

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of )

Federal-State Joint Board on )  
Universal Service )

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WC Docket No. 09-197

**CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS' REQUEST FOR  
CONFIDENTIAL TREATMENT OF EXHIBITS TO 2011 ELIGIBLE  
TELECOMMUNICATIONS CARRIER CERTIFICATION AND ANNUAL REPORT  
FOR THE COMMONWEALTH OF VIRGINIA**

**September 30, 2011**

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For the reasons stated herein, Cellco Partnership d/b/a Verizon Wireless, on behalf of itself and its subsidiaries and affiliates providing cellular mobile radio services (“CMRS”) in the Commonwealth of Virginia (“Verizon Wireless” or the “Company”) hereby requests that **Confidential Exhibits B-1 and B-2** (Progress Reports on Service Improvement Plan), **Confidential Exhibit C** (coverage map), **Confidential Exhibit D** (Updated Service Improvement Plan for 2011-2012), **Confidential Exhibit E** (Projected Support From Federal Universal Service Fund 2011-2012) and **Confidential Exhibit F-1** (Outage Report) to the attached 2011 Eligible Telecommunications Carrier Certification and Annual Report for the Commonwealth of Virginia, be treated as confidential and not routinely available for public inspection pursuant to 47 C.F.R. §§ 0.457(d) and 0.459. Redacted copies of **Confidential Exhibits B-1 and B-2, Confidential Exhibit C, Confidential Exhibit D, Confidential Exhibit E** and **Confidential Exhibit F-1** are being filed separately today for inclusion in the public record.

**Confidential Exhibits B-1 and B-2, Confidential Exhibit C, Confidential Exhibit D, Confidential Exhibit E** and **Confidential Exhibit F-1** contain information that qualifies as “commercial or financial information” that “would customarily be guarded from competitors,” regardless of whether or not such materials are protected from disclosure by a privilege. *See* 47 C.F.R. § 0.457(d); *see also Critical Mass Energy Project v. NRC*, 975 F.2d 871, 879 (D.C. Cir. 1992) (“[W]e conclude that financial or commercial information provided to the Government on a voluntary basis is ‘confidential’ for the purpose of Exemption 4 if it is the kind that would customarily not be released to the public by the person from whom it was obtained.”).

The confidential information contained in **Confidential Exhibits B-1 and B-2** and **Confidential Exhibit D** relates to the status of historical and proposed infrastructure

expenditures and capital improvements in Verizon Wireless' designated areas in Virginia, as well as operating and maintenance expense information. **Confidential Exhibit C** is a signal coverage map that illustrates, among other things, the location of infrastructure improvements in the designated areas. Confidential Exhibit E reflects Verizon Wireless' internal universal service support estimates based on Verizon Wireless' proprietary line count projections and forecasted subscriber base.

The Commission has previously determined that information in a Service Improvement Plan is "Confidential" and has granted a Protective Order to allow access to and to protect against the dissemination of such "Confidential" information.<sup>1</sup> The Commission routinely grants Protective Orders to protect the confidentiality of such information.<sup>2</sup> Since the information in **Confidential Exhibits B-1 and B-2** is a Progress Report on Verizon Wireless' previously filed Service Improvement Plan, **Confidential Exhibit D** is an update to the Service Improvement Plan, **Confidential Exhibit C** is a map showing the location of infrastructure improvements and Confidential Exhibit E sets forth the amount of projected support used in the updated Service Improvement Plan based on subscribership projections, the Exhibits should be afforded "Confidential" status.

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<sup>1</sup> See *In the Matter of High-Cost Universal Service Support, Federal-State Joint Board on Universal Service, Alltel Communications, Inc. et al. Petitions for Designation as Eligible Telecommunications Carriers, RCC Minnesota, Inc. and RCC Atlantic, Inc. New Hampshire ETC Designation Amendment*, WC Docket 05-337, CC Docket 96-45, Order, 23 FCC Rcd 8834 (2008); *In the Matter of Federal-State Joint Board on Universal Service, RCC Holdings, Inc. Petition for Designation as an Eligible Telecommunications Carrier*, CC Docket 96-45, Order, 17 FCC Rcd 23532 (WCB 2002).

<sup>2</sup> See *In the Matter of Federal-State Joint Board on Universal Service Petition of Cingular Wireless, LLC for Designation as an Eligible Telecommunications Carrier in the State of Georgia*, CC Docket No. 96-45, Order, 22 FCC Rcd 15244, ¶¶ 1-3 (WCB 2007); *In the Matter of Federal-State Joint Board on Universal Service NEP Cellcorp, Inc. Application for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Pennsylvania*, CC Docket No. 96-45, Order, 22 FCC Rcd 15252, ¶ 2 (WCB 2007); *In the Matter of Federal-State Joint Board on Universal Service Petition of Centennial USVI Operations Corp. Petition for Designation as an Eligible Telecommunications Carrier in the United States Virgin Islands*, CC Docket No. 96-45, Order, 22 FCC Rcd 16988, ¶ 2 (WCB 2007).

**Confidential Exhibits B-1 and B-2, Confidential Exhibit C, and Confidential Exhibit D** contain sensitive information that if disclosed could place Verizon Wireless at a competitive disadvantage, including specific information regarding capital and operating expenditures, future construction plans, and anticipated universal service support funding levels that warrant protection under 47 C.F.R. § 0.459. Verizon Wireless would be placed at a significant disadvantage if this information were revealed to competing service providers, who stand to benefit competitively from any knowledge of the redacted commercial and financial information included in these materials. If the redacted commercial and financial information were disclosed to competitors of Verizon Wireless, they could use such information to compete against Verizon Wireless or take other action that would place the Company at a substantial competitive disadvantage. In addition, Verizon Wireless' future ability to negotiate with vendors could be prejudiced by the disclosure of this information. The redacted material is not and has not previously been made available to the public, and Verizon Wireless has taken internal precautions to ensure that such information is not disclosed to the public.

Finally, **Confidential Exhibit F-1** contains highly sensitive network outage information required by 47 C.F.R. § 54.209(a). Commission Rule 54.209(a) was modeled on the outage reporting requirements in 47 C.F.R. Part 4. When it adopted the Part 4 reporting requirements, the Commission found that such data presents national security and competitive concerns and should be deemed confidential when filed with the Commission. *In the Matter of New Part 4 of the Commission's Rules Concerning Disruptions to Communications*, ET Docket No. 04-35, Report and Order and Further Notice of Proposed Rulemaking, 19 FCC Rcd 16830, ¶ 3 (2004) ("This data, though useful for the analysis of past and current outages in order to increase the reliability and security of telecommunications networks in the future, could be used by hostile

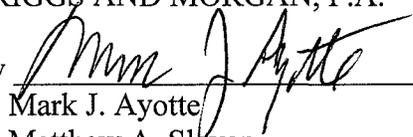
parties to attack those networks, which are part of our Nation's critical information infrastructure. The disclosure of outage reporting information to the public could present an unacceptable risk of more effective terrorist activity. We therefore will treat the information that will be provided as confidential.") The information in **Confidential Exhibit F-1** is entitled to be treated as confidential for these same reasons.

Respectfully submitted,

September 29, 2011

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