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Via ECFS and Overnight Delivery

January 19, 2018

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
9050 Junction Drive
Annapolis Junction, MD 20701

Re: Origin Networks, LLC dba Infostructure, Application for Authorization to Obtain Numbering Resources, WC Docket No. 18-_____

Dear Ms. Dortch:

Pursuant to pursuant to Section 52.15(g)(3)(i) of the Commission's Rules 47 C.F.R. §52.15(g)(3)(i), Origin Networks, LLC dba Infostructure ("Infostructure"), hereby submits to the Commission an *Application to Obtain Numbering Resources* ("Application"). By its Application, Infostructure requests authority to acquire telephone numbers directly from the North American Numbering Plan Administrator and the Pooling Administrator as an interconnected Voice over Internet Protocol service provider. In support of its Application, Infostructure includes confidential Attachment A, an interconnection agreement ("ICA") between Infostructure and its carrier partner and interconnecting local exchange carrier.

Pursuant to Sections 0.457 and 0.459 of the Commission's rules, 47 C.F.R. §§ 0.457 and 0.459, Infostructure respectfully requests that the Commission withhold from public inspection and accord confidential treatment to its ICA. This document contains trade secrets and commercial, technical and financial information that fall within Exemption 4 of the Freedom of Information Act ("FOIA").¹

¹ 5 U.S.C. § 552(b)(4)

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Exemption 4 of FOIA establishes that the public disclosure requirement of the statute “does not apply to matters that are . . . (4) trade secrets and commercial or financial information obtained from a person and privileged or confidential.”² The ICA Infostructure voluntarily submits constitutes the type of trade secret and commercial and financial information that would otherwise not be released to the public, and meets Exemption 4 of FOIA, accordingly.³ Further, public disclosure of confidential Attachment A to Infostructure’s Application would cause Infostructure substantial and irreparable competitive harm.⁴

In support of this request and pursuant to Section 0.459(b) of the Commission’s rules,⁵ Infostructure states as follows:

1. IDENTIFICATION OF THE SPECIFIC INFORMATION FOR WHICH CONFIDENTIAL TREATMENT IS SOUGHT

Infostructure seeks confidential treatment of Attachment A to its Application. Attachment A consists of an ICA between Infostructure’s carrier partner and a local exchange carrier.

2. DESCRIPTION OF CIRCUMSTANCES GIVING RISE TO THE SUBMISSION

The ICA is being voluntarily submitted to the Commission in support of the Company’s *Application for Authorization to Obtain Numbering Resources*.

3. EXPLANATION OF THE DEGREE TO WHICH THE INFORMATION IS COMMERCIAL OR FINANCIAL, OR CONTAINS A TRADE SECRET OR IS PRIVILEGED

The document for which Infostructure seeks confidential treatment contains sensitive commercial, financial, and technical information “which would customarily be guarded from competitors.”⁶ The ICA contains trade secrets and technical information governing the relationship between Infostructure and its carrier partner.

² *Id.*

³ See *Critical Mass Energy Project v. NRC*, 975 F.2d 871, 879 (D.C. Cir. 1992).

⁴ See *National Parks and Conservation Ass’n v. Morton*, 498 F.2d 765 (D.C. Cir. 1974).

⁵ 47 C.F.R. § 0.459(b)

⁶ 47 C.F.R. § 0.457.

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4. EXPLANATION OF THE DEGREE TO WHICH THE INFORMATION CONCERNS A SERVICE THAT IS SUBJECT TO COMPETITION

The ICA for which confidential protection is requested pertains to the provision of interconnected Voice over Internet Protocol (“iVoIP”) services. Such services are available from numerous separate entities in a market established to be highly concentrated and subject to significant competition. The ICA contains detailed information governing operational relationships that if available to competitors could be used to the disadvantage of Infostructure and cause substantial competitive harm.

5. EXPLANATION OF HOW DISCLOSURE OF THE INFORMATION COULD RESULT IN SUBSTANTIAL COMPETITIVE HARM

Competitors could use the information contained in the ICA to establish the basis and scope of Company operations Infostructure’s detriment.

6. IDENTIFICATION OF ANY MEASURES TAKEN BY THE SUBMITTING PARTY TO PREVENT UNAUTHORIZED DISCLOSURE

Infostructure treats the ICA as highly confidential and exercises significant care to ensure that such information is not disclosed to competitors, the public, or third parties.

