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January 30, 2019

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 updated Tariff Review Plan (TRP) Connect America Fund Inter-carrier 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, October 17, 2018, November 16, 2018, and December 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_ConfidentialB.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 Keystone Farms Cooperative Telephone Company (SAC/ST 351217/IA).

Coincident with this amendment, NECA is filing tariff revisions today under Transmittal No. 1566 to reduce the Residential ARC rate for Keystone Farms Cooperative Telephone Company.

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>
Bergen Telephone Company	WI	330848
Guadalupe Valley Tel. Co-op, Inc.	TX	442083
Montrose Mutual Telephone Company	WI	341058
Nelson Communications Cooperative	WI	330918
Sharon Telephone Company	IL	330946

Coincident with this amendment, NECA is filing tariff revisions today under Transmittal No. 1566 to introduce new or revise existing CBOL rates for the companies listed in Table 1.

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, October 17, 2018, November 16, 2018 and December 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. This 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.

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.

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*).

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

Attachment B

TRPCAFICC_ConfidentialA.xlsx

TRPCAFICC_ConfidentialB.xlsx

TRPCAFICC_ConfidentialC.xlsx

TRPCAFICC_ConfidentialD.xlsx

TRPCAFICC_ConfidentialE.xlsx

TRPCAFBLS_Confidential.xlsx

Vol1ExhibitsD.pdf

TRP Text.pdf

TRP_Exhibits.xls

TRPCAFICC_PublicA.xlsx

TRPCAFICC_PublicB.xlsx

TRPCAFICC_PublicC.xlsx

TRPCAFICC_PublicD.xlsx

TRPCAFICC_PublicE.xlsx

TRPCAFBLS_Public.xlsx

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
0002477636	0004380986	0001773464	0002387264
0003774965	0002645497	0005053251	0004935730
0003773454	0004491544	0003773504	0004980843
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0004330205	0004342895	0004381323	0002331262
0003723491	0005058151	0001677335	0003730835
0004995429	0004361556	0004333407	0002591774
0004963419	0003737665	0002598464	0003773520
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0005067228	0004330908	0003716255	0004330965
0003795697	0003749819	0004317368	0002588606
0004268918	0001700905	0003722121	0004330874
0004335782	0003779675	0002549392	0004331682
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0001855337	0004381422	0003749264	0004329538
0002607224	0004979688	0002405215	0004329611
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0004970711	0004329710	0002598209	0004381711
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FCC Registration Number for Tariff 5 Participants

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0001714245	0004334439	0001664481	0001664481
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0003739075	0002596377	0002596344	0003722790
0005093224	0001887025	0001754738	0003722113
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0003801925	0004324570	0003742103	0003747672
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FCC Registration Number for Tariff 5 Participants

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0004324661	0003748167	0002801256	0002652048
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0004314100	0004329884	0005061387	0004381281
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FCC Registration Number for Tariff 5 Participants

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0003708120	0003767449	0004324620	0004929717
0004312187	0004311809	0005020169	0003767472
0002819191	0005067509	0002594778	0001699412
0001699578	0003748449	0004337218	0003795754
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FCC Registration Number for Tariff 5 Participants

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0004924866	0001607175	0004327011	0004280665
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0002333888	0001648039	0001731785	0004309522
0001687557	0003745130	0003774338	0004981114
0003749561	0004337002	0004313342	0005065552
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0004329652	0004314050	0001562388	0002549665
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0003774430	0001912138	0005069323	0003744463
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0001730126	0003749645	0003936994	0004331070
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FCC Registration Number for Tariff 5 Participants

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