



60 Columbia Road
Building A – 2nd Floor
Morristown, NJ 07960

Susan Boylan
Senior Director
Access Tariff Cost Development
PH 973-884-8186
FX 973-599-6612
sboylan@neca.org

January 17, 2023

Transmittal No. 1665 - 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. 1665 to submit updated Tariff Review Plan (TRP) Connect America Fund Broadband Loop Support (CAF BLS) and Connect America Fund Inter-carrier Compensation (CAF ICC) spreadsheet files, as described below.

Transmittal No. 1665 was originally filed on June 16, 2022 and became effective July 1, 2022. It was amended on July 15, 2022, August 17, 2022, September 16, 2022, October 17, 2022, November 16, 2022 and December 16, 2022. As part of the cost support for Transmittal No. 1665, NECA submitted the required TRP CAF ICC and TRP CAF BLS spreadsheet files for the 2022-2023 tariff test period.

This amendment updates the footnote listing in the TRPCAFICC_Confidential.xlsx file for Custer Telephone Cooperative, Inc. (SAC 472218) which has requested NECA tariff a lower Residential Access Recovery Charge (ARC) rate than the rate calculated by NECA.

Coincident with this amendment, NECA is filing tariff revisions under Transmittal No. 1683 to revise the Residential ARC rate accordingly.

Finally, this amendment resubmits both the TRP Text.pdf and TRP_Exhibits.xlsx originally filed on June 16, 2022 and the TRP CAF BLS file originally filed on June 16, 2022 amended on September 16, 2022 and December 16, 2022. 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 16, 2022 under Transmittal No. 1665, NECA seeks confidential treatment of this data pursuant to the 2022 Protective Order designated for use in the 2022 Annual Access Charge Tariff Filings proceeding.¹

¹ See *Procedures for Obtaining Confidential Information from 2022 Annual Access Charge Tariff Filings*, Public Notice, WC Docket No. 22-108, DA 22-591 (rel. June 1, 2022) (2022 Protective Order).

Accordingly, the confidential files have been marked, **“CONTAINS PRIVILEGED AND CONFIDENTIAL INFORMATION – DO NOT RELEASE (PER DA 22-591 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 file 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.

A handwritten signature in cursive script, reading "Susan Boylan".

Attachments

TRPText.pdf
TRP_Exhibits.xlsx
TRPCAFICC_Public.xlsx
TRPCAFICC_Confidential.xlsx
TRPCAFBLS_Public.xlsx
TRPCAFBLS_Confidential.xlsx

Request for Confidential Treatment

NECA seeks confidential treatment under the *2022 Protective Order* designated for use in this 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. 1665. 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 *2022 Protective Order*, signed declarations requesting access to the confidential information should be sent to the attention of Susan Boylan, NECA Senior Director Access Tariff Cost Development, via email to Tariff5@neca.org or via facsimile at 973.599.6612. NECA will provide an electronic copy of the nonredacted 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 *2022 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_Confidential.xlsx
TRPCAFBLS_Confidential.xlsx

This information includes actual revenues, revenue requirement data and demand for the 2011 fiscal year; trued-up revenues and cost data for the 2020/2021 test period; projections of revenues, cost data and demand for the 2020/2021, 2021/2022 and 2022/2023 test periods; and the product of calculations made using the confidential data.

¹ See *Procedures for Obtaining Confidential Information from 2022 Annual Access Charge Tariff Filings*, Public Notice, WC Docket No. 22-108, DA 22-591 (rel. June 1, 2022) (*2022 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 *2022 Protective Order*, ¶ 2.a.

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

The data includes information on interstate access, intrastate access, reciprocal compensation, 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 the ARC rates contained in this proposed tariff filing.

The data also includes information on projected Consumer Broadband-Only Loops, ARC revenues, subscriber line charges (SLC) revenues, Special Access Revenue Requirements, shifted costs, and CAF BLS Broadband-Only support for the 2022/2023 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. 1665 in WC Docket No. 22-108.

- 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 Tariff No. 5 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 the participating Telephone Companies' market strategies and gain competitive advantage.

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

The information provided in the 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 *2022 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 not to 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 files identified above pursuant to section 0.457 and 0.459 of the Commission's rules and paragraph 1 of the *2022 Protective Order*. Pursuant to the *2022 Protective Order*, NECA has marked each page of the nonredacted version of the identified TRP files as follows:

CONTAINS PRIVILEGED AND CONFIDENTIAL INFORMATION – DO NOT RELEASE (PER DA 22-591 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 *2022 Protective Order*, ¶ 18.

