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November 16, 2018

Transmittal No. 1549 - Amended

Secretary
Federal Communications Commission
Washington, D.C. 20554

Attention: Wireline Competition Bureau

The accompanying tariff material, issued on behalf of the National Exchange Carrier Association, Inc. (NECA) bearing Tariff F.C.C. No. 5, Access Service, is sent to you for filing in compliance with the Communications Act of 1934, as amended.

With this filing NECA is amending Transmittal No. 1549 to submit an updated Tariff Review Plan (TRP) Connect America Fund Intercarrier Compensation (CAF ICC) and Connect America Fund Broadband Loop Support (CAF BLS) spreadsheet files, as described below.

Transmittal No. 1549 was originally filed on June 18, 2018, became effective on July 3, 2018 and was amended on July 17, 2018, August 17, 2018, September 17, 2018 and October 17, 2018. As part of the cost support for Transmittal No. 1549, NECA submitted the required TRP CAF ICC and TRP CAF BLS spreadsheet files for the 2018-2019 tariff test period.

This amendment modifies the TRPCAFICC_ConfidentialA.xlsx file to update the footnote listing those study areas which have requested NECA to tariff lower Access Recovery Charge (ARC) rates than those calculated by NECA to include United Telephone Company d/b/a United Communications (SAC/ST 290581/TN).

Coincident with this amendment, NECA is filing tariff revisions today under Transmittal No. 1560 to reduce the Residential ARC rate for United Telephone Company d/b/a United Communications.

This amendment updates the TRPCAFBLS_Confidential.xlsx file to reflect updated Consumer Broadband-Only Loop (CBOL) demand, revenue and/or tariffed rate data for the following companies:

Table 1

<u>Company Name</u>	<u>State</u>	<u>Study Area</u>
Clear Lake Independent Tel. Co.	IA	351132
Dickey Rural Telephone Cooperative	ND	381611
Green Hills Telephone Corporation	MO	421890
Monitor Cooperative Telephone Company	OR	532384
Nehalem Telecommunications, Inc.		
d/b/a Nehalem Tel. & Tel.	OR	532387
Peoples Telephone Cooperative	TX	442130
Southwest Arkansas Telephone Cooperative, Inc.	AR	401724
Ventura Telephone Company, Inc.	IA	351322
Waldron Telephone Company	MI	310734

Coincident with this amendment, NECA is filing tariff revisions today under Transmittal No. 1560 to introduce new or revise existing CBOL rates for the companies listed in Table 1 with the exception of Monitor Cooperative Telephone Company which has a change in demand but no change in its currently tariffed CBOL rate.

This filing also amends Transmittal No. 1549 to submit the file containing updated certifications as appropriate for the above companies in Appendix C, Exhibit 4 Accuracy of CAF BLS Data. No changes were made to other companies' certifications previously submitted in the Appendix C Exhibits.

Finally, this amendment resubmits the TRP Text.pdf and TRP_Exhibits.xls files originally filed on June 18, 2018 as amended on July 17, 2018, August 17, 2018, September 17, 2018 and October 17, 2018. No changes were made to the originally transmitted files other than to reflect today's resubmission.

As was the case with the confidential TRP CAF ICC and TRP CAF BLS files originally transmitted on June 18, 2018 under Transmittal No. 1549, NECA seeks confidential treatment of this data pursuant to the *Protective Order* designated for use in the 2018 Annual Access Charge Tariff Filings proceeding.¹

Accordingly, the confidential files have been marked, "**CONTAINS PRIVILEGED AND CONFIDENTIAL INFORMATION – DO NOT RELEASE (PER DA 18-578 PROTECTIVE ORDER)**." Attachment A of this Transmittal Letter contains detailed information regarding NECA's request for confidential treatment. his filing also includes a redacted version of the files identified in Attachment A marked, "**REDACTED – FOR PUBLIC INSPECTION.**"

Attachment B to this transmittal includes the listing of FCC Registration Numbers (FRNs) for the Telephone Companies on whose behalf this tariff filing is being made.

¹ See Announcing Procedures for Obtaining Confidential Information for 2018 Annual Access Charge Tariff Filings and Corrections to TRP Spreadsheets, Public Notice Attachment, WC Docket No. 18-100, DA 18-578 (rel. June 4, 2018) (*Protective Order*).

In compliance with section 61.14 of the Commission's Rules, the amended transmittal and associated files are being transmitted electronically today via the Commission's Electronic Tariff Filing System.

