



June 10, 2025

Steve Kahl
Executive Director
North Dakota Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, ND 58505-0480

Baker Tilly Advisory Group, LP
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bakertilly.com

RE: WC Docket No. 10-90: Administration of Connect America Fund Inter-carrier Compensation Replacement §54.304(d)(1), Annual Reporting Requirements §54.313(h)(i), Transition of Carrier Access Charges §51.909, and Eligible Revenue Recovery § 57.917(d)(vii)

Baker Tilly Advisory Group, LP respectfully files on behalf RC Technologies with the North Dakota Public Service Commission this Request for Confidential Treatment of Information (the "Request"). The Request seeks confidential treatment of certain financial and subscriber information contained in its filings that include the projected eligibility for CAF ICC funding for July 1, 2025 through June 30, 2026, and Tariff Review Plan (TRP) data governing the local switched access rates. A copy of the FCC Protective Order DA-25-400A1 is included in the filing to the North Dakota Public Service Commission. This request is made pursuant to PSC Administrative Code Section 69-02-09-13.

Pursuant to 47 C.F.R. §54.304(d)(1) of the Federal Communications Commission's rules, enclosed please find the projected eligibility for CAF ICC funding for July 1, 2025 through June 30, 2026 for RC Technologies, Study Area Code 391674. This projection includes any true-ups associated with earlier filing periods. This projection has also been filed as confidential with the Federal Communications Commission and the Universal Service Administrative Company, as the administrator of the Federal Universal Service Fund.

As previously filed in accordance with 47 C.F.R. §51.909 governing Carrier Access Charges; RC Technologies provides supplemental TRP data. Lastly, copies of annual certifications regarding CAF ICC Data reported to the Federal Communications Commission specifically required for Double Recovery as specified in 47 C.F.R. §57.917 (d)(vii) are included with this filing.

Enclosed is a public version of the filing. A confidential version is being submitted in a sealed envelope and labeled "PROTECTED INFORMATION – PRIVATE."

1 PU-25-205 Filed 06/10/2025 Pages: 17
Copy of FCC 47CFR Section 54.304 CAF ICC Annual
Support Data - Redacted

RC Technologies Corporation
Samantha Simatos, Manager Baker Tilly

Baker Tilly Advisory Group, LP and Baker Tilly US, LLP, trading as Baker Tilly, are members of the global network of Baker Tilly International Ltd., the members of which are separate and independent legal entities. Baker Tilly US, LLP is a licensed CPA firm that provides assurance services to its clients. Baker Tilly Advisory Group, LP and its subsidiary entities provide tax and consulting services to their clients and are not licensed CPA firms.

Public disclosure of such information would likely cause substantial harm to the financial position of the Company.

Should you have any questions regarding this filing, please contact me.

Sincerely,



Samantha Simatos

Manager

(509) 777-0209

samantha.simatos@bakertilly.com

Enclosures

cc: Robin Thoreson (Via Email)



Study Area: RC TECHNOLOGIES (ID: 391674)

Settlement Type: Cost

CONNECT AMERICA FUND
[Data to be provided to USAC/FCC in June 2025 for CAF ICC Purposes]

Test Period 7/1/25-6/30/26 Post True-up (Filing) View

Rate-of-Return (ROR) Carrier Revenue Requirement	
1	2011 Interstate Switched Access Revenue Requirement
2	FY 2011 Intrastate Terminating Switched Access Revenues
3	FY 2011 Net Reciprocal Compensation Revenues
4	2011 ROR Carrier Base Period Revenue (Line 1 + Line 2 + Line 3)
5	ROR Carrier Baseline Adjustment Factor (0.95 ^ 14)
6	ROR Carrier Revenue Requirement (Line 4 x Line 5)
7	Pool Administration Expenses
8	Total ROR Carrier Revenue Requirement (Line 6 + Line 7)
Revenues from Reformed Inter-carrier Compensation (ICC) Rates	
9	Interstate Switched Access Revenues
10	Interstate Allocated Switched Access Revenues#
11	Transitional Intrastate Access Service Revenues
12	Net Transitional Reciprocal Compensation Revenues
13	Total ICC Revenue (Line 10 + Line 11 + Line 12)
Eligible Recovery	
14	TRS Increment
15	Regulatory Fees Increment
16	NANPA Increment
17	Interstate Local Switching Support for Price Cap Affiliates or Estimated Duplicate LSS Costs in CAF II
18	Adjustment for Double Recovery or Corrections
19	Test Period 23/24 Trueup - Net Impact on Total Eligible Recovery
20	Eligible Recovery (Line 8 - Line 13) + (Line 14 + Line 15 + Line 16 + Line 18 + Line 19) - (Line 17)
Revenues from Access Recovery Charges (ARC)	
21	Residential ARC Revenues
22	Single Line Business ARC Revenues
23	Multi-Line Business ARC Revenues
24	Total ARC Revenues (Line 21 + Line 22 + Line 23)
Connect America Fund (CAF) ICC Support**	
25	Connect America Fund (CAF) ICC Support (Line 20 - Line 24)
Revised CAF ICC Support with Imputed ARC Revenues for Broadband-Only Loops	
26	Imputed ARC revenue for broadband-only loops
27	Adjusted Test Period 2025-2026 CAFICC Support (Line 25 - Line 26)

NOTES:

#Per FCC Designation Order, calculated as (Sum of Line 9 for all TS pool participants) * (Line 1/ Sum of Line 1 for all TS pool participants)
 **NECA estimate provided for informational purposes only - actual to be calculated by USAC.