FCC Registration Number for Tariff 5 Participants

0001646454	0002645927	0002645927	0002756187
0002756187	0002756187	0002756187	0012207346
0004339453	0004311627	0001584960	0003742897
0003714805	0004273850	0003764735	0004924809
0004924809	0015034358	0002432672	0003745940
0003745940	0003745940	0002432672	0007196207
0004334934	0003732633	0022150361	0022150361
0001726488	0002723773	0002723732	0002587491
0004329314	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	0002645497	0005053251
0004935730	0003773454	0004491544	0003773504
0004980843	0001684166	0003754652	0003708161
0003766201	0005068341	0004560645	0002723336
0004330205	0004342895	0004381323	0002331262
0005058151	0001677335	0003730835	0004995429
0004361556	0004333407	0002591774	0004963419
0003737665	0002598464	0003773520	0002031698
0004950937	0004942819	0005079314	0002598407
0001543347	0004322095	0001734888	0003720984
0003707932	0001715937	0001715937	0004341855
0001698752	0004340949	0004381174	0001676519
0004473682	0001700186	0005067228	0004330908
0003716255	0004330965	0003795697	0003749819
0004317368	0002588606	0004268918	0001700905
0003722121	0004330874	0004335782	0003779675
0002549392	0004331682	0005050083	0002713683
0004365318	0001887728	0003707775	0002426831
0003777885	0003732609	0003007481	0004928792
0003773991	0001631084	0001585397	0001701275
0018760876	0003733029	0004374187	0002504298
0001961416	0001855337	0004381422	0003749264
0004329538	0002607224	0004979688	0002405215
0004329611	0003772787	0003772381	0006063770
0004970711	0004329710	0002598209	0004381711
0004318556	0025531922	0004382602	0002592285
0003773579	0001678044	0003731759	0004333035
0004953980	0001615095	0002594125	0004973301
0001888718	0005081542	0003723525	0003723525
0003723525	0002147098	0002147098	0001824606
0001824606	0001824606	0003723236	0003723236

FCC Registration Number for Tariff 5 Participants

0004321618	0014710388	0004332102	0003734696
0002946879	0003723517	0003774965	0004367678
0001581297	0001581974	0002388247	0002476281
0003742467	0002593358	0003773629	0002588192
0003741642	0001572932	0001593938	0002592517
0005069372	0002387868	0003730850	0002334225
0002334225	0003723707	0004319117	0003451317
0004380952	0003722188	0004321733	0002332930
0001623321	0004318895	0003759917	0003745791
0003745957	0001856400	0004328704	0025531930
0004964227	0002771244	0005872015	0001714245
0004334439	0001664481	0001664481	0003741253
0002393379	0011862927	0004321790	0003739885
0004329223	0001629781	0001546746	0002595452
0004384111	0003749215	0003414224	0004323556
0004261061	0004325403	0001607845	0001607845
0004923587	0002557627	0003738283	0004317731
0004278339	0004326849	0002817823	0003757580
0003731114	0002330843	0027980184	0001858760
0003741956	0003742038	0004327417	0001607340
0003788940	0004314605	0004338851	0004322814
0003726759	0003748043	0003755642	0002591063
0003773702	0003748068	0004776464	0004776464
0004776464	0004255303	0003747722	0003739075
0002596377	0002596344	0003722790	0005093224
0003726288	0001887025	0001754738	0003722113
0003781556	0003722824	0004338489	0003741576
0003741576	0002596195	0002550309	0003801925
0003801925	0004324570	0003742103	0003747672
0003748183	0003749140	0003739380	0001546068
0004341798	0001889617	0004310306	0004329587
0004356952	0001742170	0004320909	0002652519
0004320164	0001791995	0004322269	0003720968
0004273751	0004068474	0004986410	0004052791
0005051560	0004332128	0002387033	0003710100
0002388262	0002333839	0002430684	0003716446
0002426559	0003745981	0003716438	0003749199
0023770837	0004269775	0004322889	0005077342
0005061189	0003748084	0002505519	0002505519
0001700459	0005053632	0003666708	0003736238
0003710597	0004310298	0004383139	0003776069
0004251419	0001590595	0002331601	0003742806
0003744224	0004323499	0003707767	0002899060
0003436367	0004484895	0002008043	0001886704
0003742475	0003734803	0001856566	0004334918
0004329348	0004321444	0005081567	0002595734
0001616200	0004970067	0002587954	0005063078
0004262853	0003715877	0003721008	0003743358

