



# PUBLIC NOTICE

Federal Communications Commission  
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Washington, D.C. 20554

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DA 15-1472

Released: December 21, 2015

## ADDITIONAL PARTIES SEEKING ACCESS TO DATA AND INFORMATION FILED IN RESPONSE TO THE BUSINESS DATA SERVICES (SPECIAL ACCESS) DATA COLLECTION

WC Docket No. 05-25; RM-10593

**Objections Due by: December 29, 2015**

On June 24, 2015, the Wireline Competition Bureau (Bureau) released a Public Notice announcing it is ready to receive executed Acknowledgements of Confidentiality (Acknowledgements) from parties seeking access to confidential and highly confidential information submitted in response to the Commission's business data services data collection earlier this year.<sup>1</sup> The Bureau has since released additional public notices announcing Acknowledgement filers on a rolling basis.<sup>2</sup> In today's Public Notice, we attach a list showing additional parties that have filed Acknowledgements. By executing an Acknowledgment, a party certifies that its purpose for accessing and using the data is "solely for preparation and conduct" in the business data services rulemaking proceeding.<sup>3</sup>

Pursuant to the *Protective Order*, companies that submitted confidential or highly confidential data and information in response to the collection have until **December 29, 2015** to object to the disclosure of their data and information to any of the parties listed in the attachment to this Public

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<sup>1</sup> See *Wireline Competition Bureau Now Receiving Acknowledgements of Confidentiality Pursuant to Special Access Data Collection Protective Order*, WC Docket No. 05-25, RM-10593, Public Notice, 30 FCC Rcd 6421 (Wireline Comp. Bur. 2015); *Special Access for Price Cap Local Exchange Carriers; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, WC Docket No. 05-25, RM-10593, Order and Data Collection Protective Order, 29 FCC Rcd 11657, 11673, Appx. A at para. 5 (Wireline Comp. Bur. 2014) (*Protective Order*) (discussing the process for interested parties to gain access to confidential and highly confidential information); see also *Special Access for Price Cap Local Exchange Carriers; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, WC Docket No. 05-25, RM-10593, Order and Modified Data Collection Protective Order, 30 FCC Rcd 10027 (Wireline Comp. Bur. 2015); *Special Access for Price Cap Local Exchange Carriers; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, WC Docket No. 05-25, RM-10593, Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 16318 (2012).

<sup>2</sup> See, e.g., *Additional Parties Seeking Access to Data and Information Filed in Response to the Special Access Data Collection*, WC Docket No. 05-25, RM-10593, Public Notice, DA 15-1083 (Wireline Comp. Bur. rel. Sept. 29, 2015).

<sup>3</sup> By the terms of the *Protective Order*, potential Reviewing Parties assist Participants, which "means any person or entity that has filed, or has a good faith intention to file, material comments in this proceeding." See *Protective Order*, 29 FCC Rcd at 11671, Appx. A at para. 1, 11674, Appx. A at para. 8 (defining Participant and discussing restrictions on use).

Notice.<sup>4</sup> To file an objection with the Commission, an objecting party should use one of the methods described below and serve a copy on the counsel representing, retaining, or employing the objected-to party, or on the objected to party, within five (5) business days of release of this Public Notice.<sup>5</sup> Objecting parties should also email a copy of their objection to [SpecialAccess@fcc.gov](mailto:SpecialAccess@fcc.gov).<sup>6</sup> Absent the filing of an objection, each requesting party listed in the Attachment will have access to confidential and highly confidential data and information collected once that information is made available by the Bureau.<sup>7</sup> For additional information regarding the access authorization and objection process, see the *Protective Order*.

The Bureau will continue to announce the filing of additional executed Acknowledgements to the extent such Acknowledgments are received after the date of this Public Notice, and will give Submitting Parties an opportunity to object to disclosure of their data and information. The Bureau maintains a list of all parties that have sought access, and been granted access, to confidential and highly confidential data and information, on the following webpage: <http://www.fcc.gov/encyclopedia/acknowledgement-confidential-special-access-data-collection>.

- Electronic Filers: Objections may be filed electronically using the Internet by accessing the Commission's Electronic Comment Filing System (ECFS): <http://apps.fcc.gov/ecfs>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. Because more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
  - All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
  - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
  - U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington, DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (tty).

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<sup>4</sup> See *Protective Order*, 29 FCC Rcd at 11673, Appx. A at para. 5.

<sup>5</sup> See 47 C.F.R. § 1.47.

<sup>6</sup> We will not allow access to data covered by the scope of an objection until the ten business day window for filing challenges to a ruling on the objection has expired without the filing of a challenge. See *Applications of Charter Communications, Inc., Time Warner Cable Inc., and Advance/Newhouse Partnership for Consent to Assign or Transfer Control of Licenses and Authorizations*, MB Docket No. 15-149, Order, 30 FCC Rcd 10360, 10374, para. 26 (2015).

<sup>7</sup> See *Protective Order*, 29 FCC Rcd at 11673, Appx. A at para. 5.

For further information, please contact Joseph Price, Pricing Policy Division, Wireline Competition Bureau, at (202) 418-1423 or via email at [Joseph.Price@fcc.gov](mailto:Joseph.Price@fcc.gov).

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**ATTACHMENT**

**Parties Filing Acknowledgements Seeking Access to  
Confidential and/or Highly Confidential Information**

*(As of December 21, 2015)*

<b>Party Filing Acknowledgement* Date(s) Filed</b>	<b>Name, Position, Firm</b>	<b>Highly Confidential</b>	<b>Confidential</b>
Wilkie Farr & Gallagher (Birch Communications, Inc., BT Americas Inc., EarthLink, Inc., Granite Telecommunications, LLC, INCOMPAS, and Level 3 Communications, LLC) 12/10/2015	Alison Glusman Associate, Willkie Farr & Gallagher LLP	X	X
Marisa Lorenzo (XO Communications, LLC) 12/15/2015	Marisa Lorenzo Associate, Kelley Drye & Warren LLP	X	X

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\* For firms filing signed Acknowledgments, we have indicated the client(s) represented in parentheses.