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Study Area: RC TECHNOLOGIES (ID: 391674)

Intrastate Revenues (FCC TRP exhibit)

Intrastate Revenues

Test Year 2025-2026 Expected Maximum Intrastate Revenue: [REDACTED]

[View TRP report in Excel](#)

Col D -- Rate Element Description	Col E -- Unit of Demand	Col F -- 7/1/2025 Interstate Rate	Col G -- Test Year 2024- 2025 Current Intrastate Rate	Col H -- 7/1/2025 Proposed Intrastate Rate	Col I -- FY 2011 Intrastate Units Terminating for Non-Dedicated or Originating and Terminating for Dedicated Elements	Col J -- H*1 Intrastate Price-out with 7/1/2025 proposed intrastate rate and FY2011 Demand	Col K -- FY 2024 Intrastate Units Terminating for Non-Dedicated and total for Dedicated Elements	Col L -- Test Year 2025- 2026 Forecasted Intrastate Units	Col M -- [(L/K)-(12/21)-1]*100 Intrastate Units Growth Rate %	Col N -- H = L TY 2025-26 Forecasted Intrastate Revenue
Terminating End Office Access Service Terminating End Office, Premium, per access minute	MOU	\$0.00000000	\$0.00000000	\$0.00000000						
Terminating End Office Access Service Terminating End Office, Non-Premium, per access minute	MOU	\$0.00000000	\$0.00000000	\$0.00000000						
Entrance Facility, Per Termination Voice Grade Two Wire	Termination	\$39.93	\$48.96	\$39.93						
Entrance Facility, Per Termination Voice Grade Four Wire	Termination	\$63.89	\$78.34	\$63.89						
Entrance Facility, Per Termination High Capacity DS1	Termination	\$194.65	\$238.68	\$194.65						
Entrance Facility, Per Termination High Capacity DS3	Termination	\$1,777.26	\$2,179.31	\$1,777.26						
Entrance Facility, Per Termination Synchronous Optical Channel OC3	Termination	\$1,812.27	\$2,222.23	\$1,812.27						
Entrance Facility, Per Termination Synchronous Optical Channel OC12	Termination	\$1,934.93	\$2,372.64	\$1,934.93						
Entrance Facility, Per Termination ESALT 2 Mbps	Circuit	\$344.78	\$422.77	\$344.78						
Entrance Facility, Per Termination ESALT 10 Mbps	Circuit	\$371.59	\$455.65	\$371.59						
Entrance Facility, Per Termination ESALT 50 Mbps	Circuit	\$481.41	\$590.31	\$481.41						
Direct Trunked Transport Facility/ Mile Voice Grade - Two Wire & Four Wire	Mile	\$2.84	\$3.48	\$2.84						
Direct Trunked Transport Facility/ Mile High Capacity DS1	Mile	\$13.34	\$16.36	\$13.34						
Direct Trunked Transport Facility/ Mile High Capacity DS3	Mile	\$116.17	\$142.45	\$116.17						
Direct Trunked Transport Facility/ Mile Synchronous Optical Channel OC3	Mile	\$124.36	\$152.49	\$124.36						
Direct Trunked Transport Facility/ Mile Synchronous Optical Channel OC12	Mile	\$156.07	\$191.37	\$156.07						
Direct Trunked Transport Facility/ Mile ESALT 2 Mbps DTF-E1	Circuit Miles	\$39.28	\$48.16	\$39.28						
Direct Trunked Transport Facility/ Mile ESALT 2 Mbps DTF-E2	Circuit Miles	\$26.19	\$32.11	\$26.19						
Direct Trunked Transport Facility/ Mile ESALT 2 Mbps DTF-E3	Circuit Miles	\$67.65	\$82.95	\$67.65						
Direct Trunked Transport Facility/ Mile ESALT 2 Mbps DTF-E4	Circuit Miles	\$113.26	\$138.88	\$113.26						
Direct Trunked Transport Facility/ Mile ESALT 10 Mbps DTF-E1	Circuit Miles	\$99.60	\$122.13	\$99.60						
Direct Trunked Transport Facility/ Mile ESALT 10 Mbps DTF-E2	Circuit Miles	\$59.76	\$73.28	\$59.76						
Direct Trunked Transport Facility/ Mile ESALT 10 Mbps DTF-E3	Circuit Miles	\$170.27	\$208.79	\$170.27						
Direct Trunked Transport Facility/ Mile ESALT 10 Mbps DTF-E4	Circuit Miles	\$349.23	\$428.23	\$349.23						
Direct Trunked Transport Facility/ Mile ESALT 50 Mbps DTF-E1	Circuit Miles	\$278.87	\$341.95	\$278.87						
Direct Trunked Transport Facility/ Mile ESALT 50 Mbps DTF-E2	Circuit Miles	\$185.93	\$227.99	\$185.93						
Direct Trunked Transport Facility/ Mile ESALT 50 Mbps DTF-E3	Circuit Miles	\$556.08	\$681.88	\$556.08						
Direct Trunked Transport Facility/ Mile ESALT 50 Mbps DTF-E4	Circuit Miles	\$991.02	\$1,215.21	\$991.02						
