



WILTSHIRE  
& GRANNIS LLP

1200 18TH STREET, NW  
WASHINGTON, DC 20036

TEL 202.730.1300 FAX 202.730.1301  
WWW.WILTSHIREGRANNIS.COM

ATTORNEYS AT LAW

May 27, 2011

**Ex Parte**

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

**Re: Request for Confidential Treatment**  
**Ex Parte Notice -- Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities**, CG Docket No. 03-123; **E911 Requirements for IP-Enabled Service Providers**, WC Docket No. 05-196; **Internet-Based Telecommunications Relay Service Numbering**, WC Docket 10-191

Dear Ms. Dortch:

Through counsel, Sorenson Communications, Inc. (“Sorenson”) hereby requests pursuant to Sections 0.457 and 0.459 of the Commission’s rules, 47 C.F.R. §§ 0.457, 0.459, that the Commission withhold from any future public inspection and accord confidential treatment to the attached ex parte.<sup>1</sup> This document contains sensitive commercial information that falls within Exemption 4 of the Freedom of Information Act (FOIA). *See* 5 U.S.C. § 552(b)(4).

Exemption 4 of FOIA provides that the public disclosure requirement of the statute “does not apply to matters that are ... (4) trade secrets and commercial or financial information obtained from a person and privileged or confidential.” 5 U.S.C. § 552(b)(4). Because Sorenson is providing commercial information “of a kind that would not customarily be released to the public” in response to a request from Wireline Competition Bureau staff, this information is

---

<sup>1</sup> Pursuant to Section 1.1206(b)(2) of the Commission’s rules, counsel is filing an original and one copy of this letter and its attachment and delivering electronic copies to the Commission staff involved in the meetings described in the attachment. Sorenson is also electronically filing a copy of this letter and a redacted version of the attachment for inclusion in the public record in the dockets identified above.

“confidential” under Exemption 4 of FOIA. *See Critical Mass Energy Project v. NRC*, 975 F.2d 871, 879 (D.C. Cir. 1992).

In support of this request and pursuant to Section 0.459(b) of the Commission’s rules, Sorenson hereby states as follows:

**1. Identification of the Specific Information for Which Confidential Treatment Is Sought (Section 0.459(b)(1))**

Sorenson seeks confidential treatment with respect to the percentage figures that are shaded in the attached confidential ex parte letter.

**2. Description of the Circumstances Giving Rise to the Submission (Section 0.459(b)(2))**

At the request of Wireline Competition Bureau staff, Sorenson provided the Bureau with data related to the rate at which Sorenson’s new VRS subscribers request toll-free numbers.

**3. Explanation of the Degree to Which the Information Is Commercial or Financial, or Contains a Trade Secret or Is Privileged (Section 0.459(b)(3))**

The data described above constitutes sensitive commercial information “which would customarily be guarded from competitors.” 47 C.F.R. § 0.457. In particular, information related to VRS service usage patterns and changes to such usage patterns over time constitute closely guarded information that, if released, would disadvantage Sorenson by providing its competitors with an insight into Sorenson’s operations, service offerings, and costs.

**4. Explanation of the Degree to Which the Information Concerns a Service that Is Subject to Competition (Section 0.459(b)(4))**

The VRS market is highly competitive throughout the United States.

**5. Explanation of How Disclosure of the Information Could Result in Substantial Competitive Harm (Section 0.459(b)(5))**

Sorenson could be harmed by unauthorized disclosure of this information, as it could provide competitors with commercially sensitive insights related to Sorenson’s operations, service offerings and costs.

**6. Identification of Any Measures Taken to Prevent Unauthorized Disclosure (Section 0.459(b)(6))**

Sorenson does not make the redacted information publicly available.

Marlene Dortch  
Federal Communications Commission  
27 May 2011  
Page 3

**7. Identification of Whether the Information Is Available to the Public and the Extent of Any Previous Disclosure of the Information to Third Parties (Section 0.459(b)(7))**

Sorenson does not make the redacted information publicly available.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles Breckinridge", with a long horizontal line extending to the right.

Charles Breckinridge

*Counsel to Sorenson Communications, Inc.*

Attachment

cc: Richard Hovey  
William Dever  
Carol Simpson  
Heather Hendrickson  
Lisa Gelb  
Gregory Hlibok  
Diane Mason

REDACTED



1200 18TH STREET, NW  
WASHINGTON, DC 20036

TEL 202.730.1300 FAX 202.730.1301  
WWW. WILTSHIREGRANNIS.COM

ATTORNEYS AT LAW

May 27, 2011

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

**Re: Ex Parte Notice -- Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CG Docket No. 03-123; E911 Requirements for IP-Enabled Service Providers, WC Docket No. 05-196; Internet-Based Telecommunications Relay Service Numbering, WC Docket No. 10-191**

Dear Ms. Dortch:

On behalf of Sorenson Communications, Inc. ("Sorenson"), on May 26, 2011, I provided corrected data to Richard Hovey, William Dever, Carol Simpson, Heather Hendrickson, and Lisa Gelb of the Wireline Competition Bureau, and to Gregory Hlibok and Diane Mason of the Disability Rights Office.

In particular, I corrected data presented in meetings on May 17, 2011, and in a corresponding ex parte submitted on May 18, 2011. Sorenson had informed the individuals identified above that █ percent of Sorenson's new VRS subscribers (*i.e.*, those that have activated accounts since January 1, 2011) request a toll-free number along with the 10-digit local number that Sorenson assigns to every subscriber. Sorenson reassessed the data and concluded that the correct figure is █ percent, which marks a steep downward shift from previous years. For the same period in 2009, for example, the corresponding figure was █ percent. This demonstrates that the Public Notice issued on April 11, 2009—directing VRS providers to assign toll-free numbers only in response to users' requests—is having its intended effect.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Charles Breckinridge', with a long horizontal line extending to the right.

Charles Breckinridge  
Wiltshire & Grannis LLP

*Counsel for Sorenson Communications, Inc.*

**REDACTED**

Marlene Dortch  
Federal Communications Commission  
May 27, 2011  
Page 2

cc: Richard Hovey  
William Dever  
Carol Simpson  
Heather Hendrickson  
Lisa Gelb  
Gregory Hlibok  
Diane Mason