WILTSHIRE & GRANNIS LLP

REDACTED—PUBLIC VERSION

September 6, 2011

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

Re: Request for Confidential Treatment Pursuant to 47 C.F.R. §§ 0.457 and 0.459 for Materials Contained in Petition for Reconsideration (CG Docket No. 10-51)

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 Petition for Reconsideration.[1] This document contains sensitive commercial information—namely, details regarding the infrastructure and systems that Sorenson uses in its VRS operations—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," this information is "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:

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[1] Counsel is filing an original and one copy of this letter and its confidential attachment in hard copy. 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 docket identified above.

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 specific numbers of components used in its VRS operations (*e.g.*, specific number of software licenses, specific number of various pieces of hardware, etc.). This information appears only on page 3 of the filing and has been redacted from the public version.

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

Sorenson is submitting this information in connection with a Petition for Reconsideration in order to demonstrate the extreme burden that recently adopted rules would impose.

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 software licenses and physical equipment constitutes 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.

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,

Charles Breckinridge

Counsel to Sorenson Communications, Inc.

Attachment