

April 12, 2016

**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 Manhattan Telecommunications Corp.; *Manhattan Telecommunications Corporation d/b/a MetTel, 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, Manhattan Telecommunications Corporation ("MetTel") hereby submits its application requesting authorization to obtain numbering resources.

MetTel 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-Statement to the application because that document contains commercial information that falls within Exemption 4 of the Freedom of Information Act ("FOIA").<sup>1</sup> MetTel 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, MetTel would suffer 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).

<sup>3</sup> 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 Section 0.459(b) of the Commission's rules,<sup>4</sup> MetTel hereby states as follows:

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

MetTel seeks confidential treatment of Exhibit A to the enclosed application.

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

MetTel is submitting a Exhibit A - Statement that describes MetTel's Proof of 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 MetTel seeks confidential treatment contains sensitive commercial information "which would customarily be guarded from competitors."<sup>8</sup> Exhibit A describes the agreement between MetTel and our Carrier Partner and how this agreement supports Proof of Readiness. This description contains proprietary commercial information.

**4. EXPLANATION OF THE DEGREE TO WHICH THE INFORMATION CONCERN'S 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 MetTel's disadvantage. MetTel 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 MetTel could compromise MetTel's position in this highly competitive industry. Release would therefore result in substantial competitive harm to MetTel.

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<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 MetTel's proprietary commercial and operational information to MetTel's detriment as they would gain access to information about how MetTel provides services as well as about MetTel'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>**

MetTel 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>**

MetTel 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>**

MetTel requests that Exhibit A be treated as confidential for a period of 10 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).

Ms. Marlene H. Dortch

April 12, 2016

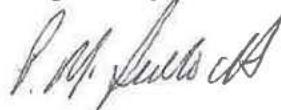
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**9. OTHER INFORMATION THAT METTEL BELIEVES MAY BE USEFUL IN ASSESSING WHETHER ITS REQUEST FOR CONFIDENTIALITY SHOULD BE GRANTED<sup>14</sup>**

The information concerns MetTel'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 (212) 607-6341.

Respectfully submitted,



Paola Bulloch  
*Carrier Relations - Regulatory*  
*Manhattan Telecommunications Corp.*

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

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

*In the Matter of*

)

)

Manhattan Telecommunications Corporation      WC Docket No. 15-\_\_\_\_\_

d/b/a MetTel Applicant      )

)

For Authorization to Obtain Numbering      )

Resources Pursuant to Section 52.15(g) of      )

the Commission's Rules      )

**APPLICATION OF MANHATTAN TELECOMMUNICATIONS CORP. FOR  
AUTHORIZATION TO OBTAIN NUMBERING  
RESOURCES**

Manhattan Telecommunications Corporation (“MetTel”), 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. MetTel hereby requests the Commission grant it that authorization. In support of this application, MetTel 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:** Manhattan Telecommunications Corporation d/b/a  
**Address:** MetTel  
55 Water Street, 32<sup>nd</sup> Floor  
New York, NY 10041  
**Telephone:** 212-607-2146  
**Qualified Personnel:** Sam Vogel, Exec. V.P. - Regulatory Affairs

**(B) § 52.15(g) (3) (i)(B)**

MetTel 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. MetTel 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)**

MetTel 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)**

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

MetTel currently holds approximately 25,731 numbers directly. MetTel has an IPES OCN; has an agreement in place with its Carrier partner for routing to ILECs; and has, in some cases, negotiated direct IP interconnection with ILECs.

MetTel has developed porting tools to enable carriers to submit porting requests and has accomplished bulk ports with no difficulty. MetTel 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, MetTel 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, MetTel has attached a statement describing (1) the agreement between MetTel and its carrier partner providing that the carrier partner will host MetTel numbers on its switches and provide PSTN connectivity for inbound calls to MetTel numbers and (2) an interconnection agreement between MetTel's carrier partner and a local exchange carrier. This "Statement" is attached.

(E) § 52.15(g) (3) (i)(E)

MetTel 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)**

MetTel hereby certifies that it has the financial, managerial, and technical expertise to provide reliable service. MetTel has the capabilities to seamlessly place numbers into service, successfully port and route calls without impact to terminating inter-carrier compensation for originating calls.

MetTel's lengthy experience with number porting enables it, along with its carrier partners, to create routing arrangements that seamlessly deliver calls to numbers directly assigned to MetTel. MetTel has established a web interface for processing local service requests for porting numbers, allowing providers to request credentials and submit porting requests.

MetTel'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.

**Key Personnel:** Andoni Economou, Chief Operating Officer/EVP  
Marshall Aronow, Chief Executive Officer  
David Aronow, President  
Ed Fox , Vice President of Network Services

**(G) § 52.15(g) (3) (i) (G)**

MetTel 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.

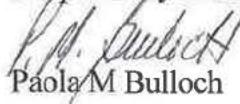
## **II. ACKNOWLEDGEMENT OF CONDITIONS IN SECTION 52.15(g) (3) (iv)**

As required by Section 52.15(g) (3) (iv), MetTel 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. MetTel 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, MetTel respectfully requests the Commission grant this application for authorization to obtain numbering resources.

Respectfully submitted,



Paola M Bulloch

Carrier Relations – Regulatory

*Carrier Relations to MetTel*

Sam Vogel  
Regulatory Affairs  
Manhattan Telecommunications  
Corporation d/b/a MetTel  
55 Water Street, 32<sup>nd</sup> Fl.  
New York, NY 10041



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32<sup>nd</sup> Floor  
New York, NY 10041

TEL: 212.607.2000  
FAX: 866.667.3900  
[www.mettel.net](http://www.mettel.net)

**Exhibit A: Redacted for Public Inspection**

Manhattan Telecommunications Corporation d/b/a MetTel

**Proof of Facilities Readiness 52.15 (G) (2) Statement**

**Manhattan Telecommunications Corporation d/b/a MetTel.**

**MetTel** is a Competitive Local Exchange Carrier (CLEC) based in New York City that provides both facilities-based and non-facilities based services as well as being an Interconnected VoIP Provider.

**MetTel** is certified to do business in all of the contiguous United States, the District of Columbia, and Hawaii.

**MetTel** has a CPCN in all 50 States.

We offer local voice, long distance, data, Internet, Integrated T1s, Dedicated Internet Access, XDSL Services, and Ethernet, MPLS and VoIP services.

Today, MetTel can seamlessly provide VoIP services to its end-users because we have successfully deployed the necessary tools (API), terms and conditions.

**MetTel can/will [upon the receipt of direct access to numbering resources]**

- Provide VoIP services to its customers using our existing equipment within 60 days.
- Comply with all of the existing number rules.
- Certify that the number resources are "in service."
- Use numbering resources efficiently.
- Submit the NRUF on a semi-annual basis, participate in number pooling and comply with number portability requirements.
- Comply with all of the regulatory mechanisms that are applicable to telecommunications carriers to ensure compliance with the FCC; as well as the states numbering resource optimization procedures.

Respectfully,  
  
Paola M. Bulloch  
Carrier Relations-Regulatory