Direct Trunked Transport Facility/Termination Voice Grade - Two Wire & Four Wire	Termination	\$28.58	\$35.05	\$28.58						
Direct Trunked Transport Facility/Termination High Capacity DS1	Termination	\$69.19	\$84.84	\$69.19						
Direct Trunked Transport Facility/Termination High Capacity DS3	Termination	\$444.30	\$544.81	\$444.30						
Direct Trunked Transport Facility/Termination Synchronous Optical Channel OC3	Termination	\$462.62	\$567.27	\$462.62						
Direct Trunked Transport Facility/Termination Synchronous Optical Channel OC12	Termination	\$1,007.27	\$1,235.13	\$1,007.27						
Direct Trunked Transport Facility/Termination ESALT 2 Mbps	Circuit terms	\$91.66	\$112.39	\$91.66						
Direct Trunked Transport Facility/Termination ESALT 10 Mbps	Circuit terms	\$112.05	\$137.40	\$112.05						
Direct Trunked Transport Facility/Termination ESALT 50 Mbps	Circuit terms	\$136.94	\$167.92	\$136.94						
Multiplexing, Per Arrangement DS3 to DS1	Termination	\$405.39	\$497.09	\$405.39						
Multiplexing, Per Arrangement DS1 to Voice	Termination	\$156.51	\$191.92	\$156.51						
Customer Node Per Node OC3 155.52 Mbps	Port	\$420.82	\$516.02	\$420.82						
Customer Node Per Node OC12 622.08 Mbps	Port	\$1,215.72	\$1,490.73	\$1,215.72						
Customer Premises Port, Per Port OC3 155.52 Mbps	Port	\$138.10	\$169.34	\$138.10						
Customer Premises Port, Per Port STS-1 51.84 Mbps	Port	\$165.79	\$203.29	\$165.79						
Customer Premises Port, Per Port DS3 44.736 Mbps	Port	\$165.79	\$203.29	\$165.79						
Customer Premises Port, Per Port DS1 1.544 Mbps	Port	\$42.48	\$52.09	\$42.48						
Add/Drop Multiplexing Central Office Port, Per Port DS1 1.544 Mbps	Port	\$34.00	\$41.69	\$34.00						
Add/Drop Multiplexing Central Office Port, Per Port OC3 155.52 Mbps	Port	\$138.10	\$169.34	\$138.10						
Add/Drop Multiplexing Central Office Port, Per Port DS3 44.736 Mbps	Port	\$85.02	\$104.25	\$85.02						
Network Blocking, Per Blocked Call Network Blocking, Per Blocked Call, Applies to FGD only	Call	\$0.01390000	\$0.01710000	\$0.01390000						
ESALT Real Time CoS/QoS, Per ESALT DTF-E1 Facility ESALT 2 Mbps	Facility	\$7.50	\$9.20	\$7.50						
ESALT Real Time CoS/QoS, Per ESALT DTF-E1 Facility ESALT 10 Mbps	Facility	\$37.51	\$46.00	\$37.51						
ESALT Real Time CoS/QoS, Per ESALT DTF-E1 Facility ESALT 50 Mbps	Facility	\$116.76	\$143.17	\$116.76						
ESALT Entrance Facility Protection, Per ESALT Entrance Facility ESALT 2 Mbps	Circuit	\$241.50	\$296.13	\$241.50						
ESALT Entrance Facility Protection, Per ESALT Entrance Facility ESALT 10 Mbps	Circuit	\$241.50	\$296.13	\$241.50						
ESALT Entrance Facility Protection, Per ESALT Entrance Facility ESALT 50 Mbps	Circuit	\$241.50	\$296.13	\$241.50						
Common Channel Signaling Network Connection Signaling Mileage Facility, Per Mile	Mile	\$3.82	\$4.69	\$3.82						
Common Channel Signaling Network Connection Signaling Mileage Termination, Per Termination	Termination	\$38.48	\$47.18	\$38.48						
Common Channel Signaling Network Connection Signaling Entrance Facility, Per Facility	Facility	\$73.69	\$90.36	\$73.69						
Common Channel Signaling Network Connection STP Port, Per Port	Port	\$379.72	\$465.62	\$379.72						
Terminating Tandem Switched Transport Terminating Tandem Switched Transport Facility	Minutes / Mile	\$0.00036500	\$0.00044800	\$0.00036500						
Terminating Tandem Switched Transport Terminating Tandem Switched Termination	Minutes	\$0.00189900	\$0.00232800	\$0.00189900						
Terminating Tandem Switched Transport Terminating Tandem Switching	Minutes	\$0.00478900	\$0.00587200	\$0.00478900						
Nonrecurring Charges Voice Grade Two Wire	Facility	\$408.79	\$501.26	\$408.79						
Nonrecurring Charges Voice Grade Four Wire	Facility	\$408.79	\$501.26	\$408.79						
Nonrecurring Charges High Capacity DS1	Facility	\$299.79	\$367.61	\$299.79						
Nonrecurring Charges High Capacity DS3	Facility	\$404.24	\$495.69	\$404.24						
Nonrecurring Charges Synchronous Optical Channel OC3	Facility	\$327.03	\$401.01	\$327.03						

