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REDACTED – FOR PUBLIC INSPECTION

Via ECFS

July 1, 2014

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: *In the Matter of Connect America Fund*; WC Docket No. 10-90
In the Matter of Lifeline and Link Up Reform and Modernization;
WC Docket No. 11-42
CenturyLink's 2014 FCC Form 481 Submissions

Dear Ms. Dortch:

In connection with the FCC's November 18, 2011 *USF/ICC Transformation Order* in WC Docket Nos. 10-90, *et al.*, in accord with 47 C.F.R. §§ 54.313 and 54.422, and via FCC Form 481, CenturyLink hereby submits in WC Docket Nos. 10-90 and 11-42 the requisite information for its 2014 annual reporting requirement as a recipient of high-cost and low-income universal service support in 2013.¹

¹ *In the Matter of Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing an Unified Intercarrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform - Mobility Fund*, WC Docket Nos. 10-90, 07-135, 05-337, 03-109, CC Docket Nos. 01-92, 96-45, GN Docket No. 09-51, WT Docket No. 10-208, Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161, 26 FCC Rcd 17663 (rel. Nov. 18, 2011) (*USF/ICC Transformation Order* or *Order*), *aff'd*, *Direct Communications Cedar Valley, LLC, et al. v. FCC*, 2014 U.S. App. LEXIS 9633 (10th Cir. May 23, 2014), *IN RE: FCC 11-161, Direct Communications Cedar Valley, LLC, et al. v. FCC*, 2014 U.S. App. LEXIS 9637 (10th Cir. May 23, 2014); *In the Matter of Lifeline and Link Up Reform and Modernization*, WC Docket No. 11-42, Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 6656 (rel. Feb. 6, 2012); 47 C.F.R.

Included with this submission is (1) detailed information on CenturyLink's broadband pricing including service speeds by exchange; (2) information related to voice service outages; and (3) information regarding CenturyLink's engagements with tribal governments including customer-specific information and information regarding CenturyLink's past, present and future network deployment activities in tribal land areas. CenturyLink views certain information associated with the pricing of its broadband services, specifically the download and upload speeds in specific exchanges, as confidential. Additionally, CenturyLink views information regarding voice service outages and information regarding its network deployment activities and specific customers in tribal areas to be confidential, and is thus submitting these portions of its filing to the Commission as confidential information that is being filed pursuant to the August 30, 2012 Third Protective Order in WC Docket Nos. 10-90, 07-135, 05-337, 03-109, GN Docket No. 09-51, CC Docket Nos. 01-92, 96-45 and WT Docket No. 10-208.² Each page of the non-redacted version of the submission (that includes confidential information) has been marked **"CONFIDENTIAL INFORMATION – SUBJECT TO PROTECTIVE ORDER IN WC DOCKET NOS. 10-90, 07-135, 05-337, 03-109, GN DOCKET NO. 09-51, CC DOCKET NOS. 01-92, 96-45, WT DOCKET NO. 10-208 BEFORE THE FEDERAL COMMUNICATIONS COMMISSION"**. CenturyLink requests that the non-redacted version of its submission be withheld from public inspection.

This information is also protected from disclosure to the public by Sections 0.457(d) and 0.459 of the Commission's rules.³ The confidential information included in these documents is competitively sensitive information and thus should not be available for public inspection. Such information would not ordinarily be made available to the public. Release of the confidential information in the submission would have a substantial negative competitive impact on CenturyLink. Accordingly, the non-redacted information in question is appropriate for non-disclosure under sections 0.457(d) and 0.459. Pursuant to 47 C.F.R. § 0.459(b), CenturyLink provides justification for the confidential treatment of this information in the Appendix to this letter. Additionally, CenturyLink notes that under 47 C.F.R. § 4.2, reports with this kind of outage-related information that are submitted to the FCC are "presumed to be confidential".

§§ 54.313, 54.422. Inasmuch as none of the confidential information included with CenturyLink's submissions in WC Docket No. 10-90 is confidential as that information relates to WC Docket No. 11-42, included with today's submission in WC Docket No. 11-42 are only the redacted versions of the Form 481 reports and those reports with no confidential information at all.

² 27 FCC Rcd 10276 (2012).

³ 47 C.F.R. §§ 0.457(d), 0.459.

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For the non-redacted version of the submission, CenturyLink is providing to the Office of the Secretary an original hard copy of the cover letter and one Compact Disc (CD), along with an extra copy of the cover letter to be stamped and returned to the courier. In addition, CenturyLink is providing two hard copies of the non-redacted cover letter and two copies of the CD to Alexander Minard of the Wireline Competition Bureau. Because it was not feasible to separate out the confidential information, *see* 47 C.F.R. § 0.459(a), without destroying the integrated nature of the information presented in this submission, CenturyLink is also filing today under separate cover, via the Commission's Electronic Comment Filing System (ECFS), a redacted version of its submission (that includes the portions of its submission with no confidential information and the portions of its submission with confidential information that have been redacted). Each page of the redacted version of the submission (mirroring the corresponding page of the non-redacted version with confidential information) is marked "**REDACTED – FOR PUBLIC INSPECTION**," with the confidential information omitted.

This cover letter includes no confidential information and the text is the same in both the non-redacted and redacted versions except for the confidentiality markings and the annotation on the initial page noting the manner of submission.

Separately, CenturyLink also previously transmitted the content of this submission (including the confidential information) to the Universal Service Administrative Company via its online FCC Form 481.

