



November 28, 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 Paperwork Reduction Act Comments (CG Docket No.
03-123; WC Docket Nos. 05-196, 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 Paperwork Reduction Act Comments.¹ This document contains sensitive commercial information—namely, estimates of the number of Sorenson subscribers with toll free numbers—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:

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.

**Subject to Request for Confidential Treatment
Pursuant to 47 C.F.R. §§ 0.457, 0.459**

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 its subscribers with toll free numbers. This information 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 Paperwork Reduction Act Comments 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 customer counts and characteristics constitutes closely guarded information that, if released, would disadvantage Sorenson by providing its competitors with an insight into Sorenson’s operations.

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.

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.

**Subject to Request for Confidential Treatment
Pursuant to 47 C.F.R. §§ 0.457, 0.459**

Sincerely,



Christopher J. Wright,

Counsel to Sorenson Communications, Inc.

Attachment