

February 2, 2017

**VIA ECFS**

Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

**REDACTED FOR PUBLIC  
INSPECTION**

**Re:** Request for Confidential Treatment of Filing of *Inter Vista Networking, Inc.*,  
*Applicant, For Authorization to Obtain Numbering Resources Pursuant to*  
*Section 52.15(g) of the Commission's Rules*, WC Docket No. 15-\_\_\_\_\_

Dear Ms. Dortch:

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

Inter Vista 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 accord confidential treatment to Exhibit A to the application because that document contains sensitive trade secrets and commercial information that falls within Exemption 4 of the Freedom of Information Act ("FOIA").<sup>1</sup> Inter Vista is voluntarily providing this information, "of a kind that would not customarily be released to the public"; therefore, this information is "confidential" under FOIA.<sup>2</sup> Moreover, Inter Vista would suffer substantial competitive harm if this information were disclosed.<sup>3</sup>

Exhibit A is accordingly marked with the header "SUBJECT TO REQUEST FOR CONFIDENTIAL TREATMENT – NOT FOR PUBLIC INSPECTION."

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<sup>1</sup> 5 U.S.C. § 552(b)(4).

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

In support of this request and pursuant to Section 0.459(b) of the Commission's rules,<sup>4</sup> Inter Vista hereby states as follows:

**1. IDENTIFICATION OF THE SPECIFIC INFORMATION FOR WHICH CONFIDENTIAL TREATMENT IS SOUGHT<sup>5</sup>**

Inter Vista seeks confidential treatment of Exhibit A to the enclosed application.

**2. DESCRIPTION OF CIRCUMSTANCES GIVING RISE TO THE SUBMISSION<sup>6</sup>**

Inter Vista is submitting the agreement between it and its carrier partner, as proof of Inter Vista'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<sup>7</sup>**

The information for which Inter Vista seeks confidential treatment contains sensitive commercial information "which would customarily be guarded from competitors."<sup>8</sup> Exhibit A consists of a commercial agreement between Inter Vista and its carrier partner and contains proprietary commercial information concerning Inter Vista's network, customers, and services.

**4. EXPLANATION OF THE DEGREE TO WHICH THE INFORMATION CONCERNS A SERVICE THAT IS SUBJECT TO COMPETITION<sup>9</sup>**

Exhibit A contains information relating to commercial matters that could be used by competitors to Inter Vista's disadvantage. Inter Vista 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 Inter Vista could compromise Inter Vista's position in this highly competitive industry. Release would therefore result in substantial competitive harm to Inter Vista.

<sup>3</sup> ~~See *National Parks and Conservation Ass'n v. Morton*, 498 F.2d 765 (D.C. Cir. 1974).~~

<sup>4</sup> 47 C.F.R. § 0.459(b).

<sup>5</sup> 47 C.F.R. § 0.459(b)(1).

<sup>6</sup> 47 C.F.R. § 0.459(b)(2).

<sup>7</sup> 47 C.F.R. § 0.459(b)(3).

<sup>8</sup> 47 C.F.R. § 0.457(d)(2).

<sup>9</sup> 47 C.F.R. § 0.459(b)(4).

**5. EXPLANATION OF HOW DISCLOSURE OF THE INFORMATION COULD RESULT IN SUBSTANTIAL COMPETITIVE HARM<sup>10</sup>**

Competitors could use Inter Vista's proprietary commercial and operational information to Inter Vista's detriment as they would gain access to sensitive information about how Inter Vista provides services as well as about Inter Vista's 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<sup>11</sup>**

Inter Vista has not distributed the information in Exhibit A 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<sup>12</sup>**

Inter Vista has not previously disclosed the information in Exhibit A.

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

Inter Vista requests that Exhibit A be treated as confidential for a period of ten years. This period is necessary due to the proprietary nature of the information in Exhibit A.

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<sup>10</sup> 47 C.F.R. § 0.459(b)(5).

