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REDACTED – FOR PUBLIC INSPECTION

Via ECFS

January 21, 2016

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

Re: *Investigation of Certain Price Cap Local Exchange Carrier Business Data Services Tariff Pricing Plans*, WC Docket No. 15-247 – Revised Excel Spreadsheet with Customer Names for January 8, 2016 Direct Case of CenturyLink

Dear Ms. Dortch:

Enclosed with this letter is a revised Excel spreadsheet (Tariff Pricing Plan Data) that supplements CenturyLink's Direct Case filed on January 8, 2016 in the above-captioned tariff investigation.¹ As CenturyLink noted, it redacted customer names in Table III of that filing, so that it could obtain customer approval to disclose that information.² With those approvals now obtained, CenturyLink files a revised spreadsheet incorporating the customer names in Table III. The revised spreadsheet is meant to replace the spreadsheet filed on January 8, 2016.

¹ *Investigation of Certain Price Cap Local Exchange Carrier Business Data Services Tariff Pricing Plans*, WC Docket No. 15-247, Order Initiating Investigation and Designating Issues for Investigation, DA 15-1194 (Oct. 16, 2015); Order, DA 15-1423 (rel. Dec. 14, 2015). This filing is being submitted by CenturyLink, Inc. on behalf of its CenturyLink Operating Companies (that operate under Tariff F.C.C. No. 11 and Tariff F.C.C. No. 9).

² Letter from Craig J. Brown, CenturyLink, to Marlene H. Dortch, FCC, WC Docket No. 15-247, at 2 (Jan. 8, 2016).

The revised spreadsheet includes “Highly Confidential Information,” as defined in the applicable protective orders. Beyond the addition of the customer names, the data in the spreadsheet has not been altered or further supplemented.

The highly confidential information that is being submitted today is proprietary commercial information of CenturyLink that is entitled to protection from public disclosure. Although the highly confidential information is specifically protected from disclosure pursuant to the terms of the *Business Data Services Data Collection Protective Order* (Appendix A to the Order and Protective Orders in WC Dockets 15-247, et al.) and the *Tariff Investigation Protective Order* (Appendix B to the Order and Protective Orders in WC Dockets 15-247, et al.),³ CenturyLink included with its January 8, 2016 submission an Appendix providing separate justification for highly confidential treatment of this and other highly confidential and confidential information in that filing under FOIA⁴ and the Commission’s implementing rules, 47 C.F.R. §§ 0.457, 0.459. CenturyLink requests that the Confidentiality Justification appended to its January 8, 2016 cover correspondence (along with the explanation for confidential treatment contained therein) also apply to the spreadsheet being filed today.

Consistent with the Dec. 4th *Protective Orders*, the type of highly confidential information being submitted today includes information in the data template provided by the Bureau for the tariff investigation.⁵ This information is highly sensitive commercial information regarding CenturyLink’s business operations and product/service offerings. And, CenturyLink’s customers may also consider this information to be proprietary and competitively sensitive. This information is not otherwise available from public sources, is subject to protection under FOIA and the FCC’s implementing rules, and thus generally falls under the definition of “Highly Confidential Information” in the *Tariff Investigation Protective Order*.⁶

Consistent with the highly confidential nature of the information enclosed with this submission, the non-redacted version is marked, consistent with the Dec. 4th *Protective Orders* as, **“HIGHLY CONFIDENTIAL INFORMATION – SUBJECT TO PROTECTIVE ORDERS IN WC DOCKET NOS. 15-247 AND 05-25 BEFORE THE FEDERAL COMMUNICATIONS COMMISSION”**. This Highly Confidential Information is

³ *Investigation of Certain Price Cap Local Exchange Carrier Business Data Services Tariff Pricing Plans; Special Access for Price Cap Local Exchange Carriers; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, WC Docket Nos. 15-247 and 05-25, RM-10593, Order and Protective Orders, DA 15-1387 (Dec. 4, 2015) (Dec. 4th *Protective Orders*).

⁴ 5 U.S.C. § 552.

⁵ See *Tariff Investigation Protective Order*, Appendix B, Attachment 1.

⁶ *Tariff Investigation Protective Order*, Appendix B at ¶ 1.

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competitively sensitive commercial information and thus should not be available for public inspection. Such information would not ordinarily be made available to the public. Release of the Highly Confidential Information would have a substantial negative competitive impact on CenturyLink. Accordingly, the submitted highly confidential information is appropriate for non-disclosure pursuant to the Dec. 4th *Protective Orders* and under FOIA and sections 0.457(d) and 0.459 of the Commission's rules (as was detailed in the Appendix attached to the January 8, 2016 correspondence).

Consistent with the Dec. 4th *Protective Orders*, CenturyLink is filing one copy of its non-redacted submission with the Office of the Secretary and providing two copies of its non-redacted submission to the staff of the Wireline Competition Bureau (Marvin Sacks). CenturyLink's non-redacted submission includes an electronic Excel file (on an encrypted compact disc (CD) containing highly confidential information), along with this cover correspondence (that includes no highly confidential information).⁷ Included with the two CD copies being provided to Mr. Sacks are two copies of the instructions, labeled "Falcon Discovery CD/DVD Encryption" that describe the steps to be completed to decrypt the CD (the password for the CDs will be provided to Mr. Sacks).

CenturyLink is also filing today via the Commission's Electronic Comment Filing System (ECFS) a redacted version of its revised Excel spreadsheet. Consistent with the Dec. 4th *Protective Orders*, the redacted version of CenturyLink's filing, in which the Highly Confidential Information is omitted, is marked, "**REDACTED – FOR PUBLIC INSPECTION**".

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 Jeff Lanning in CenturyLink's Federal Regulatory Affairs office (202-429-3113 or Jeffrey.s.lanning@centurylink.com) if you have any questions.

Sincerely,

/s/ Craig J. Brown

Enclosures

⁷ As with the submission of its January 8, 2016 Direct Case, requests to access the non-redacted version of CenturyLink's revised Excel spreadsheet can be directed to Russell P. Hanser of Wilkinson, Barker and Knauer, LLP, CenturyLink's outside counsel in WC Docket No. 15-247. Mr. Hanser can be reached via 202-783-4141 or RHanser@WBKLaw.com.

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