Nonrecurring Charges Synchronous Optical Channel OC12	Facility	\$327.03	\$401.01	\$327.03
Nonrecurring Charges Interim NXX Translation, Per Order	Order	\$199.86	\$245.07	\$199.86
Nonrecurring Charges FGC and FGD Conversion of Multifrequency Address Signaling to SS7 Signaling or SS7 Signaling to Multifrequency Address Signaling, per 24 trunks converted or fraction thereof on a per order basis	Order	\$401.52	\$492.35	\$401.52
Nonrecurring Charges Trunk Activation, per 24 trunks activated or fraction thereof on a per order basis	Order	\$416.96	\$511.28	\$416.96
Nonrecurring Charges Flexible Automatic Number Identification (Flex ANI), per End Office, per CIC	End Office	\$0.00000000	\$0.00000000	\$0.00000000
Nonrecurring Charges ESALT 2 Mbps	Facility	\$484.49	\$594.09	\$484.49
Nonrecurring Charges ESALT 10 Mbps	Facility	\$484.49	\$594.09	\$484.49
Nonrecurring Charges ESALT 50 Mbps	Facility	\$484.49	\$594.09	\$484.49
Nonrecurring Charges ESALT Direct Trunked Termination, per ESALT Direct Trunked Termination installed	Order	\$319.19	\$391.40	\$319.19
Nonrecurring Charges ESALT Entrance Facility Protection, per ESALT Entrance Facility	Facility	\$489.71	\$600.49	\$489.71

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Study Area: RC TECHNOLOGIES (ID: 391674)

Access Recovery Charges



- Test Period 2025-2026 Pre-True-up View
- Test Period 2025-2026 Post-True-Up (Filing) View

Test Period 2025-2026 Post-True-Up (Filing) View

Exchange/Zone Name										
Claire City	[REDACTED]									
N New Effington	[REDACTED]									
N Veblen	[REDACTED]									
New Effington	[REDACTED]									
Peever	[REDACTED]									
Summit	[REDACTED]									
Velben	[REDACTED]									
Wilmot	[REDACTED]									
Study Area Summary	[REDACTED]									

TO BE COMPLETED BY THE REPORTING CARRIER, IF AN AGENT IS FILING DATA ON THE CARRIER'S BEHALF:

Certification of Officer to Authorize an Agent to File Data Reported on Behalf of Reporting Carrier

I certify that (Name of Agent) National Exchange Carrier Association, Inc. (NECA) is authorized to submit the information reported on behalf of the reporting carrier. I also certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the data provided to the Authorized Agent; and, to the best of my knowledge, the actual data provided to the Authorized Agent are accurate.

Name of Authorized Agent National Exchange Carrier Association, Inc. (NECA)

Name of Reporting Carrier RC Technologies

Signature of Authorized Officer Robert Meyer Date 5/28/25

Printed name of Authorized Officer Robert Meyer

Title or position of Authorized Officer President

Telephone number of Authorized Officer: (605) 637-5211 ext.

Study Area Code of Reporting Carrier	<u>391674</u>	Filing Due Date for this form (mm/dd/yyyy)	June 16, 2025
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Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.

TO BE COMPLETED BY THE REPORTING CARRIER,

Certification of Officer as to the Accuracy of the CAF ICC Data Reported

I certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the actual data reported; and, to the best of my knowledge, the information reported on this form is accurate.

Name of Reporting Carrier				RC Technologies	
Signature of Authorized Officer			<i>Robert Meyer</i>		
Date			5/28/25		
Printed name of Authorized Officer				Robert Meyer	
Title or position of Authorized Officer				President	
Telephone number of Authorized Officer:				(605) 637-5211 ext.	
Study Area Code of Reporting Carrier		391674	Filing Due Date for this form (mm/dd/yyyy)	June 16, 2025	

Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.

TO BE COMPLETED BY AN OFFICER OF THE REPORTING CARRIER

Certification of Officer for Rate-of-Return Carrier Not Seeking Duplicative Recovery

I certify that I am an officer of the reporting carrier and that, to the best of my knowledge, this reporting carrier is not seeking duplicative recovery in the state jurisdiction for any Eligible Recovery subject to the recovery mechanism as per 51.917(d)(vii).