All correspondence and inquiries concerning this filing should be directed to me at the above address or faxed to 973-599-6612.

Jennifer Leonard

Attachments

Attachment A	TRP Text.pdf
Attachment B	TRP_Exhibits.xls
TRPCAFICC_ConfidentialA.xlsx	TRPCAFICC_PublicA.xlsx
TRPCAFICC_ConfidentialB.xlsx	TRPCAFICC_PublicB.xlsx
TRPCAFICC_ConfidentialC.xlsx	TRPCAFICC_PublicC.xlsx
TRPCAFICC_ConfidentialD.xlsx	TRPCAFICC_PublicD.xlsx
TRPCAFICC_ConfidentialE.xlsx	TRPCAFICC_PublicE.xlsx
TRPCAFBLS_Confidential.xlsx	TRPCAFBLS_Public.xlsx
VollExhibitsD.pdf	

Request for Confidential Treatment

NECA seeks confidential treatment under the *Protective Order* designated for use in the 2018 Annual Access Charge Tariff Filings proceeding¹ for the data provided in the TRP files identified below. This data is filed electronically via ETFS as part of the Tariff Review Plan for NECA's Tariff F.C.C. No. 5 Annual Tariff filing, made under Transmittal No. 1549. This data is required by the Commission to monitor rate of return exchange carrier compliance² with rules regarding the revenue recovery mechanism³ for revenue lost due to mandatory access rate reductions and with the Commission's universal service mechanisms reforms for rate of return carriers.⁴

Pursuant to the terms of the *Protective Order*, signed declarations requesting access to the confidential information should be sent to the attention of Jennifer Leonard, NECA Senior Director Access Tariffs & Costs, via email to Tariff5@neca.org or via facsimile at 973.599.6612. NECA will provide an electronic copy of the un-redacted TRP files to Authorized Representative(s).⁵ NECA designates 80 South Jefferson Rd. Whippany, NJ 07981 and 1634 I (Eye) St., NW, Suite 510, Washington, D.C. 20006 as its public inspection locations.

Notwithstanding the *Protective Order*, the information provided in the TRP files listed below is entitled to confidential, non-public treatment under the Freedom of Information Act (FOIA) and related provisions of the Commission's rules.⁶ The information satisfies the requirement of FOIA Exemption 4 (trade secrets or commercial/financial information).

NECA submits the following information pursuant to section 0.459 in support of its request for confidential treatment of the data in the identified TRP files.

- Identification of the specific information for which confidential treatment is sought:

NECA seeks confidential treatment for certain information in the following TRP files, which contain confidential and proprietary financial information of NECA Common Line (CL) and Traffic Sensitive (TS) pool participants:

TRPCAFICC_ConfidentialA.xlsx
TRPCAFICC_ConfidentialB.xlsx
TRPCAFICC_ConfidentialC.xlsx
TRPCAFICC_ConfidentialD.xlsx
TRPCAFICC_ConfidentialE.xlsx
TRPCAFBLS_Confidential.xlsx

¹ See Announcing Procedures for Obtaining Confidential Information for 2018 Annual Access Charge Tariff Filings and Corrections to TRP Spreadsheets, Public Notice Attachment, WC Docket No. 18-100, DA 18-578 (rel. June 4, 2018) (*Protective Order*).

² 47 U.S.C § 51.919(b)

³ 47 U.S.C § 51.917

⁴ 47 U.S.C § 54.901

⁵ See *Protective Order*, ¶ 1.a.

⁶ 47 C.F.R. §§ 0.457 and 0.459; 5 U.S.C. § 552, et. seq.

This information includes actual revenues, revenue requirement data and demand for the 2011 fiscal year; trued-up revenues and cost data for the 2016/2017 test period; projections of revenues, cost data and demand for the 2012/2013, 2013/2014, 2014/2015, 2015/2016, 2016/2017, 2017/2018 and 2018/2019 test periods; and the product of calculations made using the confidential data.

The data includes information on interstate access, intrastate access, reciprocal compensation, VoIP and fees quantified at the study area and/or exchange area level that was used by NECA to calculate each exchange carrier's Eligible Recovery and ARC rates.

The data also includes information on projected Consumer Broadband-Only Loops, ARC revenues, SLC lines, Special Access Revenue Requirements, shifted costs, and CAF BLS Broadband-Only support for the 2018/2019 test period.