FCC Registration Number for Tariff 5 Participants

0002776599	0003194776	0001773225	0001685841
0002721629	0004365334	0004746863	0003773777
0003708203	0003727054	0004973202	0003762465
0002392249	0014295679	0001886944	0002587707
0004324661	0003748167	0002801256	0002652048
0004333050	0003722477	0003722477	0003744596
0001583350	0001583350	0004975769	0003740610
0003739521	0003741550	0003741550	0004966149
0003731734	0004340410	0003709888	0002598225
0004322301	0004311304	0004322335	0004314100
0004329884	0005061387	0004381281	0002591154
0003708054	0004362364	0004362364	0001714146
0003741535	0003739976	0001551837	0004325148
0013786439	0009764655	0002212314	0003733284
0003772274	0004980611	0001616937	0004193983
0002595106	0002721157	0004320883	0004334686
0003773785	0003744398	0001889245	0003737376
0004283917	0005139662	0001618008	0003723699
0002589604	0003740701	0003708104	0004329785
0002490472	0002900819	0001596717	0001647734
0017809351	0004321113	0003741436	0003738739
0003707874	0004246898	0002594976	0003742046
0002650828	0004926796	0003773827	0002073138
0003775244	0003748282	0003773975	0003773975
0001730969	0003741733	0004322079	0004287538
0002719474	0004327961	0004939724	0003433323
0002594752	0003774023	0004301370	0003724630
0005061544	0004331062	0004324828	0002504058
0002817500	0003721495	0003748340	0002594216
0004344776	0003741493	0005080122	0004301339
0004335873	0021672852	0002818177	0002639870
0005066063	0003454410	0003755832	0002430536
0003755808	0001623024	0001623024	0004334629
0002647857	0003734951	0004269528	0004309548
0001756089	0003722840	0005049895	0002592061
0005063458	0003774056	0008326787	0004337648
0002588051	0004928750	0004928750	0004273454
0004561429	0004337689	0002903045	0004337721
0003726890	0002816411	0002339976	0001753938
0001792787	0001730944	0004937827	0004285474
0003739554	0004380945	0005069935	0002594190
0003748258	0003723665	0003737194	0009965104
0003774072	0001646470	0001646470	0004374047
0005082060	0002071579	0004328688	0004382610
0002529733	0002902955	0005067152	0003435633
0003741782	0004314480	0004260436	0004980876
0002638641	0003730702	0004324802	0003745734
0005069125	0003757432	0002594893	0001714567

FCC Registration Number for Tariff 5 Participants

0004337044	0002388882	0004322178	0001731850
0002595858	0003774262	0004331724	0003738994
0003722998	0002477693	0002576452	0003708120
0003767449	0004324620	0004929717	0004312187
0004311809	0005020169	0003739430	0003767472
0005067509	0002594778	0001699412	0001699578
0003748449	0004337218	0003795754	0002590586
0004315362	0004334611	0002594067	0003767340
0003733847	0003738986	0003738986	0002801256
0002922201	0004334512	0005097134	0005097167
0004269817	0003748506	0003222213	0001886860
0003748514	0001700418	0003723756	0002650422
0007183619	0005062955	0004313953	0002644953
0003717709	0004930277	0004337374	0003715885
0002061653	0001618081	0003732484	0005067186
0027738798	0004925129	0004310694	0002593986
0001566629	0003723715	0001678788	0003739208
0004314316	0001887140	0014015978	0004342473
0001753870	0003728284	0001699776	0004315461
0001856673	0001913979	0001537133	0002334795
0001584275	0001565316	0001700863	0001615889
0004330890	0001833193	0004306825	0004384517
0002477610	0002477610	0001545748	0003733839
0001732668	0003767894	0003748522	0003748589
0003744125	0003731817	0001623818	0003758315
0001856236	0002898856	0003193000	0002592509
0004928255	0002333649	0001951284	0001646140
0001646140	0003728680	0002593655	0011574746
0003742384	0004318507	0002477743	0001714708
0003762796	0005076922	0003774296	0025093154
0005059092	0003745700	0003707791	0001855287
0003727146	0001596667	0003730959	0003730959
0004275137	0003723681	0004330007	0003738309
0004362505	0003741964	0004328472	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	0002598076
0003749512	0004269809	0003767712	0004194270
0003774320	0003742954	0003756764	0002072668
0004960332	0005075643	0003719929	0001630532
0004975199	0001521241	0029046562	0004335808
0011396082	0001952555	0004980421	0003746013
0004955837	0005084058	0002720977	0001730142

FCC Registration Number for Tariff 5 Participants

0003732575	0003737384	0001792696	0004924866
0004924866	0001607175	0004327011	0004280665
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	0002901833	0003757788
0001952605	0001952605	0002901817	0002901791
0002924777	0001649847	0003772753	0003757564
0003744406	0011458999	0002924751	0003724705
0004330353	0004320412	0003722758	0004331047
0003738275	0002926582	0003735867	0004112835
0002388684	0004930350	0003749587	0001601996
0006662423	0003740446	0004374153	0005010996
0005010996	0005069232	0003716263	0004339404
0003729316	0003729316	0004984845	0003774430
0005069323	0003744463	0004325429	0002430916
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	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
0003767969	0002333672	0004321451	0001616192
0002643799	0003774460	0001857598	0003718426
0001912138	0004939864	0002334555	0003722907
0005067665	0002590057	0002590057	0003774478
0003774494	0003756590	0003756590	0003744141
0003772993	0004073680	0002590032	0025531955
0003724655	0001678804	0004341285	0001731280
0004985065	0004983896	0004948253	0004328134