



REDACTED FOR PUBLIC INSPECTION

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September 14, 2012

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

**Re: WC Docket No. 12-254
Notice of *Ex Parte* Presentation**

Dear Ms. Dortch:

On September 13, 2012, Steve Meltzer of John Staurulakis, Inc. (“JSI”) met with Daniel Ball, Paul Hartman and Pamela Arluk of the Wireline Competition Bureau (“Bureau”). Richard Kwiatkowski of the Bureau also joined the meeting via telephone. The subject of discussion was the Bureau’s investigation of National Exchange Carrier Association (“NECA”) revisions to its special access rates contained in its Tariff F.C.C. No. 5, Transmittal No. 1358¹ and the issues related to Eastex Telephone Cooperative’s reallocation of costs between jurisdictional cost categories as granted in the Commission’s June 15, 2012 Order permitting Eastex Telephone Cooperative (Eastex) to “unfreeze” its separations category relationships.²

Mr. Meltzer addressed specifically the underlying reasons for the increase in the projected effects of the cost re-categorization over the estimates previously submitted in the Eastex Petition and as raised in the AT&T Petition filed August 31, 2012.³ Attached is supporting data that was provided to Bureau staff as well as additional supporting data sent via email September 14, 2012. Also attached is a request for confidential treatment of the data. A redacted version is being filed today on the Electronic Comment Filing System.

¹ See *National Exchange Carrier Association Tariff F.C.C. No. 5*, WC Docket No. 12-254, Order, DA 12-1458 (rel. Sept. 7, 2012).

² See *Petition by Eastex Telephone Cooperative, Inc. Pursuant to 47 C.F.R Sections 36.3, 36.123–126, 36.141, 36.152–157, 36.191, and 36.372–382 for Commission Approval to Unfreeze Part 36 Category Relationships*, CC Docket No. 80-286, Order, DA 12-945, (rel. June 15, 2012) (“Eastex Order”) and Eastex Petition for Waiver filed May 25, 2011 (“Eastex Petition”).

³ *NECA Tariff F.C.C. No. 5*, Transmittal No. 1358, Petition of AT&T Corporation for Suspension and Investigation (filed Aug. 31, 2012) (*AT&T Petition*) at 4-5.

Ms. Marlene Dortch
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Please contact the undersigned with any questions.

Respectfully submitted,



John Kuykendall
Vice President

cc: Daniel Ball
Paul Hartman
Pamela Arluk
Richard Kwiatkowski

Attachments



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September 14, 2012

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

**Re: WC Docket No. 12-254
Request under Section 0.459 for Withholding from Public Inspection for
John Staurulakis, Inc. Notice of *Ex Parte* Presentation**

Dear Ms. Dortch:

John Staurulakis, Inc. (“JSI”) hereby requests, pursuant to Section 0.459 of the Commission’s rules,¹ withholding from public inspection data contained in the exhibit attachments to the above referenced Notice of *ex parte* Presentation (“Notice”). JSI provides the following in support of its request, numbered consistent with the subparagraphs of Section 0.459(b).²

1. The information for which JSI is seeking confidential treatment is Eastex Telephone Cooperative (“Eastex”) data contained in the exhibit attachments to the Notice filed herewith. Confidentiality is sought for the exhibit attachments in their entirety.
2. The Notice is filed in compliance with the Commission’s *ex parte* rules.³
3. The information in the exhibit attachment for which the Company seeks the withholding from public inspection contains detailed financial, plant and demand information that is highly confidential and only known to Eastex and its authorized agents.
4. With respect to identifying the degree to which this data is subject to competition, this information could have economic value to potential competitors.
5. With respect to identifying possible exposure to competitive harm, the information contained in the exhibit attachment is not customarily released to the public and because the telecommunications market is highly competitive, release of this data could cause substantial competitive harm to Eastex.
6. With respect to steps taken to ensure against unauthorized disclosure of exhibit attachment data, JSI is filing the data under seal.
7. Any previous versions of the Eastex financial, plant and demand data are not publicly available.

¹ 47 C.F.R. § 0.459.
² 47 C.F.R. § 0.459(b)(1) through (9).
³ 47 C.F.R. §§ 1.1200 et seq.

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8. Because the Eastex data is not routinely available, a need exists for maintaining the confidentiality of this information permanently.
9. Not applicable.

Based on the preceding, JSI respectfully requests that the Commission grant confidential treatment under Section 0.459 to the Eastex data contained in the exhibit attachments. The exhibit attachments are appropriately marked "Confidential-Not for Public Inspection." Please contact the undersigned with any questions regarding this request.

Sincerely,



John Kuykendall
Vice President
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EASTEX TELEPHONE COOPERATIVE, INC. (SAC 442068)

UNFREEZE CATEGORY RELATIONSHIPS

9/13/2012

SUMMARY OF SCHEDULE DATA

REDACTED IN ENTIRETY

Eastex Telephone Cooperative, Inc.

A B C D E F G H I J K L M N

Central Office Equipment (COE) Category Comparison of Costs and Category Relationships - Unfrozen

REDACTED IN ENTIRETY

Eastex Telephone Cooperative, Inc.

Cable & Wire Facilities (C&WF) Category Comparison of Costs and Category Relationships - Unfrozen

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EXHIBIT III

**EXPLANATION OF SUBSTANTIAL INCREASE IN SPECIAL ACCESS DEMAND FOR
INTERSTATE SERVICE TO CELL SITES REFERENCED IN DESCRIPTION OF CAT 4.22**

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