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December 28, 2022

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

RE: Request for Confidential Treatment to the Application of Versatel, LLC /dba/ 46 Labs Communications for Authorization to Obtain Numbering Resources Pursuant to Section 52.15(G) of the Commission's Rules

Dear Ms. Dortch,

Pursuant to Section 52.15(g)(3)(i) of the Commission's Rules, Versatel, LLC DBA 46 Labs Communications; here forward known as ("46 Labs") hereby submits its application requesting authorization to obtain numbering resources as an IPES carrier.

46 Labs respectfully requests that, pursuant to Sections 0.457 and 0.459 of the Commission's rules, 47 C.F.R. § 0.457 and 0.459, the Commission withhold from public inspection, Exhibits C&D to this application in its entirety as confidential because the documents contain trade secrets and commercially sensitive "Pricing" information that falls within Exemption 4 of the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552(b)(4). The information in Exhibit C&D is "of a kind that would not customarily be released to the public" and therefore, this information qualifies for confidential treatment under FOIA. 46 Labs respectfully submits that it would suffer substantial competitive harm if this information were disclosed.

Exhibits C&D are accordingly marked with "Confidential and Proprietary – Filed Under Seal Pursuant to 47 C.F.R. §0.459."

In support of this request and pursuant to Section 0.459(b) of the Commission's rules, 46 Labs hereby states as follows:

1. SPECIFIC INFORMATION FOR WHICH CONFIDENTIAL TREATMENT IS SOUGHT PURSUANT TO 47 CFR § 0.459(b)(1).

46 Labs seeks confidential treatment of Exhibits C&D in its entirety.

2. CIRCUMSTANCES CAUSING THE SUBMISSION PURSUANT TO 47 CFR § 0.459(b)(2).

46 Labs is submitting the confidential agreements between it and its ICA/CLEC partner as proof of 46Labs's facilities readiness as required by Section 52.15(g)(3)(i)(D) of the Commission's rules.

3. EXPLANATION OF THE DEGREE TO WHICH THE INFORMATION IS COMMERCIAL OR FINANCIAL, OR CONTAINS A TRADE SECRET OR IS PRIVILEGED PURSUANT TO 47 CFR § 0.459(b)(3).

The information for which 46 Labs seeks confidential treatment contains sensitive commercial information "which would customarily be guarded from competitors" as defined in 47 CFR § 0.457(d)(2). Confidential Exhibits C&D consists of commercial agreements between 46 Labs and its CLEC partner of which contain proprietary information concerning 46 Labs' network, customers, and services.

4. EXPLANATION OF THE DEGREE TO WHICH THE INFORMATION CONCERNS A SERVICE THAT IS SUBJECT TO COMPETITION PURSUANT TO 47 CFR § 0.459(b)(4).

Confidential Exhibits C&D contains information relating to commercial matters that could be used by competitors to 46 Labs' disadvantage. 46 Labs has numerous competitors in the telecommunications industry in which it operates. Detailed commercial information on operations of the type provided by 46 Labs could compromise its position in this highly competitive industry. Release of this information would therefore result in substantial competitive harm to 46 Labs.

5. EXPLANATION OF HOW DISCLOSURE OF THE INFORMATION COULD RESULT IN SUBSTANTIAL COMPETITIVE HARM PURSUANT TO 47 CFR § 0.459(b)(5).

Competitors could use 46 Labs' proprietary and commercial information to its detriment as they would gain access to sensitive data about how 46 Labs provides services as well as about 46 Labs' commercial agreements with others in the market that are not normally disclosed to the public.

6. IDENTIFICATION OF ANY MEASURES TAKEN BY THE SUBMITTING PARTY TO PREVENT UNAUTHORIZED DISCLOSURE PURSUANT TO 47 CFR § 0.459(b)(6).

46 Labs has not distributed the information in Confidential Exhibits C&D to the public or any parties within 46 Labs or outside 46 Labs except on a need-to-know basis.

7. IDENTIFICATION OF WHETHER THE INFORMATION IS AVAILABLE TO THE PUBLIC AND THE EXTENT OF ANY PREVIOUS DISCLOSURE OF THE INFORMATION TO THIRD PARTIES PURSUANT TO 47 CFR § 0.459(b)(7).

46 Labs deems the information in Exhibits C&D to be confidential.

8. JUSTIFICATION OF THE TIME FRAME DURING WHICH THE SUBMITTING PARTY BELIEVES THAT MATERIAL SHOULD NOT BE AVAILABLE FOR PUBLIC DISCLOSURE PURSUANT TO 47 CFR § 0.459(b)(8).

46 Labs requests that Confidential Exhibits C&D be treated as confidential for a period of five years. This period is necessary due to the proprietary nature of the information in Confidential Exhibits C&D.

9. ADDITIONAL INFORMATION THAT 46 Labs BELIEVES MAY BE HELPFUL IN DETERMINING WHETHER ITS REQUEST FOR CONFIDENTIALITY SHOULD BE GRANTED PURSUANT TO 47 CFR § 0.459(b)(9).

The information deals with 46 Labs' proprietary network, related to current and planned operations, and as such, is commercially sensitive.

If you should have any questions or concerns, please feel free to contact me at your convenience at 404-519-4096 or rongrob@apelaprofsvcs.com.

Respectfully submitted,



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