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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, December 17, 2018, January 30, 2019 and February 14, 2019. 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.

The FCC's December 2018 USF Reform Order¹ removed the effects of the Budget Control Mechanism (BCM) from the maximum allowable CBOL rate calculation, resulting in a new maximum allowable rate for 323 companies. The TRPCAFBLS_Confidential.xlsx file has been updated to reflect the new maximum allowable rate for these 323 companies. Of these, 188 companies have elected to leave their current tariffed CBOL rate unchanged while 135 companies have elected to revise their CBOL rate to a rate that is at or below the new maximum allowable rate calculated without the effect of BCM for the remainder of the 2018/2019 test period.

¹ See Connect America Fund, WC Docket No. 10-90, ETC Annual Reports and Certifications, WC Docket No. 14-58, Establishing Just and Reasonable Rates for Local Exchange Carriers, WC Docket No. 07-135 and Developing a Unified Inter-carrier Compensation Regime, CC Docket No. 01-92, Report and Order, Further Notice of Proposed Rulemaking, and Order on Reconsideration, FCC 18-176 (rel. December 13, 2018).

This amendment also 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>
Arapahoe Telephone Company	NE	371516
Barnardsville Telephone Company d/b/a RiverStreet Networks	NC	230469
BPS Telephone Company	MO	420463
Chibardun Telephone Cooperative, Inc.	WI	330861
Citizens Telephone Cooperative, Inc.	WI	330863
Community Telephone Company	TX	442061
Farmers Telecommunications Cooperative, Inc.	AL	250290
Golden West Telecommunications Cooperative, Inc.	SD	391659
Golden West Telecommunications Cooperative, Inc. – Armour	SD	391640
Golden West Telecommunications Cooperative, Inc. – Kadoka	SD	391667
Golden West Telecommunications Cooperative, Inc. – Sioux Valley	SD	391677
Golden West Telecommunications Cooperative, Inc. – Union	SD	391684
Golden West Telecommunications Cooperative, Inc. – Vivian	SD	391686
Granby Telephone Company	MO	421887
ITS Telecommunications Systems, Inc.	FL	210331
Lavaca Telephone Company	OK	431704
Lipan Telephone Company	TX	442105
Mon-Cre Telephone Cooperative, Inc.	AL	250305
Prairie Grove Telephone Company	AR	401718
Ringsted Telephone Company	IA	351280
Rochester Telephone Company	IN	320815
Saluda Mountain Telephone Company d/b/a RiverStreet Networks	NC	230498
Service Telephone Company d/b/a/ RiverStreet Networks	NC	230500
Steelville Telephone Exchange, Inc.	MO	421949
Stratford Mutual Telephone Company	IA	351305
Western Wahkiakum County Telephone Company	WA	522451
Wilson Tel. Co., Inc.	KS	411849

Coincident with this amendment, NECA is filing tariff revisions today under Transmittal No. 1571 to introduce new or revised CBOL rates for the companies listed in Table 1 and for the 135 companies that elected to revise their CBOL rates to a rate that is at or below the maximum allowable rate calculated without the effect of BCM for the remainder of the 2018/2019 test period.

This filing also amends Transmittal No. 1549 to submit the files 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, TRP_Exhibits.xls and other TRP CAF ICC.xlsx 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, December 17, 2018, January 30, 2019 and February 14, 2019. 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.²

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.

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
Vol1ExhibitsD.pdf	

² 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*).

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
0003745940	0003745940	0003745940	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
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0001565829	0004339800	0004339784	0001700947
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0001855337	0004381422	0003749264	0004329538
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0004970711	0004329710	0002598209	0004381711
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FCC Registration Number for Tariff 5 Participants

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FCC Registration Number for Tariff 5 Participants

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0002776599	0003194776	0001773225	0001685841
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0004327961	0004939724	0003433323	0004367678
0002594752	0003774023	0004301370	0003724630
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0002817500	0003721495	0003748340	0002594216
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0003748258	0003723665	0003737194	0009965104
0003774072	0001646470	0001646470	0004374047
0005082060	0002071579	0004328688	0004382610

FCC Registration Number for Tariff 5 Participants

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0001731850	0002595858	0003774262	0004331724
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0003708120	0003767449	0004324620	0004929717
0004312187	0004311809	0005020169	0003767472
0002819191	0005067509	0002594778	0001699412
0001699578	0003748449	0004337218	0003795754
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0005097134	0005097167	0004269817	0003748506
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0003723756	0002650422	0007183619	0005062955
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0001643006	0001559798	0001607829	0003727575
0003757838	0001623149	0003759859	0003759859
0001551423	0001551423	0001615665	0002329662
0004310769	0003767613	0002593481	0004329629
0014860530	0005025267	0003709458	0003767662
0004266664	0005061627	0001886464	0004986477
0004278420	0004278420	0003758877	0002593440
0004334017	0020707907	0002069862	0002648285
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FCC Registration Number for Tariff 5 Participants

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0002587863	0002588333	0006764948	0002898724
0002333888	0001648039	0001731785	0004309522
0001687557	0003745130	0003774338	0004981114
0003749561	0004337002	0004313342	0005065552
0004979555	0005017439	0001960962	0004274007
0004329652	0004314050	0001562388	0002549665
0003717949	0004326070	0002502243	0002592921
0002592897	0001569466	0003723236	0003723236
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0002901817	0002901791	0002924777	0001649847
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0004339404	0003729316	0003729316	0004984845
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0002592640	0003758109	0002924629	0004984670
0002557742	0003784477	0003784477	0004976494
0003646213	0002713626	0004976932	0001549914
0004333266	0004327219	0004956652	0004957528
0001730126	0003749645	0003936994	0004331070
0004333043	0002586998	0002589307	0002592426
0001886977	0002645612	0002592392	0001792621
0001792621	0002592384	0003742343	0004382545
0002430163	0002477651	0002477651	0005063045
0002009405	0003723723	0004278453	0002722049
0002590073	0001667765	0003740008	0001583194
0001644798	0003785300	0004969093	0003767969
0002333672	0004321451	0001616192	0002643799
0003774460	0001857598	0003718426	0004939864
0002334555	0003722907	0005067665	0002590057

FCC Registration Number for Tariff 5 Participants

0002590057	0003774478	0003774494	0003756590
0003756590	0003744141	0003772993	0004073680
0002590032	0025531955	0003724655	0001678804
0004341285	0001581974	0001731280	0004985065
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