Name of Reporting Carrier	RC Technologies		
Signature of authorized officer	<i>Robert Meyer</i>	Date	5/28/25
Printed name of authorized officer	Robert Meyer		
Title or position of authorized officer	President		
Telephone number of authorized officer:	(605) 637-5211		
Study Area Code of Reporting Carrier	391674	Filing Due Date for this form (mm/dd/yyyy)	June 16, 2025
Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.			

TO BE COMPLETED BY AN OFFICER OF THE REPORTING CARRIER

Certification of Officer for Rate-of-Return Carrier Eligibility for CAF/ICC Recovery

I certify that I am an officer of the reporting carrier and that, to the best of my knowledge, the reporting carrier on this form certifies that it has complied with Eligible Recovery §51.917(d) and Access Recovery Charge §51.917(e) and is eligible to receive the CAF ICC support requested pursuant to §51.917(f).

Name of Reporting Carrier				RC Technologies	
Signature of authorized officer		<i>Robert Meyer</i>		Date	5/28/25
Printed name of authorized officer				Robert Meyer	
Title or position of authorized officer				President	
Telephone number of authorized officer:				(605) 637-5211	
Study Area Code of Reporting Carrier		391674	Filing Due Date for this form (mm/dd/yyyy)	June 16, 2025	
Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.					



PUBLIC NOTICE

Federal Communications Commission
45 L Street NE
Washington, DC 20554

News Media Information 202 / 418-0500
Internet: <https://www.fcc.gov>
TTY: 1-888-835-5322

DA 25-400

Released: May 16, 2025

WIRELINE COMPETITION BUREAU ANNOUNCES PROCEDURES FOR OBTAINING CONFIDENTIAL INFORMATION FOR 2025 ANNUAL ACCESS CHARGE TARIFF FILINGS

WC Docket No. 25-94

By this Public Notice and Protective Order, the Wireline Competition Bureau (Bureau) sets forth the procedures governing the treatment of confidential information submitted by carriers in connection with the July 1, 2025 annual access charge tariff filings.¹

This year, price cap incumbent local exchange carriers (LECs or carriers) and rate-of-return incumbent LECs subject to sections 61.38, 61.39, and 61.50 of the Commission's rules, must file annual access charge tariffs to be effective July 1, 2025.² Based on past experience, we anticipate that incumbent LECs will request confidential treatment for certain data filed in support of their 2025 annual access charge tariff filing.³ We therefore provide guidance to carriers and interested parties regarding the procedures they must follow to request access to confidential information filed with the 2025 annual access charge tariff filings.

In the *Tariff Streamlining Order*, the Commission adopted a standard protective order governing the confidential treatment of streamlined tariffs and accompanying material filed pursuant to section 204(a)(3) of the Communications Act of 1934, as amended.⁴ Carriers or interested parties seeking access to confidential information filed in this year's annual access charge tariff filing must comply with the protective order contained in the *Tariff Streamlining Order*, as updated and modified herein. Because there is limited time for review before annual access charge tariffs become effective on July 1, 2025, we recommend that carriers and interested parties complete the necessary Declaration ahead of time to expedite obtaining and reviewing confidential information. We provide the Protective Order and Declaration as an Attachment to this Public Notice.

For more information about this Public Notice and Protective Order, please contact Christopher S. Koves, Pricing Policy Division, Wireline Competition Bureau, Christopher.Koves@fcc.gov.

- FCC -

¹ *July 1, 2025 Annual Access Charge Tariff Filings*, WC Docket No. 25-94, Order, DA 25-266 (WCB Mar. 25, 2025) (*Procedures Order*).

² *Id.* at 1, para. 1.

³ See *Wireline Competition Bureau Announces Procedures for Obtaining Confidential Information for 2024 Annual Access Charge Tariff Filings*, WC Docket No. 24-41, Public Notice and Protective Order, 39 FCC Rcd 5752, 5752 (2024).

⁴ *Implementation of Section 402(b)(1)(A) of the Telecommunications Act of 1996*, CC Docket No. 96-187, Report and Order, 12 FCC Rcd 2170, 2210-16, paras. 87-95 (1997) (*Tariff Streamlining Order*); see 47 U.S.C. § 204(a)(3).

ATTACHMENT

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

In the Matter of)	
)	
July 1, 2025)	WC Docket No. 25-94
Annual Access Charge Tariff Filings)	
)	

PROTECTIVE ORDER

Adopted: May 16, 2025

Released: May 16, 2025

By the Chief, Wireline Competition Bureau:

1. This Protective Order is intended to facilitate and expedite the review of documents containing trade secrets and commercial or financial information that is privileged or confidential obtained from a Submitting Party. This Protective Order governs the manner in which “Confidential Information,” as that term is defined herein, is to be treated. This Protective Order is not intended to constitute a resolution of the merits concerning whether any Confidential Information would be released publicly by the Commission upon a proper request under the Freedom of Information Act or other applicable law or regulation, including 47 CFR § 0.442.

