



Federal Communications Commission
Washington, D.C. 20554

September 16, 2014

DA 14-1338

Via Electronic Mail and First-Class Mail

Craig J. Brown
Senior Associate General Counsel
CenturyLink, Inc.
1099 New York Avenue, NW
Suite 250
Washington, DC 20001

Re: In the Matter of CenturyLink's Petition for Forbearance Pursuant to 47 U.S.C. § 160(c) from Dominant Carrier and Certain Computer Inquiry Requirements on Enterprise Broadband Services (WC Docket No. 14-9)

Dear Mr. Brown:

On September 12, 2014, we sent CenturyLink, Inc. an Information, Data, and Document Request¹ to assist the Commission in its review of your petition for forbearance and alternative petition for interim waiver.² It has come to our attention that the *Second Protective Order* in this proceeding, which was issued on March 7, 2014,³ might not cover all of the potentially confidential commercially sensitive information that we requested in the Information, Data, and Document Request. Accordingly, we hereby revise Appendix A to the *Second Protective Order*⁴ by replacing it in its entirety with the Appendix A attached to this letter.

If you have any questions regarding this matter, please contact Matt Warner, Competition Policy Division, Wireline Competition Bureau, at (202) 418-2419.

Sincerely,

Julie A. Veach
Chief, Wireline Competition Bureau

Attachment

¹ Letter from Julie A. Veach, Chief, Wireline Competition Bureau, Federal Communications Commission, to Craig J. Brown, Senior Associate General Counsel, CenturyLink, Inc., WC Docket No. 14-9, DA 14-1324 (Wireline Comp. Bur. rel. Sept. 12, 2014) (Information, Data, and Document Request).

² Petition of CenturyLink for Forbearance Pursuant to 47 U.S.C. § 160(c) from Dominant Carrier Regulation and *Computer Inquiry* Tariffing Requirements on Enterprise Broadband Services, WC Docket No. 14-9 (filed Dec. 13, 2013) (CenturyLink Forbearance Petition); CenturyLink's Alternative Petition for Interim Waiver of Dominant Carrier Regulation and *Computer Inquiry* Tariffing Requirements Imposed on Enterprise Broadband Services, WC Docket No. 14-9 (filed Dec. 13, 2013).

³ *CenturyLink's Petition for Forbearance Pursuant to 47 U.S.C. § 160(c) from Dominant Carrier and Certain Computer Inquiry Requirements on Enterprise Broadband Services*, WC Docket No. 14-9, Second Protective Order, 29 FCC Rcd 2200 (Wireline Comp. Bur. 2014) (*Second Protective Order*).

⁴ *See id.* at 2208, App. A.

ATTACHMENT

Appendix A

Highly Confidential Information and Documents

As specified in paragraphs 2 and 3 of the Second Protective Order, only information and documents set forth in Appendix A and that otherwise meet the definition of Highly Confidential Information or Highly Confidential Documents may be designated as Highly Confidential. Appendix A will be updated as necessary.

1. Information that details the terms and conditions of or strategy related to a Submitting Party's most sensitive contracts (e.g., marketing, service or product agreements).
2. Information that discusses in detail current or future plans to compete for a customer or specific groups or types of customers (e.g., business or wholesale customers), including future procurement strategies, pricing strategies, product strategies, advertising or marketing strategies, future business plans, technology implementation or deployment plans and strategies (e.g., engineering capacity planning documents), plans for handling acquired customers, and human resources and staffing strategies.
3. Information that provides granular information about a Submitting Party's current or future costs, sales, revenues, marginal revenues, or market share.
4. Analyses of competitors and detailed information describing or illustrating how a Submitting Party analyzes its competitors, including sources and methods used in these analyses, any limits on use of these analyses or data, and how such analyses or data are used.
5. Information that provides numbers of customers and revenues broken down by customer category or type (e.g., business, mobile providers, national customers) and geographic or market area (e.g., CMA/MSA/RSA, DMA, state, study area, regional cluster) or zip code.
6. Information that discloses the identity or characteristics of specific customers or of those a company is targeting or with whom a company is negotiating (including identifying information about specific customer facilities, information about customers' levels of demand, and information regarding pricing proposals).
7. Information that discusses or analyzes in detail the number or anticipated changes in the number of customers or amount of traffic, including churn rate data, broken down by zip code or market, detailed information about why customers discontinue service, forecasts of customer demand, and attempts to win customers from other companies and losses of customers to other companies.
8. Information that provides detailed or granular engineering capacity information or information about specific facilities, including collocation sites, cell sites, or maps of network facilities.
9. Information that provides detailed technical performance data and test results.
10. Information that discusses or relates to Requests for Proposals (RFP), including FCC Form 470 or other bidding documents, or contracts thereto, regardless of who was awarded the contract.