<sup>11</sup> 47 C.F.R. § 0.459(b)(6).

<sup>12</sup> 47 C.F.R. § 0.459(b)(7).

<sup>13</sup> 47 C.F.R. § 0.459(b)(8).

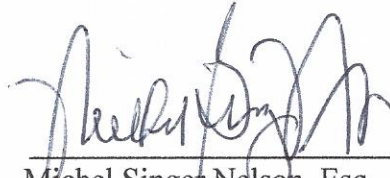
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**9. OTHER INFORMATION THAT INTER VISTA BELIEVES MAY BE USEFUL IN ASSESSING WHETHER ITS REQUEST FOR CONFIDENTIALITY SHOULD BE GRANTED<sup>14</sup>**

The information concerns Inter Vista's proprietary network information, related to current and planned commercial and operational information, and as such, is commercially sensitive.

Should you have any questions regarding the foregoing information, please contact the undersigned at (916) 235 2028.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Michel Singer Nelson", written over a horizontal line.

Michel Singer Nelson, Esq.  
Counsel for Inter Vista Networking, Inc.

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<sup>14</sup> 47 C.F.R. § 0.459(b)(9).



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

<i>In the Matter of</i>	)	
	)	
Inter Vista Networking, Inc., Applicant	)	WC Docket No. 16-_____
	)	
For Authorization to Obtain Numbering	)	
Resources Pursuant to Section 52.15(g) of	)	
the Commission's Rules	)	

**APPLICATION OF INTER VISTA NETWORKING, INC. FOR AUTHORIZATION  
TO OBTAIN NUMBERING RESOURCES**

Inter Vista Networking, Inc. ("Inter Vista") pursuant to Section 52.15(g)(3)(i) of the Commission's Rules, respectfully requests authorization to obtain numbering resources as described below.

As set forth in the Commission's *Numbering Order*,<sup>1</sup> an interconnected VoIP provider may obtain numbering resources from the Numbering Administrator upon a showing that it is authorized to provide service in the area for which the numbering resources are requested. Such authorization may be obtained upon an application to the Commission containing the information detailed in Sections 52.15(g)(3)(i)(A)-(F) of the Commission's Rules. Inter Vista hereby requests the Commission grant it that authorization. In support of this application, Inter Vista provides the following information:

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<sup>1</sup>*Numbering Policies for Modern Communications*, FCC 15-70 (rel. June 22, 2015).

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

**(A) § 52.15(g)(3)(i)(A)**

**Name:** Inter Vista Networking, Inc.  
**Address:** 4359 Town Center Blvd., Suite 217A, El Dorado Hills, CA 95762  
**Telephone:** 888-444-1111  
**Qualified Personnel:** Michel Singer Nelson, Counsel and VP of Regulatory

**(B) § 52.15(g)(3)(i)(B)**

Inter Vista hereby acknowledges that authorization to obtain numbering resources under Section 52.15(g) of the Commission's Rules is subject to compliance with applicable Commission numbering rules as well as to the numbering authority delegated to the states. Inter Vista hereby also acknowledges that this authorization is subject to compliance with industry guidelines and practices regarding numbering, just as to telecommunications carriers.

**(C) § 52.15(g)(3)(i)(C)**

Inter Vista hereby acknowledges that it must file requests for numbers with the relevant state commission(s) at least 30 days before requesting numbers from the Numbering Administrators.

**(D) § 52.15(g)(3)(i)(D)**

Inter Vista hereby sets forth its capability to provide service within 60 days of the numbering resources activation date.

Inter Vista has an agreement in place with its affiliate, its CLEC partner for routing to ILECs and is in the process of negotiating direct IP interconnection with ILECs. In addition, Inter Vista has developed porting tools to enable carriers to submit porting requests and has accomplished bulk ports with no difficulty. As a result, Inter Vista already has in place the necessary procedures to enable it to place numbers into service within 60 days of

activation. Under its current agreements and established procedures, Inter Vista will be able to place nearly all numbers into service within similar timeframe, and all numbers will be placed into service within 60 days of activation.

