

November 9, 2020

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

Re: Request for Confidential Treatment of Exhibits to NobelBiz's Application under 47 C.F.R. 52.15(g)

Dear Ms. Dortch:

Please find enclosed herewith an Application for Authorization to Obtain Numbering Resources (“Application”) submitted by NobelBiz, Inc. (“NobelBiz”) pursuant to 47 C.F.R. 52.15(g)(3)(i).

The Application includes two confidential attachments: Exhibit A is an agreement between NobelBiz and its carrier partner, and Exhibit B is an interconnection agreement between that carrier partner and an incumbent local exchange carrier (“Attachments”). NobelBiz respectfully requests that, pursuant to 47 C.F.R. 0.457 and 0.459, the Commission withhold from public inspection and grant confidential treatment to the Attachments. These documents each contain sensitive commercial and financial information and trade secrets, falling within an exemption under 5 U.S.C. 552(b)(4) (“FOIA”).

NobelBiz voluntarily provides the commercial and financial information and trade secrets contained in the Attachments, which is “of a kind that would not customarily be released to the public” and therefore constitutes “confidential” information under FOIA. See *Critical Mass Energy Project v. NRC*, 975 F.2d 871, 879 (D.C. Cir. 1992). Further, NobelBiz would suffer substantial competitive harm if information contained in the Attachments were disclosed. See *National Parks and Conservation Ass'n v. Morton*, 498 F.2d 765 (D.C. Cir. 1974).

In support of this request and pursuant to 47 C.F.R. 0.459(b) NobelBiz avers as follows:

A. Identification of the Specific Information for Which Confidential Treatment is Sought

NobelBiz seeks confidential treatment of the Attachments: an agreement between NobelBiz and its carrier partner as set forth in Exhibit A, and an interconnection agreement between that carrier partner and an incumbent local exchange carrier as set forth in Exhibit B.

B. Description of Reason for the Submission

NobelBiz voluntarily submits the Attachments to the Commission as proof of the readiness of its facilities as required by 47 C.F.R. 52.15(g)(3)(i)(D).

C. Explanation of Degree to Which Information is Commercial or Financial, Contains a Trade Secret or is Privileged

The Attachments contain sensitive commercial and financial information that “would customarily be guarded from competitors”. 47 C.F.R. 0.457(d) and 0.459. Each also contains proprietary information relating to NobelBiz’s network, costs, and expenses.

D. Explanation of Degree to Which Information Concerns a Service Subject to Competition

The information contained in Attachments could be used by NobelBiz’s numerous competitors in the Voice over Internet Protocol (“VoIP”) business to NobelBiz’s disadvantage. Disclosure of such information would therefore result in substantial competitive harm.

E. Explanation of How Disclosure of Information Could Result in Substantial Competitive Harm

Competitors could use the information contained in the Attachments to NobelBiz’s detriment as they would gain access to sensitive and proprietary information, including its commercial agreements with others that are not ordinarily disclosed to the public.

F. Identification of Measures Taken by NobelBiz to Prevent Unauthorized Disclosure

NobelBiz does not disclose the Attachments to the public.

G. Identification of Whether Information is Available to the Public and Extent of Previous Disclosure of Third Parties

NobelBiz has not previously disclosed the Attachments to the public or third parties.

H. Justification of Period During Which NobelBiz Asserts Material Should Not be Available for Public Disclosure

NobelBiz respectfully requests that the Attachments be treated as confidential for a period of ten years. This period is necessary due to the sensitive and proprietary nature of the information contained in the Attachments.

Please contact me at colleen.guffey@nobelbiz.com if you have any questions regarding this request for confidentiality.

Respectfully submitted,

/s/ Colleen Guffey

Vice President
NobelBiz, Inc.