7. IDENTIFICATION OF WHETHER THE INFORMATION IS AVAILABLE TO THE PUBLIC AND THE EXTENT OF ANY PREVIOUS DISCLOSURE OF THE INFORMATION TO THIRD PARTIES

Infostructure does not make the redacted information to the public or to third parties.

8. JUSTIFICATION OF THE PERIOD DURING WHICH THE SUBMITTING PARTY ASSERTS THAT MATERIAL SHOULD NOT BE AVAILABLE FOR PUBLIC DISCLOSURE

The ICA voluntarily submitted by InfoStructure. Infostructure requests that the redacted information be treated as confidential indefinitely as the Company cannot identify a date certain by which this information could be disclosed without causing irreparable competitive harm to.

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9. ANY OTHER INFORMATION [INFOSTRUCTURE] BELIEVES MAY BE USEFUL IN ASSESSING WHETHER ITS REQUEST FOR CONFIDENTIALITY SHOULD BE GRANTED.

Infostructure has not previously disclosed the ICA to the public. Disclosure of the ICA and its contents could be used by numerous competitors to gain valuable competitive information and ultimately to cause Infostructure significant competitive detriment and undermine Infostructure's operations. Infostructure's request is consistent with requests made by similarly situated providers and granted by the Commission.

Respectfully submitted,

MILLER ISAR, INC.

/s/ Andrew O. Isar

Andrew O. Isar

Consultants to
Origin Networks, LLC dba Infostructure

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

<i>In the Matter of</i>)
)
Origin Networks, LLC dba Infostructure,)
Applicant) WC Docket No. 18-_____
)
For Authorization to Obtain Numbering)
Resources Pursuant to Section 52.15(g) of)
the Commission's Rules)

**APPLICATION OF ORIGIN NETWORKS, LLC DBA INFOSTRUCTURE
FOR AUTHORIZATION TO OBTAIN NUMBERING RESOURCES**

Origin Networks, LLC dba Infostructure (“Infostructure” or “Applicant”), pursuant to section 52.15 (g)(3)¹ of the Federal Communications Commission’s (“Commission”) rules, submits to the Commission this Application for authority to acquire telephone numbers directly from the North American Numbering Plan Administrator and the Pooling Administrator (“Numbering Administrators”) as an interconnected voice over Internet protocol (“iVoIP”) service provider. As set forth in the Commission’s Numbering Order,² an iVoIP provider may obtain numbering resources from Numbering Administrators upon a showing of the provider’s authority to provide service in the service area for which the numbering resources are requested. In support of its request for authority to obtain numbering resources from Numbering Administrators, Infostructure submits the following information pursuant to Sections 52.15(g)(3)(i)(A)-(F) of the Commission’s Rules.

¹ 47 C.F.R. §52.15(g)(3).

² *Numbering Policies for Modern Communications*, 30 FCC Rcd. 6839 (2015).

I. INFORMATION REQUIRED BY SECTION 52.15(g)(3)(i)

- A. The applicant's name, address, and telephone number, and contact information for personnel qualified to address issues relating to regulatory requirements, compliance with Commission's rules, 911, and law enforcement (52.15(g)(3)(i)(A)).**

Applicant's Name: Origin Networks, LLC dba Infostructure

Address: 288 South Pacific Highway
Talent, OR 97540

Telephone Number: 541.773.5000

Contact Information for Qualified Personnel:

Jeff Rhoden
Managing Member
288 South Pacific Highway
Talent, OR 97540
Telephone: 541.773.5000
Email: jrhoden@infostructure.net

- B. An acknowledgment that the authorization granted under this paragraph is subject to compliance with applicable Commission numbering rules; numbering authority delegated to the states; and industry guidelines and practices regarding numbering as applicable to telecommunications carriers (52.15(g)(3)(i)(B)).**

Infostructure acknowledges that its authorization to obtain numbering resources under Section 52.15(g) of the Commission's Rules is subject to compliance with applicable Commission numbering rules and compliance with industry guidelines and practices regarding numbering, consistent with such obligations applicable to telecommunications carriers.

- C. An acknowledgement that the applicant must file requests for numbers with the relevant state commission(s) at least 30 days before requesting numbers from the Numbering Administrators (52.15(g)(3)(i)(C)).**

Infostructure acknowledges that it must file requests for numbers with the relevant state regulatory utility commission(s) at least thirty (30) days before requesting numbers from the Numbering Administrators.

