

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of	)	
	)	
NOS Communications, Inc.	)	File No. EB00-00-TC-005
Affinity Network Incorporated	)	
NOSVA Limited Partnership	)	
NOS Communications of Virginia, Inc.	)	
	)	

**ORDER**

**Adopted: November 2, 2000**

**Released: November 3, 2000**

By the Chief, Telecommunications Consumers Division, Enforcement Bureau:

1. In this Order, we deny NOS Communications Inc.’s (“NOS”) request that we keep confidential its September 28<sup>th</sup> response to our letter of inquiry concerning a staff inquiry into NOS’s marketing, tariffing and billing practices which are related to NOS’s long-distance telephone service plan offers.

2. The justification NOS gives as the basis of its request for confidentiality is that the information is “commercially sensitive,” and “if released to the public, would result in a severe crippling of NOS’ ability to compete in its highly competitive market.” This request wholly fails to comply with the standards set forth in section 0.459(b) of the Commission’s rules. Therefore, we will deny it. *See* 47 C.F.R. § 0.459(c).

3. ACCORDINGLY, NOS’s request for confidentiality contained in its letter of September 28, 2000 IS DENIED. Any application for review of this ruling must be filed within five business days of the date of this order. Section 0.459(g) of the Commission’s rules, 47 C.F.R. § 0.459(g).

4. IT IS FURTHER ORDERED that a copy of this Order shall be sent, by facsimile and by Certified Mail/Return Receipt Requested, to NOS’s counsel, Dan E. Adams, Esq., Kelley Drye & Warren, 1200 19th Street, N.W., Suite 500, Washington, DC 20036.

FEDERAL COMMUNICATIONS COMMISSION

Catherine W. Seidel  
Chief, Telecommunications Consumers Division  
Enforcement Bureau