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December 17, 2019

Transmittal No. 1579 - 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. 1579 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. 1579 was originally filed on June 17, 2019, became effective July 2, 2019 and was amended on July 17, 2019, August 16, 2019, September 16, 2019, October 17, 2019 and November 15, 2019. As part of the cost support for Transmittal No. 1579, NECA submitted the required TRP CAF ICC and TRP CAF BLS spreadsheet files for the 2019-2020 tariff test period.

This amendment modifies the TRPCAFICC_Confidential.xlsx files to reflect the Wireline Competition Bureau's Order¹ regarding Sunflower Enterprises, Inc.'s waiver petition to merge its Lakeside Telephone Company, Inc. Mississippi study area (SAC 280457) with its jointly-owned Sledge Telephone Company, Inc. Mississippi study area (SAC 280466) and Lakeland Communications Group, LLC's waiver petition to merge its Lakeland Communications Group, LLC – Milltown Wisconsin study area (SAC 330910) with its Lakeland Communications Group, LLC – Luck Wisconsin study area (SAC 330902).

¹ See Connect America Fund, Developing a Unified Inter-carrier Compensation Regime, Petition of Sunflower Enterprises, Inc. for Waiver of Sections 51.909(a), 51.917(b)(1) and 51.917(b)(7) of the Commission's Rules to modify access rate bands and charges, and 2011 Base Period Revenue in connection with merger of affiliated study areas in Mississippi; Petition of Lakeland Communications Group, LLC for Waiver of Sections 51.909(a), 51.917(b)(1) and 51.917(b)(7) of the Commission's Rules to modify access rate bands and charges, and 2011 Base Period Revenue in connection with merger of affiliated study areas in Wisconsin, WC Docket Nos. 10-90, 19-90, 19-103, and CC Docket No. 01-92, Order, DA 19-1107, (rel. October 28, 2019).

In addition, this amendment modifies the TRPCAFICC_Confidential.xlsx files to reflect the Wireline Competition Bureau's Order² regarding Interstate Telecommunications Cooperative, Inc.'s waiver petition to merge its Interstate Telecommunications Cooperative, Inc. South Dakota study area (SAC 391679) with its jointly-owned Interstate Telecommunications Cooperative, Inc. South Dakota study area (SAC 391654) and Northeast Nebraska Telephone Company's waiver petition to merge its Clarks Telecommunications Company Nebraska study area (SAC 371531) with its jointly-owned Northeast Nebraska Telephone Company Nebraska study area (SAC 371576) .

These Orders granted the companies' requests to combine Base Period Revenues and interstate revenue requirements for their study areas to be used as the basis for calculating Eligible Recovery and resulting CAF ICC support for the merged surviving entities.

This amendment modifies the TRPCAFICC_Confidential.xlsx files for Westside Independent Telephone Company's acquisition of Arcadia Telephone Cooperative (SAC 351098) and subsequent company name and study area code changes to Westside Independent Telephone Company (SAC 351100) and for New Ulm Telecom, Inc.'s (SAC 361442) name change to Nuvera Communications, Inc.

This amendment also modifies the TRPCAFICC_Confidential.xlsx files for Webster-Calhoun Coop. Tel. Assn. (SAC 351328) and for Westside Independent Telephone Company (SAC 351100) to reflect an increase in their MLB Access Recovery Charge (MLB ARC) due to their Multiline Business (MLB) End User Common Line (EUCL) charges.

Coincident with this amendment, NECA is filing a tariff revision today under Transmittal No. 1593 to modify rates resulting from the mergers of Lakeside Telephone Company, Inc. with Sledge Telephone Company, Inc.; Lakeland Communications Group, LLC – Milltown with Lakeland Communications Group, LLC – Luck; Interstate Telecommunications Cooperative, Inc. with Interstate Telecommunications Cooperative, Inc. and Clarks Telecommunications Company with Northeast Nebraska Telephone Company. Additionally, Transmittal No. 1593 will reflect revisions to Westside Independent Telephone Company's and Webster-Calhoun Coop. Tel. Assn.'s MLB ARC and MLB EUCL charges, Western Independent Telephone Company's acquisition of Arcadia Telephone Cooperative and subsequent name and study area code changes to Westside Independent Telephone Company (SAC 351100), and New Ulm Telecom, Inc.'s name change to Nuvera Communications, Inc.

² See Connect America Fund, Developing a Unified Inter-carrier Compensation Regime, Petition of Interstate Telecommunications Cooperative, Inc. for Waiver of Sections 51.909(a), 51.917(b)(1) and 51.917(b)(7) of the Commission's Rules to modify access rate bands and charges, and 2011 Base Period Revenue in connection with merger of affiliated study areas in South Dakota; Petition of Northeast Nebraska Telephone Company for Waiver of Sections 51.909(a), 51.917(b)(1) and 51.917(b)(7) of the Commission's Rules to modify access rate bands and charges, and 2011 Base Period Revenue in connection with merger of affiliated study areas in Nebraska, WC Docket Nos. 10-90, 18-69, 18-331, and CC Docket No. 01-92, Order, DA 19-542, (rel. June 10, 2019).