2. *Definitions.*

- a. Authorized Representative. “Authorized Representative” shall have the meaning set forth in Paragraph seven.
- b. Commission. “Commission” means the Federal Communications Commission or any arm of the Commission acting pursuant to delegated authority.
- c. Confidential Information. “Confidential Information” means: (i) information submitted to the Commission by the Submitting Party that has been so designated by the Submitting Party and which is not otherwise available from publicly available sources and that is subject to protection under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, and the Commission’s implementing rules. Confidential Information includes additional copies of Confidential Information or any notes or other information derived from Confidential Information.
- d. Declaration. “Declaration” means the Appendix to this Protective Order.
- e. Reviewing Party. “Reviewing Party” means a person or entity participating in this proceeding or considering in good faith filing a document in this proceeding.
- f. Submitting Party. “Submitting Party” means a person or entity that seeks confidential treatment of Confidential Information pursuant to this Protective Order.
- g. Third-Party Interest Holder. “Third-Party Interest Holder” means a person who is not a Submitting Party who has a confidentiality interest in Confidential Information submitted pursuant to this Protective Order.

3. *Claim of Confidentiality.* The Submitting Party may designate information as “Confidential Information” consistent with the definition of that term in Paragraph 1 of this Protective Order. By designating documents and information as “Confidential under this Protective Order, a

Submitting Party also will be deemed to have submitted a request that the material not be made routinely available for public inspection under the Commission's rules.⁵ The Commission may, *sua sponte* or upon petition, pursuant to 47 CFR §§ 0.459 & 0.461, determine that all or part of the information claimed as "Confidential Information" is not entitled to such treatment.

4. *Challenge to Designation.* Any person wishing to challenge the designation of a document, portion of a document or information as Confidential must file such a challenge at the Commission and serve it on the Submitting Party and any known Third-Party Interest Holders. The Submitting Party and any Third-Party Interest Holders must file any reply within five business days, and include a justification for treating the information as Confidential. The documents and information challenged will continue to be accorded confidential treatment until the Commission acts on the request and any timely motion for a judicial stay has been acted upon.⁶ Any decision on whether the materials should be accorded confidential treatment does not constitute a resolution of the merits concerning whether such information would be released publicly by the Commission upon an appropriate request under our rules implementing FOIA.⁷

5. *Procedures for Claiming Information is Confidential.* Confidential Information submitted to the Commission shall be filed under seal and shall bear on the front page in bold print: "CONTAINS PRIVILEGED AND CONFIDENTIAL INFORMATION - DO NOT RELEASE." Confidential Information shall be segregated by the Submitting Party from all non-Confidential Information submitted to the Commission. To the extent a document contains both Confidential Information and non-Confidential Information, the Submitting Party shall designate the specific portions of the document claimed to contain Confidential Information and shall also submit a redacted version not containing Confidential Information.

6. *Access to Confidential Information.* Confidential Information shall be made available only to Commission staff, Commission consultants and counsel to the Reviewing Parties, or if a Reviewing Party has no counsel, a person designated by the Reviewing Party, and as provided pursuant to paragraph 7. Before counsel to a Reviewing Party or such other designated person designated by the Reviewing Party may obtain access to Confidential Information, counsel, or such other designated person, must execute the appended Declaration. Consultants under contract to the Commission may obtain access to Confidential Information only if they have signed, as part of their employment contract, a non-disclosure agreement or if they execute the appended Declaration.

7. Counsel to a Reviewing Party or such other person designated pursuant to Paragraph 5 may disclose Confidential Information to other Authorized Representatives to whom disclosure is permitted under the terms of paragraph 7 of this Protective Order only after advising such Authorized Representatives of the terms and obligations of the Protective Order. In addition, before Authorized Representatives may obtain access to Confidential Information, each Authorized Representative must execute the appended Declaration. This Protective Order does not restrict a Submitting Party or its Counsel from disclosing or reviewing the Submitting Party's own Confidential Information

8. Authorized Representatives shall be limited to:
- a. Counsel for the Reviewing Parties to this proceeding, including in-house counsel actively engaged in the conduct of this proceeding and their associated attorneys, paralegals, clerical staff and other employees, to the extent reasonably necessary to render professional services in this proceeding;

⁵ See 47 CFR § 0.459(a).

⁶ Cf. 47 CFR §§ 0.459(g), 0.461(i).

⁷ See 47 CFR §§ 0.459(h), 0.461.

- b. Specified persons, including employees of the Reviewing Parties, requested by counsel to furnish technical or other expert advice or service, or otherwise engaged to prepare material for the express purpose of formulating filings in this proceeding, except that disclosure to persons in a position to use this information for competitive commercial or business purposes shall be prohibited; and
- c. Any person designated by the Commission in the public interest, upon such terms as the Commission may deem proper.

9. *Filing of Declaration.* Counsel for Reviewing Parties shall provide to the Submitting Party and the Commission a copy of the appended Declaration for each Authorized Representative within five (5) business days after the appended Declaration is executed, or by any other deadline that may be prescribed by the Commission.

