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September 29, 2015

Via ECFS

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

Re: Special Access for Price Cap Local Exchange Carriers, WC Docket No. 05-25;
RM 10593: Reply to Transworld Objection

Dear Ms. Dortch:

On behalf of AT&T, this letter responds to the objection of TransWorld Network, Corp. (“TransWorld”)¹ to the release of its confidential and highly confidential information to the persons listed in the September Public Notice.² The TransWorld Objection should be rejected because it raises arguments previously rejected by the Wireline Competition Bureau and that are otherwise baseless.

The TransWorld Objection does not raise any particularized or substantive concern about the qualifications of any of the AT&T representatives who submitted Acknowledgements of Confidentiality.³ Instead, TransWorld complains that the September Public Notice identifying the persons who submitted Acknowledgments of Confidentiality fails to identify, for each person

¹ *Parties Seeking Access to Data and Information Filed in Response to the Special Access Data Collection*, TransWorld Objection, WC Docket No. 05-25 (Sept. 24, 2015) (“TransWorld Objection”).

² *Parties Seeking Access to Data and Information Filed in Response to the Special Access Data Collection*, Public Notice, WC Docket No. 05-25 (Sept. 17, 2015) (“September Public Notice”).

³ Two submissions were made on behalf of AT&T. See *Special Access for Price Cap Local Exchange Carriers*, WC Docket No. 05-25, *Acknowledgements of Confidentiality* (July 13, 2015) (acknowledgements for Christopher Shenk, James Young, and Rishi Chhatwal, outside counsel for AT&T, and Robert Calzaretta, Mark Israel, Aren Megerdichian, Daniel Rubinfeld, and Glenn Woroch, outside consultants for AT&T); *Special Access for Price Cap Local Exchange Carriers*, WC Docket No. 05-25, *Acknowledgements of Confidentiality* (Aug. 20, 2015) (acknowledgements for Keith Krom, Frank Simone, and Caroline Van Wie, all of AT&T).

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on the list, the “intended purpose for accessing data.”⁴ But the Bureau rejected this exact argument when it was previously raised by TransWorld: “by virtue of executing the Acknowledgment, each potential Reviewing Party certifies it is seeking access to the data solely to participate in the special access proceeding. Requiring potential Reviewing Parties to specifically state this purpose when submitting their executed Acknowledgements is thus unnecessary and redundant.”⁵

TransWorld’s only other argument is that the Bureau failed to identify which party’s data is sought by each person listed in the September Public Notice. But again, the Protective Order contains no such requirement. Indeed, the only portion of the Protective Order cited by TransWorld is silent on this issue.⁶ And, to the extent TransWorld is now arguing that such a requirement should have been included in the Protective Order, such arguments must be rejected because they are untimely attacks on the Protective Order, which was adopted nearly a year ago. Nor is there any basis for such a requirement. Contrary to TransWorld’s assertions, TransWorld can evaluate whether to object on substantive grounds to individuals listed in the Bureau’s September Public Notice without first knowing for certain whether they will attempt to access TransWorld’s data.

⁴ TransWorld Objection at 2.

⁵ See *Special Access for Price Cap Local Exchange Carriers*, WC Docket No. 05-25, *Order and Modified Data Collection Protective Order* at ¶¶ 18-20 (Sept. 18, 2015) (“Bureau Order”). The Bureau agreed, however, to “make this intended purpose clearer in subsequent public notices announcing potential Reviewing Parties,” (*id.*) which the Bureau did here by explaining in the September Public Notice that “[b]y executing an Acknowledgement, a party certifies that its purpose for accessing and using the special access data is ‘solely for preparation and conduct’ in the special access proceeding.” September Public Notice at 1.

⁶ See TransWorld Objection at 2 (citing *Special Access for Price Cap Local Exchange Carriers*, WC Docket No. 05-25, *Order and Data Collection Protective Order* at n.57 (Oct. 1, 2014)).



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For the foregoing reasons, the Bureau should (again) reject the arguments raised in the TransWorld Objection.

Sincerely,

/s/ Christopher T. Shenk
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