-123
Purple Communications, Inc.

DOCKET FILE COPY ORIGINAL

Dear Ms. Dortch,

Purple Communications, Inc. ("Purple"), pursuant to Sections 0.457 and 0.459 of the Federal Communications Commission's (FCC or Commission) rules, respectfully requests confidential treatment of the information contained in the attached Response filed by Purple on April 21, 2015.¹ Purple requests confidential treatment of all information contained after the open headings * ***BEGIN CONFIDENTIAL*** * and before the close headings * ***END CONFIDENTIAL*** *. As described below, all material contained inside those headings is proprietary commercial and business information that is not customarily disclosed to the public or within the industry and that is subject to Exemption 4 under the Freedom of Information Act.²

As this information is submitted voluntarily and absent any requirement by statute, regulation, or the Commission, Purple requests that, in the event that the Commission denies Purple's request for confidentiality, the Commission return the materials without consideration of the contents herein.³ Purple is separately submitting a redacted version of this filing available for public inspection.

¹ See 47 C.F.R. §§ 0.457, 0.459.

² 5 U.S.C. § 552(b)(4).

³ 47 C.F.R. § 0.459(e).

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

All information in the enclosed that is contained after the headings ****BEGIN CONFIDENTIAL**** and before the close headings ****END CONFIDENTIAL**** is confidential information. All of the information designated as confidential information being submitted herewith is confidential commercial information under Exemption 4 of the FOIA.⁴ The confidential information contains proprietary commercial and business information that is not customarily disclosed to the public or within the industry. This includes information about revenue and expense data that would cause harm to Purple if disclosed. Accordingly, pursuant to Section 0.459(a) of the Commission's rules, Purple requests that such information not be made routinely available for public inspection.

(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 an update in relation to the questions posed by Commission staff at the April 8, 2015 meeting with Video Relay Service ("VRS") providers, relevant to CG Docket Nos. 03-123 and 10-51.

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

The confidential information contains proprietary commercial and financial information that is not customarily disclosed to the public or within the industry. This includes information about revenue and expense data that would cause harm to Purple if disclosed.

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

The data and information contained in the confidential information being provided to the Commission describe Purple's business and operational details. All of the confidential information concerns the provision of competitive VRS.

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

The presence of competition in the VRS market and the likelihood of competitive injury threatened by release of the information provided to the Commission by Purple should compel the Commission to withhold the confidential information from public

⁴ 5 U.S.C. § 552(b)(4).

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.”⁵

(6) Identification of any measures taken by the submitting party to prevent unauthorized disclosure.

In order to prevent unauthorized disclosure of the subject information, Purple is filing a confidential version of this filing with the Secretary. Purple takes routine measures to ensure the confidentiality of this information as part of its 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 information 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 (1) above, all the data and information being submitted herewith is confidential commercial information under Exemption 4 of the FOIA.⁶ Purple would never make this information available publicly due to its sensitive and proprietary nature. For this reason, Purple respectfully requests that the Commission protect this information from public disclosure in perpetuity.

(9) Any other information that the party seeking confidential information believes may be useful in assessing whether its request for confidentiality should be granted.

The confidential information contains proprietary commercial and financial information, which Purple will forever keep confidential. Because of the competitive sensitivity of the confidential information, Purple seeks confidential treatment indefinitely.

⁵ *Examination of Current Policy Concerning the Treatment of Confidential Information Submitted to the Commission*, Report and Order, 13 FCC Rcd 24816, ¶ 8 (1998).

⁶ 5 U.S.C. § 552(b)(4).

Squire Patton Boggs (US) LLP

April 21, 2015

Page 4

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

Respectfully submitted,

/s/

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