10. *Procedure for Objecting to the Disclosure of Confidential Information to a Potential Reviewing Party.*⁸ Each Submitting Party and Third-Party Interest Holder shall have an opportunity to object to the disclosure of its Confidential Information to a person seeking to review that information pursuant to this Protective Order. A Submitting Party or Third-Party Interest Holder must file any such objection at the Commission and serve it on counsel for the person seeking access within three business days after receiving a copy of that person's Acknowledgment. Persons filing Acknowledgments shall not have access to Confidential Information before the period for filing objections has passed, unless both the Submitting Party and any known Third-Party Interest Holders waive this requirement. If a Submitting Party files additional documents containing Confidential Information, the Submitting Party shall notify any known Third-Party Interest Holders who have a confidentiality interest in the information before filing the additional documents. The Submitting Party shall file any objection to the disclosure of that additional Confidential Information to any Reviewing Party before or contemporaneous with the filing, and any Third-Party Interest Holder shall file any such objection as promptly as practicable. Until any timely objection is resolved by the Commission in favor of the person seeking access and, if a motion for a judicial stay is timely filed, until such a motion is acted upon, a person subject to an objection shall not have access to the relevant Confidential Information.⁹ If an objection is not timely filed with the Commission, the Commission will nonetheless consider the objection and retains its discretion to prohibit further access to Confidential Information by the Reviewing Party until the objection is resolved

11. *Inspection of Confidential Information.* Confidential Information shall be maintained by a Submitting Party for inspection at two or more locations, at least one of which shall be in Washington, D.C. Inspection shall be carried out by Authorized Representatives upon reasonable notice, not to exceed one business day during normal business hours.

12. *Copies of Confidential Information.* The Submitting Party shall provide a copy of the Confidential Material to Authorized Representatives upon request and may charge a reasonable copying fee not to exceed twenty-five cents per page. Authorized Representatives may make additional copies of

⁸ This paragraph describes the procedure for objecting to a specific individual being permitted to review Confidential Information pursuant to this Protective Order. If a party timely requests that certain information be entirely withheld from review by *any* individual under the Protective Order, we will not require that the information at issue be disclosed under the Protective Order until the Commission resolves the objection, and if a timely motion for judicial stay is filed, until the court rules upon the stay motion.

⁹ An objection ordinarily will first be ruled upon by the Wireline Competition Bureau (Bureau). If the Bureau rejects the objection, the objecting party will be provided 10 business days to file an Application for Review with the Commission; if an Application for Review is not filed within that time, the Confidential Information shall be made available to the Reviewing Party. If an Application for Review is timely filed and is denied by the Commission, the objecting party will be provided 10 business days to seek a judicial stay of the Commission's order; if a motion for stay is not filed within that time, the Confidential Information shall be made available to the Reviewing Party.

Confidential Information but only to the extent required and solely for the preparation and use in this proceeding. Authorized Representatives must maintain a written record of any additional copies made and provide this record to the Submitting Party upon reasonable request. The original copy and all other copies of the Confidential Information shall remain in the care and control of Authorized Representatives at all times. Authorized Representatives having custody of any Confidential Information shall keep the documents properly secured at all times.

13. *Use of Confidential Information.* Confidential Information shall not be used by any person granted access under this Protective Order for any purpose other than for use in this proceeding (including any subsequent administrative or judicial review), shall not be used for competitive business purposes, and shall not be used or disclosed except in accordance with this Protective Order or with the prior written consent of the Submitting Party. This shall not preclude the use of any material or information that is in the public domain or has been developed independently by any other person who has not had access to the Confidential Information nor otherwise learned of its contents.

14. *Pleadings Using Confidential Information.* Submitting Parties and Reviewing Parties may, in any pleadings that they file in this proceeding, reference the Confidential Information, but only if they comply with the following procedures:

- a. Any portions of the pleadings that contain or disclose Confidential Information must be filed under seal;
- b. The portions containing or disclosing Confidential Information must be covered by a separate letter referencing this Protective Order;
- c. Each page of any Party's filing that contains or discloses Confidential Information subject to this Protective Order must be clearly marked: "Confidential Information included pursuant to Protective Order, WC Docket No. 25-94"; and
- d. The confidential portion(s) of the pleading, to the extent they are required to be served, shall be served upon the Secretary of the Commission, the Submitting Party, and those Reviewing Parties that have signed the appended Declaration. Such confidential portions shall be served under seal, and shall not be placed in the Commission's Public File unless the Commission directs otherwise (with notice to the Submitting Party and an opportunity to comment on such proposed disclosure). A Submitting Party or a Reviewing Party filing a pleading containing Confidential Information shall also file a redacted copy of the pleading containing no Confidential Information, which copy shall be placed in the Commission's public files. A Submitting Party or a Reviewing Party may provide courtesy copies of pleadings containing Confidential Information to Commission staff so long as the notation required by subsection c. of this paragraph is not removed.