This amendment updates the TRPCAFBLS_Confidential.xlsx files to reflect updated Consumer Broadband-Only Loop (CBOL) demand, revenue, and/or tariffed rate data for the companies listed in Table 1, following.

Table 1

<u>Company Name</u>	<u>State</u>	<u>Study Area</u>
Cleveland County Telephone Company, Inc.	AR	401698
Council Grove Telephone Company	KS	411758
Decatur Telephone Company	AR	401699
Goodman Telephone Company	MO	421886
KanOkla Telephone Association	KS	411788
KanOkla Telephone Association	OK	431788
Madison Telephone, LLC	KS	411801
Ozark Telephone Company	MO	421866
Penasco Valley Telephone Cooperative, Inc.	NM	492270
Peoples Telecommunications, LLC	KS	411814
Seneca Telephone Company	MO	421945
Tri-County Telephone Association, Inc.	KS	411839
Vermont Telephone Co., Inc.	VT	147332
Wyandotte Tel. Co.	OK	432034

Coincident with this amendment, NECA is filing tariff revisions today under Transmittal No. 1593 to introduce new or revise existing CBOL rates for the companies listed in Table 1.

This filing also amends Transmittal No. 1579 to submit the files containing updated certifications as appropriate for the above listed companies in Appendix D, Exhibit 1 Carriers not Seeking Duplicative Recovery; Exhibit 2 Carrier Eligibility for CAF/ICC Recovery; Exhibit 3 Accuracy of CAF ICC Data; and Exhibit 4 Accuracy of CAF BLS Data. No changes were made to other companies' certifications previously submitted in the Appendix D Exhibits.

Finally, this amendment resubmits the TRPText.pdf, TRP_Exhibits.xls files originally filed on June 17, 2019 as amended on July 17, 2019, August 16, 2019, September 16, 2019, October 17, 2019 and November 15, 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 17, 2019 under Transmittal No. 1579, NECA seeks confidential treatment of this data pursuant to the *Protective Order* designated for use in the 2019 Annual Access Charge Tariff Filings proceeding.³

Accordingly, the confidential files have been marked, "**CONTAINS PRIVILEGED AND CONFIDENTIAL INFORMATION – DO NOT RELEASE (PER DA 19-509 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.**"

³ See Announcing Procedures for Obtaining Confidential Information for 2019 Annual Access Charge Tariff Filings, Public Notice Attachment, WC Docket No. 19-47, DA 19-509 (rel. June 4, 2019) (*Protective Order*).

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	TRPText.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
Vol1ExhibitsA.pdf	Vol1ExhibitsB.pdf
Vol1ExhibitsC.pdf	Vol1ExhibitsD.pdf

Request for Confidential Treatment

NECA seeks confidential treatment under the *Protective Order* designated for use in the 2019 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. 1579. 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 60 Columbia Road, Building A – 2nd Floor, Morristown, NJ 07960 and 1325 G Street, NW, Suite 500, Washington, DC 20005 as its public inspection locations.

Notwithstanding the *Protective Order*, the information provided in the 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 2019 Annual Access Charge Tariff Filings, Public Notice Attachment, WC Docket No. 19-47, DA 19-509. (rel. June 4, 2019) (*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 2017/2018 test period; projections of revenues, cost data and demand for the 2012/2013, 2013/2014, 2014/2015, 2015/2016, 2016/2017, 2017/2018, 2018/2019 and 2019/2020 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 2019/2020 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. 1579 in WC Docket No. 19-47.

- 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 19-509 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

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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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FCC Registration Number for Tariff 5 Participants

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0003732575	0003737384	0001792696	0004924866
0004924866	0001607175	0004327011	0004280665
0002587863	0002588333	0006764948	0002898724

FCC Registration Number for Tariff 5 Participants

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
0002901833	0003757788	0001952605	0001952605
0002901817	0002901791	0002924777	0001649847
0003772753	0003757564	0003744406	0011458999
0002924751	0003724705	0004330353	0004320412
0003722758	0004331047	0003738275	0002926582
0003735867	0003726288	0003749611	0004112835
0002388684	0004930350	0003749587	0003749587
0001601996	0006662423	0003740446	0004374153
0005010996	0005010996	0005069232	0003716263
0004339404	0003729316	0003729316	0004984845
0003774430	0001912138	0005069323	0003744463
0004325429	0002430916	0003774379	0003412871
0001675461	0003740628	0001773670	0002334407
0004338026	0003731940	0002717031	0002592665
0002335099	0005069299	0002477503	0005078258
0004927802	0018570812	0002430510	0003770815
0001685718	0001603042	0004966354	0004269718
0002592640	0003758109	0002924629	0004984670
0002557742	0003784477	0003784477	0004976494
0003646213	0002713626	0004976932	0001549914
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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
0002590057	0003774478	0003774494	0003756590
0003756590	0003744141	0003772993	0004073680
0002590032	0025531955	0003724655	0001678804
0004341285	0001581974	0001731280	0004985065
0004983896	0004948253	0004328134	