

3 Billionaires Corp.



April 10, 2020

VIA ECFS & U.S. Postal Mail SERVICE

**Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554**

**Mailed to:
Federal Communications Commission
9050 Junction Drive
Annapolis Junction, MD 20701**

Re: Request for Confidential Treatment of Filing of 3 Billionaires, Inc.;
Application of 3 Billionaires Corp. for Authorization to Obtain Numbering
Resources, WC Docket No. 20-_____

Dear Ms. Dortch:

Pursuant to Section 52.15(g)(3)(i) of the Commission's Rules, 3 Billionaires, Corp. ("3 Billionaires"), hereby submits its application requesting authorization to obtain numbering resources.

This filing includes confidential information. As contemplated by the Commission's rules, we are filing the Public Version electronically and the confidential version via United States POSTAL MAIL SERVICE.

3 Billionaires 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 and grant confidential treatment to ***Exhibits A, B, C, D & E.***

These documents contains sensitive trade secrets and commercial information that falls within Exemption 4 of the Freedom of Information Act ("FOIA").¹

Confidential Exhibit A contains 3 Billionaires "Carrier Agreement") as our Switching Partner and Confidential Exhibits B, C, D & E are Interconnection Agreements between 3 Billionaires Carrier Partner and several of the incumbent local exchange carriers in the State of New York, i.e. Confidential Exhibit B, C, D & E are Incumbent Carrier - Interconnection Agreement(s) for a Facilities Based Carrier and IXC. Each of these documents encompasses sensitive trade

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secrets and commercial information. These all fall within Exemption 4 of the Freedom of Information Act (“FOIA”).¹ 3 Billionaires is voluntarily providing this information, “of a kind that would customarily not be released to the public”; therefore, this information is “confidential” under FOIA.² Moreover, 3 Billionaires would suffer substantial competitive harm if this information were disclosed.³

As such, *Exhibit A*, *Exhibit B*, *Exhibit C*, *Exhibit D* and *Exhibit E* are all marked with the header “SUBJECT TO REQUEST FOR CONFIDENTIAL TREATMENT – NOT FOR PUBLIC INSPECTION.”

In support of this request and pursuant to Section 0.459(b) of the Commission’s rules,⁴ 3 Billionaires hereby states as follows:

1. IDENTIFICATION OF THE SPECIFIC INFORMATION FOR WHICH CONFIDENTIAL TREATMENT IS SOUGHT.⁵

3 Billionaires seeks confidential treatment of *Exhibit(s) A through E* to the enclosed application.

2. DESCRIPTION OF CIRCUMSTANCES GIVING RISE TO THE SUBMISSION.⁶

As proof of 3 Billionaires’ facilities readiness as required by Section 52.15(b)(3)(i)(D) of the Commission’s rules, 3 Billionaires is submitting the agreement between itself and its two carrier partners as *Exhibit(s) A through E*.

3. EXPLANATION OF THE DEGREE TO WHICH THE INFORMATION IS COMMERCIAL OR FINANCIAL, OR CONTAINS A TRADE SECRET OR IS PRIVILEGED.⁷

The information for which 3 Billionaires seeks confidential treatment contains sensitive commercial information which would customarily be guarded from competitors.⁸ Specifically, *Exhibit A* describes the agreement between 3 Billionaires and its Switching Carrier Partner and contains proprietary commercial information concerning the operations and pricing of 3 Billionaires’ Carrier Partner as well as information germane to 3 Billionaires’ network, services, and operating costs and expenses. In addition, *Exhibits B, C, D & E* contain details of Interconnection Agreements containing further proprietary and commercial information pursuant to its internal operations and pricing

4. EXPLANATION OF THE DEGREE TO WHICH THE INFORMATION CONCERNS A SERVICE THAT IS SUBJECT TO COMPETITION.⁹

All *Exhibits* contains information relating to commercial matters that could be used by competitors to 3 Billionaires’ disadvantage. 3 Billionaires has numerous competitors in the Voice over Internet Protocol (“VoIP”) services sector in which it operates. Detailed operations and commercial information of the type provided by 3 Billionaires could compromise 3

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Billionaires' position in this highly competitive industry. Release of this specific information would therefore result in substantial competitive harm to 3 Billionaires.

5. EXPLANATION OF HOW DISCLOSURE OF THE INFORMATION COULD RESULT IN SUBSTANTIAL COMPETITIVE HARM.¹⁰

Competitors could use 3 Billionaires' proprietary commercial and operational information to the detriment of 3 Billionaires' as they would gain access to sensitive information about how 3 Billionaires provides services as well as about 'inner workings' of 3 Billionaires' commercial agreements with vendors and others that are in the market and are not normally disclosed to the public.

6. IDENTIFICATION OF ANY MEASURES TAKEN BY THE SUBMITTING PARTY TO PREVENT UNAUTHORIZED DISCLOSURE.¹¹

3 Billionaires has not distributed the information in any of its proprietary *Exhibits (except for Exhibit F - KEY MANAGEMENT AND PERSONNEL in the Public Version)* to the public.

7. IDENTIFICATION OF WHETHER THE INFORMATION IS AVAILABLE TO THE PUBLIC AND THE EXTENT OF ANY PREVIOUS DISCLOSURE OF THE INFORMATION TO THIRD PARTIES.¹²

3 Billionaires has not previously disclosed the information in *Exhibit(s) A through E* to the public or to any third parties.

8. JUSTIFICATION OF THE PERIOD DURING WHICH THE SUBMITTING PARTY ASSERTS THAT MATERIAL SHOULD NOT BE AVAILABLE FOR PUBLIC DISCLOSURE.¹³

3 Billionaires requests that *Exhibit(s) A through E* be treated as confidential for a period of ten years. This period is necessary due to the proprietary nature of the information contained within these *Exhibits*.

9. OTHER INFORMATION THAT 3 BILLIONAIRES BELIEVES MAY BE USEFUL IN ASSESSING WHETHER ITS REQUEST FOR CONFIDENTIALITY SHOULD BE GRANTED.¹⁴

The information concerns 3 Billionaires' proprietary network information, related to its current as well as future planned commercial and operational information and, as such, is commercially sensitive, especially in the market which it serves.

3 Billionaires Corp.



Any questions you may have regarding this filing should be directed to my personal attention via Telephone at (516) 708-0111 or via email to hb@3billionaires.com.

Thank you for your assistance in this matter.

Sincerely,

Harold Barr, Vice President
3 Billionaires Corp.
Main Office Tel: 347-266-0000
Direct Number: 516 708-0111
Fax: 646-558-2457
E-Mail: hb@3billionaires.com

REFERENCES

- 1 5 U.S.C. § 552(b)(4).
- 2 *Critical Mass Energy Project v. NRC*, 975 F.2d 871, 879 (D.C. Cir. 1992).
- 3 *See Nat'l Parks & Conservation Ass'n v. Morton*, 498 F.2d 765 (D.C. Cir. 1974).
- 4 47 C.F.R. § 0.459(b).
- 5 47 C.F.R. § 0.459(b)(1).
- 6 47 C.F.R. § 0.459(b)(2).
- 7 47 C.F.R. § 0.459(b)(3).
- 8 47 C.F.R. §§ 0.457(d) and 0.459.
- 9 47 C.F.R. § 0.459(b)(4).
- 10 47 C.F.R. § 0.459(b)(5).
- 11 47 C.F.R. § 0.459(b)(6).
- 12 47 C.F.R. § 0.459(b)(7).
- 13 47 C.F.R. § 0.459(b)(8).
- 14 47 C.F.R. § 0.459(b)(9).