- D. Proof that the applicant is or will be capable of providing service within sixty (60) days of the numbering resources activation date in accordance with paragraph (g)(2) of this section (52.15(g)(3)(i)(D)).**

Infostructure demonstrates its capability to provide service within sixty (60) days of the numbering activation date. Infostructure has agreements in place with carrier partners who in turn have interconnection agreements in effect with the relevant local exchange carriers. Infostructure has served as a competitive local exchange carrier since 2013, maintains well-established operations and processes, and has experienced staff to support number requests and routing as supported by its AOCN.

As evidence of its operational readiness to begin providing service within sixty (60) days of the numbering activation date, attached hereto at confidential **Attachment A** is an interconnection agreement between Infostructure's carrier partner and a local exchange carrier. Infostructure is submitting Exhibit A separately in accordance with its request for confidential treatment.

- E. Certification that the applicant complies with its Universal Service Fund contribution obligations under 47 CFR part 54, subpart H, its Telecommunications Relay Service contribution obligations under 47 CFR 64.604(c)(5)(iii), its NANP and LNP administration contribution obligations under 47 CFR 52.17 and 52.32, its obligations to pay regulatory fees under 47 CFR 1.1154, and its 911 obligations under 47 CFR part 9 (52.15(g)(3)(i)(E)).**

Infostructure certifies that it complies with its Universal Service Fund contribution

obligations under 47 CFR part 54, subpart H; its Telecommunications Relay Service contribution obligations under 47 CFR § 64.604(c)(5)(iii); its North American Numbering Plan and Local Number Portability Administration contribution obligations pursuant to Sections 52.17 and 52.32 of the Commission's rules;⁹ its obligations to pay regulatory fees pursuant to Section 1.1154 of the Commission's rules;¹⁰ and its obligations for the provision of access to emergency 911 services pursuant to Part 9 of the Commission's rules.¹¹

F. Certification that the applicant possesses the financial, managerial, and technical expertise to provide reliable service. This certification must include the name of applicant's key management and technical personnel, such as the Chief Operating Officer and the Chief Technology Officer, or equivalent, and state that none of the identified personnel are being or have been investigated by the Federal Communications Commission or any law enforcement or regulatory agency for failure to comply with any law, rule, or order (52.15(g)(3)(i)(F)).

Infostructure certifies that it possesses the financial, managerial, and technical expertise to provide reliable service. Infostructure has demonstrated its financial, managerial, and technical expertise to provide reliable service as a telecommunications service provider to the state regulatory utility commissions in those states where it serves.

Infostructure's key management and technical personnel are:

Jeff Rhoden, Managing Member and Director, 541.773.5000, jrhoden@infostructure.net

Scott Hansen, Managing Member and Chief Operations Officer, 541.773.5000, shansen@infostructure.net

Infostructure states and avers that none of the identified personnel is being or has been investigated by the Commission, by any law enforcement, or by any regulatory agency for failure to comply with any law, rule or order.

⁹ 47 CFR §§ 52.17 and 52.32.

¹⁰ 47 CFR § 1.1154.

¹¹ 47 CFR part 9.

- G. Certification pursuant to Sections 1.2001 and 1.2002 of this chapter that no party to the application is subject to a denial of Federal benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988. See 21 U.S.C. 862 (52.15(g)(3)(i)(G)).**

Infostructure certifies that no party to this application is subject to a denial of Federal benefits to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.

II. ACKNOWLEDGEMENT OF CONDITIONS APPLICABLE TO ALL INTERCONNECTED VOIP PROVIDER NUMBERING AUTHORIZATIONS, SECTION 52.15(g)(3)(iv).

As set forth in Section 52.15(g)(3)(iv), Infostructure will maintain the accuracy of all contact information and certifications in the application, and will file a correction with the Commission and each applicable state within thirty (30) days of any changes. Further, Infostructure will furnish accurate regulatory and numbering contact information to each state regulatory utility commission when requesting numbers in that state.

III. CONCLUSION

Pursuant to Section 52.15(g)(3)(i) of the Commissions' Rules, Infostructure respectfully requests the Commission grant this application for authorization to obtain numbering resources from Numbering Administrators as an iVoIP provider.

Respectfully submitted this 19th day of January, 2018,

/s/ Andrew O. Isar

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Gig Harbor, WA 98335

Consultants to
Origin Networks, LLC dba Infostructure

ATTACHMENT A
INTERCONNECTION AGREEMENT

(Submitted pursuant to Confidentiality Request under 47 C.F.R. §§ 0.457 and 0.459)