- Identification of the Commission proceeding in which the information was submitted or a description of the circumstances giving rise to the submission:

This information is filed electronically via ETFS in conjunction with NECA Tariff F.C.C. No. 5 Annual Access Charge Filing, Transmittal No. 1549 in WC Docket No. 18-100.

- Explanation of the degree to which the information is commercial or financial, or contains a trade secret or is privileged:

The information in the TRP files contains sensitive study area-specific and exchange area-specific information for NECA CL and TS pool participants as required by Commission rules for monitoring compliance with the CAF ICC and CAF BLS recovery mechanisms. At the study area and exchange level, the information is granular and highly confidential to the reporting CL and TS pool participants. The financial data is treated as a confidential trade secret by CL and TS pool participants.

- Explanation of the degree to which the information concerns a service that is subject to competition:

Rural telephone service has historically lent itself to "cherry picking" by competitors that choose to serve only the low cost areas within a study area. Detailed information about revenues, expenses, and demand may help prospective competitors to gain insight to incumbent LEC (ILEC) market strategies and gain competitive advantage.

- Identification of any measures taken by the submitting party to prevent unauthorized disclosure:

The information provided in the TRP files is maintained on a confidential basis and made available only to NECA representatives on a need to know basis. Any public information is only made available on an aggregate basis.

- Identification of whether the information is available to the public and the extent of any previous disclosure of the information to third parties:

The information in the identified TRP files is not publicly available.

- Justification of the period during which the submitting party asserts that material should not be available for public disclosure:

NECA requests that all CL and TS pool participant data provided in the TRP files identified above be treated as confidential indefinitely. Because of the sensitive nature of the data, it would not be appropriate for public disclosure at any time in the foreseeable future.

The *Protective Order* places additional requirements on Authorized Representative(s) to destroy or return all confidential information, as well as copies and derivative materials, within two weeks after final resolution of this proceeding.⁷

- Any other information that the party seeking confidential treatment believes may be useful in assessing whether its request for confidentiality should be granted:

NECA is submitting this information on behalf of the ILECs that participate in NECA's CL and/or TS pool. The Commission should take care to not deprive those ILECs of the opportunity to speak for themselves in the event of a FOIA request for access to data. NECA requests that the Commission notify carriers of any FOIA request and allow them to be given a reasonable opportunity to file detailed information supporting continued confidential treatment of their respective data.

Accordingly, NECA requests confidential treatment of the member data provided in the TRP files identified above pursuant to section 0.457 and 0.459 of the Commission's rules and paragraph 2 of the *Protective Order*. Pursuant to the *Protective Order*, NECA has marked each page of the non-redacted version of the identified TRP files as follows:

**CONTAINS PRIVILEGED AND CONFIDENTIAL INFORMATION – DO NOT
RELEASE (PER DA 18-578 PROTECTIVE ORDER)**

NECA has also complied with the requirement of the *Protective Order* for providing a redacted copy of the TRP files identified above, which are marked: **REDACTED – FOR PUBLIC INSPECTION**.

⁷ See *Protective Order*, ¶ 16.

FCC Registration Number for Tariff 5 Participants

0001646454	0003741949	0002645927	0002645927
0002756187	0002756187	0002756187	0002756187
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0004924809	0004924809	0015034358	0002432672
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0002587491	0004329314	0003757374	0001570936
0001772888	0003732302	0003778594	0003746542
0004311528	0004379715	0004379723	0004379731
0004379749	0004379707	0004329330	0004056248
0001951144	0004365276	0004328654	0003722949
0004320297	0002589281	0002723534	0004933032
0004156139	0003766714	0003745825	0002771228
0004319737	0003723640	0003749736	0004335816
0001565829	0004339800	0004339784	0001700947
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0001855337	0004381422	0003749264	0004329538
0002607224	0004979688	0002405215	0004329611
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0004970711	0004329710	0002598209	0004381711
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0003773579	0001678044	0003731759	0004333035
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FCC Registration Number for Tariff 5 Participants

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0004329348	0004321444	0005081567	0002595734

FCC Registration Number for Tariff 5 Participants

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FCC Registration Number for Tariff 5 Participants

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0001699578	0003748449	0004337218	0003795754
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FCC Registration Number for Tariff 5 Participants

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0002333888	0001648039	0001731785	0004309522
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FCC Registration Number for Tariff 5 Participants

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