15. *Courtesy Copies.* Filers are encouraged to email an electronic version of courtesy copies described in this Protective Order to Christopher Koves, Pricing Policy Division, Wireline Competition Bureau, at Christopher.Koves@fcc.gov. Courtesy copies containing Confidential Information must be password protected and the password communicated to Commission staff via telephone or in a separate email. Submissions may be broken into multiple emails when necessary.

16. *Subpoena by Courts, Departments, or Agencies.* If a court, or a federal or state department or agency, issues a subpoena for or orders the production of Confidential Information that a party has obtained under the terms of this Protective Order, such party shall promptly notify each relevant Submitting Party and each known Third-Party Interest Holder of the pendency of such subpoena or order. Consistent with the independent authority of any court, department or agency, such notification must be accomplished such that each Submitting Party and Third-Party Interest Holder has sufficient opportunity to oppose such production prior to the production or disclosure of any Confidential Information.

17. *Violations of Protective Order.* Should a Reviewing Party that has properly obtained access to Confidential Information under this Protective Order violate any of its terms, it shall immediately convey that fact to the Commission and to the Submitting Party. Further, should such violation consist of improper disclosure or use of Confidential Information, the violating party shall take all necessary steps to remedy the improper disclosure or use. The Violating Party shall also immediately notify the Commission and the Submitting Party, in writing, of the identity of each party known or reasonably suspected to have obtained the Confidential Information through any such disclosure. The Commission retains its full authority to fashion appropriate sanctions for violations of this Protective Order, including, but not limited to, suspension or disbarment of attorneys from practice before the Commission, forfeitures, cease and desist orders, and denial of further access to Confidential Information in this or any other Commission proceeding. Nothing in this Protective Order shall limit any other rights and remedies available to the Submitting Party at law or equity against any party using Confidential Information in a manner not authorized by this Protective Order.

18. *Termination of Proceeding.* Within two weeks after final resolution of this proceeding (which includes any administrative or judicial appeals), Authorized Representatives of Reviewing Parties shall destroy or return to the Submitting Party all Confidential Information as well as all copies and derivative materials made, and shall certify in a writing served on the Commission and the Submitting Party that no material whatsoever derived from such Confidential Information has been retained by any person having access thereto, except that counsel to a Reviewing Party may retain two copies of pleadings submitted on behalf of the Reviewing Party. Any Confidential Information contained in any copies of pleadings retained by counsel to a Reviewing Party or in materials that have been destroyed pursuant to this paragraph shall be protected from disclosure or use indefinitely in accordance with paragraphs 11 and 12 of this Protective Order unless such Confidential Information is released from the restrictions of this Protective Order either through agreement of the parties, or pursuant to the order of the Commission or a court having jurisdiction.

19. *No Waiver of Confidentiality.* Disclosure of Confidential Information as provided herein shall not be deemed a waiver by the Submitting Party of any privilege or entitlement to confidential treatment of such Confidential Information. Reviewing Parties, by viewing these materials: (a) agree not to assert any such waiver; (b) agree not to use information derived from any confidential materials to seek disclosure in any other proceeding; and (c) agree that accidental disclosure of Confidential Information shall not be deemed a waiver of the privilege.

20. *Additional Rights Preserved.* The entry of this Protective Order is without prejudice to the rights of the Submitting Party to apply for additional or different protection where it is deemed necessary, or to the rights of Reviewing Parties to request further or renewed disclosure of Confidential Information.

21. *Effect of Protective Order.* This Protective Order constitutes an order of the Commission and an agreement between the Reviewing Party, executing the appended Declaration, and the Submitting Party.

22. *Authority.* This Protective Order is issued pursuant to sections 4(i) and 4(j) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), (j), and 47 CFR § 0.457(d).

FEDERAL COMMUNICATIONS COMMISSION

Joseph S. Calascione
Chief, Wireline Competition Bureau

**APPENDIX TO PROTECTIVE ORDER
DECLARATION**

In the Matter of)	
)	
July 1, 2025)	WC Docket No. 25-94
Annual Access Charge Tariff Filings)	
)	

I, _____, hereby declare under penalty of perjury that I have read the Protective Order that has been entered by the Commission in this proceeding, and that I agree to be bound by its terms pertaining to the treatment of Confidential Information submitted by parties to this proceeding. I understand that the Confidential Information shall not be disclosed to anyone except in accordance with the terms of the Protective Order and shall be used only for purposes of the proceedings in this matter. I acknowledge that it is my obligation to ensure that there is no disclosure of Confidential Information in my possession or in the possession of those who work for me, except as provided in the Protective Order. I certify that I have verified that there are procedures in place at my firm or office to prevent the unauthorized disclosure of Confidential Information. I acknowledge that a violation of the Protective Order is a violation of an order of the Federal Communications Commission. I acknowledge that this Protective Order is also a binding agreement with the Submitting Party.

(signed) _____

(printed name) _____

(representing) _____

(title) _____

(employer) _____

(address) _____

(phone) _____

(date) _____