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June 18, 2018

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

Attention: Wireline Competition Bureau

RE: Cincinnati Bell Telephone Request for Confidential Treatment of Demand Data

In support of Transmittal No.915 being filed on a streamlined basis on 15 days' notice under Section 204(a)(3) of the Communications Act.

Dear Ms. Dortch:

Today, the Cincinnati Bell Telephone Company LLC (CBT) is submitting its 2018 Annual Access filing for Tariff FCC No 35, Access Services under Transmittal No. 915, which is being filed on 15 days' notice pursuant to the Commission's Tariff Streamlining Order.¹ Because of the competitively sensitive nature of the information, CBT has redacted certain projected line count data at the exchange level used in the ARC Spreadsheet. In addition, CBT has also redacted Intrastate Demand and both Intrastate and Interstate Price outs as found on the Access Reduction Spreadsheet as well as the True-up Spreadsheet associated with Transmittal No. 915. Accordingly, pursuant to Sections 0.457 and 0.459 of the Commission's rules, Exemption 4 of the Freedom of Information Act ("FOIA"), as well as the Tariff Streamlining Order and the rules adopted thereunder, CBT is hereby requesting that such demand data be treated as confidential and be made subject to the standard Protective Order and Declaration adopted by the Commission in the Tariff Streamlining Order and published in Appendix B thereof. 47 C.F.R. §§ 0.457, 0.459; 5 U.S.C. § 552(b)(4).

Under Exemption 4 of the FOIA, commercial or financial information is held to be confidential, and thus entitled to protection, if disclosure of such information would, *inter alia*, be likely to cause substantial harm to the competitive position of the person from whom the information was obtained. *See National Parks and Conservation Ass'n v. Morton*, 498 F.2d 765, 770 (D.C. Cir. 1974); and *Critical Mass Energy Project v. NRC*, 830 F.2d 278, 873 (D.C. Cir. 1987). The Commission has consistently held that subscriber data satisfy the requirements of Exemption 4. *See, e.g., Cox Communications, Inc.; Request for Confidentiality for Information Submitted on Forms 325 for the Year 2003*, 19 FCC Rcd 12160, ¶ 12 (2004); *Comcast Cable Communications, Inc.; Request for Confidentiality for Information Submitted on Forms 325 for*

¹ *In the Matter of Implementation of Section 402(b)(1)(A) of the Telecommunications Act of 1996*, Order, 12 FCC Rcd 2170 (1997) ("Tariff Streamlining Order").

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the Year 2003, 19 FCC Rcd 12165, ¶ 6 (2004); *Time Warner Cable; Request for Confidentiality for Information Submitted on Forms 325 for the Year 2003*, 19 FCC Rcd 12170, ¶ 5 (2004); and *Altrio Communications, Inc.; Request for Confidentiality for Information Submitted on Forms 325 for the Year 2003*, 19 FCC Rcd 12176 ¶¶4-5 (2004).

The information for which CBT seeks confidential treatment is competitively sensitive particularized demand data which, if made available to competitors and alternative providers, would provide such entities with valuable information regarding CBT's customer base in particular exchanges within a state. CBT also has the same concerns with the Access Reduction spreadsheet and the True-up Spreadsheet. CBT considers this information at this level of detail of services and location valuable to competitors. The only previous times that CBT filed this type of detailed data with the Commission (with its 2012, 2013, 2014, 2015, 2016 and 2017 Annual Access filings), CBT also did so pursuant to a request for confidential treatment. This information would assist competitors in targeting their marketing efforts to the areas with the largest concentrations of customers. CBT is subject to actual and potential competition with respect to all of its services. The demand data provides a roadmap detailing the level of success CBT is experiencing with specific types of services in particular geographic areas. If competitors are able to gain an unfair advantage by obtaining such a detailed picture of CBT's strategies and successes, they may be able to anticipate CBT's strategic initiatives in a targeted way.

For these reasons, CBT respectfully requests that the Commission grant confidential treatment to certain exchange level detail end user demand information as well as Access Reduction demand and Price out data, submitted in support of Transmittal No. 915, and that such information be subject to the standard protective order provided for in the Tariff Streamlining Order.

Pursuant to the non-disclosure agreement that provides for review of information granted confidential treatment by interested parties, for the specific purpose of review and comment on the instant transmittal only, CBT will provide access and review of such information to signatories of such an agreement at the location listed below.

All correspondence and inquiries in connection with this request should be forwarded to Michael E. Bishop, Senior Manager, Switched Services & Regulatory, via facsimile on (513) 421-1367 or by hand-delivery to 221 E Fourth Street, Cincinnati, OH 45202.

Very truly yours,



Douglas E. Hart

Enclosures