Please contact me via the above contact information or Jeff Lanning in CenturyLink's Federal Regulatory Affairs office (202-429-3113) if you have any questions.

Sincerely,

/s/ Tiffany West Smink

Enclosures

cc: Alexander Minard, Wireline Competition Bureau (via courier) (two hard copies of non-redacted cover letter and two copies of CD)

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APPENDIX

Confidentiality Justification

CenturyLink requests confidential treatment of certain information enclosed with its 2014 annual reporting requirements as a high-cost recipient in 2013 for submission in WC Docket No. 10-90. This information includes the download and upload speeds of CenturyLink's broadband service in specific exchanges, voice service outages, company network deployment activities in tribal land areas, and customer-specific information. All of this information is considered competitively sensitive and thus its public disclosure would have a negative competitive impact on CenturyLink. Such information would not ordinarily be made available to the public, and should be afforded confidential treatment under both 47 C.F.R. §§ 0.457 and 0.459. In addition, the confidential information is protected from disclosure under the August 30, 2012 Third Protective Order⁴ in the above-referenced docket and CenturyLink also notes that under 47 C.F.R. § 4.2, reports with this kind of outage-related information that are submitted to the FCC are "presumed to be confidential".

47 C.F.R. § 0.457

Specific information in the submission regarding the speeds of CenturyLink's broadband service in specific exchanges, voice service outages, network deployment activities in tribal land areas, and customer-specific information is considered confidential and proprietary to CenturyLink as "commercial or financial information" under section 0.457(d). Disclosure of such information to the public would risk revealing company-sensitive proprietary information and have a harmful competitive effect on CenturyLink's ongoing business enterprise and its operations. Therefore, in the normal course of Commission practice this information should be considered "Records not routinely available for public inspection."

47 C.F.R. § 0.459

Specific information related to the speeds of CenturyLink's broadband service in specific exchanges, voice service outages, network deployment activities in tribal land areas, and customer-specific information is also subject to protection under 47 C.F.R. § 0.459, as demonstrated below.

⁴ 27 FCC Rcd 10276 (2012).

Information for which confidential treatment is sought

CenturyLink requests that the specific information regarding CenturyLink's broadband service speeds in specific exchanges, voice service outages, network deployment activities in tribal land areas, and customer-specific information be treated on a confidential basis under Exemption 4 of the Freedom of Information Act. This information is competitively sensitive data that CenturyLink maintains as confidential and does not normally make available to the public. Release of the information would have a substantial negative competitive impact on CenturyLink. Each page of the non-redacted version of the submission (that includes confidential information) has been marked "**CONFIDENTIAL INFORMATION – SUBJECT TO PROTECTIVE ORDER IN WC DOCKET NOS. 10-90, 07-135, 05-337, 03-109, GN DOCKET NO. 09-51, CC DOCKET NOS. 01-92, 96-45, WT DOCKET NO. 10-208 BEFORE THE FEDERAL COMMUNICATIONS COMMISSION**".

Commission proceeding in which the information was submitted

The information is being submitted in connection with CenturyLink's Submission in Response to 47 C.F.R. §§ 54.313 and 54.422, as filed in WC Docket No. 10-90.

Degree to which the information in question is commercial or financial, or contains a trade secret or is privileged

The competitive information designated as confidential in the submission is detailed information on CenturyLink's broadband service speeds in specific exchanges, voice service outages, network deployment activities in tribal land areas, and customer-specific information. As noted above, this data is competitively sensitive information that is not normally released to the public, as such release would have a substantial negative competitive impact on CenturyLink.

Degree to which the information concerns a service that is subject to competition; and manner in which disclosure of the information could result in substantial competitive harm

This type of commercial information would generally not be subject to routine public inspection under the Commission's rules (47 C.F.R. § 0.457(d)), demonstrating that the Commission already anticipates that the release of this kind of information likely would produce competitive harm. CenturyLink confirms that release of the information designated as confidential in its submission would cause it substantial competitive harm by allowing its competitors to become aware of sensitive proprietary information regarding the operation of CenturyLink's business.

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Measures taken by CenturyLink to prevent unauthorized disclosure; and availability of the information to the public and extent of any previous disclosure of the information to third parties

CenturyLink has treated and treats the non-public information included in its submission (in non-redacted form) as confidential and has protected it from public disclosure to parties outside the company. CenturyLink has not made the voice outage information provided here available to the public. Nor has CenturyLink made the specific information regarding CenturyLink's broadband service speeds in specific exchanges in this comprehensive manner available to the public. CenturyLink has not made the confidential information discussed or otherwise provided during or in conjunction with its tribal engagement activities available to the public. At most, the latter information has only been shared with the specific personnel representing tribal governments with whom the specific tribal engagements occurred.

Justification of the period during which CenturyLink asserts the material should not be available for public disclosure

CenturyLink cannot determine at this time any date on which this information should not be considered confidential or would become stale for purposes of the current matters, except that the information would be handled in conformity with general CenturyLink records retention policies, absent any continuing legal hold on the data.

Other information that CenturyLink believes may be useful in assessing whether its request for confidentiality should be granted

Under applicable Commission and court rulings, the information in question should be withheld from public disclosure. Exemption 4 of the Freedom of Information Act shields information that is (1) commercial or financial in nature; (2) obtained from a person outside government; and (3) privileged or confidential. The information in question satisfies this test.

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