As proof of its facilities readiness, Inter Vista has attached to this application (1) an agreement between Inter Vista and its carrier partner providing that the carrier partner will host Inter Vista numbers on its switches and provide PSTN connectivity for inbound and outbound calls to and from Inter Vista numbers and (2) an interconnection agreement between Inter Vista's carrier partner and a local exchange carrier. These documents are attached as Confidential Exhibit A and Exhibit B.

**(E) § 52.15(g)(3)(i)(E)**

Inter Vista hereby 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 under 47 CFR §§ 52.17, 52.32, its obligations to pay regulatory fees under 47 CFR § 1.1154, and its 911 obligations under 47 CFR part 9.

**(F) § 52.15(g)(3)(i)(F)**

Inter Vista hereby certifies that it has the financial, managerial, and technical expertise to provide reliable service. Inter Vista's affiliated CLEC partner has been providing local exchange services for 18 years. Inter Vista will rely on the same systems and many of the same personnel as its CLEC partner to not only place numbers into service, but without any impairment. Inter Vista's affiliated CLEC partner routes calls successfully, as will Inter Vista. Using the same processes as have been developed for Inter Vista's CLEC partner, Inter



Vista will port numbers in and out successfully, as normal and direct access will not impact terminating intercarrier compensation for calls originated from these numbers.

Inter Vista's affiliated CLEC partner's long experience with number porting has enabled it to create routing arrangements intended to seamlessly deliver calls to numbers directly assigned to Inter Vista. Moreover, Inter Vista will deploy the same porting tools used by traditional carriers, to the benefit of its customers and other providers. Inter Vista has established tools and processes for processing local service requests for porting numbers, allowing providers to request credentials and submit porting requests – the same approach adopted by its affiliated CLEC partner.

Inter Vista's key management and technical personnel are listed below. None of the identified personnel are being or have been investigated by the Commission or any law enforcement or regulatory agency for failure to comply with any law, rule, or order.

<b>Key Personnel:</b>	Bradley Jenkins, President and Chief Executive Officer
	Max Seely, Senior Vice President of Sales
	Jim Beausoleil, Chief Financial Officer
	David Stoos, Director of Network Operations

**(G) § 52.15(g)(3)(i)(G)**

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

**II. ACKNOWLEDGEMENT OF CONDITIONS IN SECTION 52.15(g)(3)(iv)**

As required by Section 52.15(g)(3)(iv), Inter Vista will maintain the accuracy of all contact information and certifications in this application, and will file a correction with the Commission and each applicable state within 30 days of any changes. Inter Vista will also



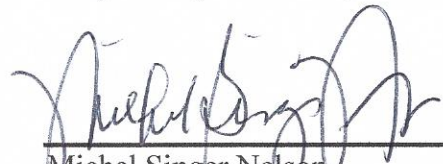
furnish accurate regulatory and numbering contact information to each state commission when requesting numbers in that state.

### III. CONCLUSION

Pursuant to Section 52.15(g)(3)(i) of the Commissions' Rules, Inter Vista respectfully requests the Commission grant this application for authorization to obtain numbering resources.

Dated this 2nd day of February 2017.

Respectfully submitted,



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Michel Singer Nelson  
Counsel and VP of Regulatory and  
Public Policy  
Inter Vista Networking, Inc.  
4359 Town Center Blvd., Suite 217A  
El Dorado Hills, CA 95762  
916 235 2028  
mnelson@ol.com

**EXHIBIT A**

**AGREEMENT BETWEEN INTER VISTA NETWORKING, INC. AND ITS  
COMPETITIVE LOCAL EXCHANGE CARRIER PARTNER**

**SUBJECT TO REQUEST FOR CONFIDENTIAL TREATMENT – NOT  
FOR PUBLIC INSPECTION**

## **EXHIBIT B**