

VIA OVERNIGHT UPS

April 14, 2010

Ann Cole, Commission Clerk  
Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399

RECEIVED-FPSC  
10 APR 15 PM 1:39  
COMMISSION  
CLERK

RE: RNK Inc. d/b/a RNK Communications, Inc. (Company Code TX942) Request for Confidential Information on RNK's responses to the Data Requests associated with the Commission's 2010 Competitive Local Exchange Carrier (CLEC) Questionnaire

Dear Clerk Cole:

According to the procedures contained in the Commission's rules,<sup>1</sup> RNK requests confidential treatment of some of its responses to the Data Requests associated with the Commission's 2008 CLEC Questionnaire ("Questionnaire.") In particular, RNK submits that responses to Parts II-A (information regarding its local voice grade equivalent channels), II-B (information pertaining to its Voice over Internet Protocol ("VoIP") customers) and V (Zip Codes of its customers) included with its Form 477 filings to the FCC, for the period ending December 31, 2009 be kept confidential. In addition, RNK respectfully requests that its responses on Tables 1 and 5 of the Commission's data sheets for the period ending December 31, 2008 be also kept confidential.

In particular, Part II-A of its FCC Form 477, which was filed under a confidentiality request with the FCC, states the number of Voice Grade Equivalents RNK provides to its customers in Florida, and various other statistics regarding the same, including how they are provisioned and whether RNK is the presubscribed long distance carrier. Part II-B of its FCC Form 477 states the number of its interconnected VoIP customers, the percentage of those customers that are "nomadic," and how many resellers of RNK's VoIP service have end users in the state of Florida. Part V of its FCC Form 477 consists of a list of ZIP codes of RNK's customers. Moreover, Tables 1 and 5 of the Commission's requests break down RNK's "traditional" and interconnected VoIP service customer base, respectively, by number of customers in each exchange or rate center, as well as by class (business or residential) of customer.

The information that is requested by the Commission is confidential and is treated as such by RNK. This information is not known to the public or to RNK's competitors and is maintained by specifically authorized individuals within the RNK. When it is necessary for RNK to release this information to a third party, it does so only under a strict Non-Disclosure Agreement signed by the receiving party placing them under a contractual duty to maintain confidentiality regarding RNK's competitive information. Furthermore, RNK has requested, and received, similar treatment for similar reports submitted to other State Public Utility Commissions, and to the FCC.

COM \_\_\_\_\_  
APA \_\_\_\_\_  
ECR \_\_\_\_\_  
GCL   1    
RAD   1    
SSC \_\_\_\_\_  
ADM \_\_\_\_\_  
OPC \_\_\_\_\_  
CLK   1  

<sup>1</sup> Rule 25-22.006(5), F.A.C.

This claim of confidentiality was filed by or on behalf of a "telco" for Confidential DN 02843-10. The document is in locked storage pending advise on handling. To access the material, your name must be on the CASR. If undocketed, your division director must provide written permission before you can access it.

DOCUMENT NUMBER-DATE  
02842 APR 15 09  
FPSC-COMMISSION CLERK

April 14, 2010

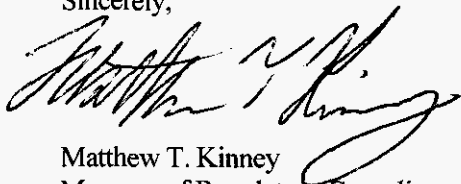
The Commission requires RNK to divulge information that is competitively sensitive and confidential. It request RNK to provide information that would provide detailed intelligence regarding the location and nature of RNK's customer base. Any one (or part of any one) of these alone would be cause for RNK to demand confidentiality, but in the aggregate it gives competitors a detailed picture of RNK's business plan. Piecing this information together, in conjunction with other, publicly available information will give competitors detailed insight regarding the thrust of RNK's competitive endeavors and, perhaps, use it to their business advantage to undermine or unfairly target RNK's services or prices, or duplicate RNK's business plan, among other actions they might take. Simply stated, maintaining the confidentiality of customer information and network structure is in the public interest and does not deprive the citizens of Florida of any vital information necessary for an informed choice.

Included with this letter is a sealed envelope containing a CD-ROM with the Confidential Responses to the data table requests in Microsoft Excel format as well as an unredacted version of RNK's FCC Form 477, in Adobe .PDF Format. The sealed envelope also contains hard copies of the confidential tables and Form 477, with confidential information highlighted as required by the Commission's rules..

Also are two hard copies of a redacted public version of the Data Tables and the Form 477. The redacted public versions of both documents will also be filed via email.

If you have any questions, feel free to contact me at (781) 613-6148 or by email at [matt@rnkcom.com](mailto:matt@rnkcom.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew T. Kinney". The signature is fluid and cursive, with the first name "Matthew" being larger and more prominent than the last name "Kinney".

Matthew T. Kinney  
Manager of Regulatory Compliance

STATE OF FLORIDA

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OFFICE OF COMMISSION CLERK  
ANN COLE  
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(850) 413-6770

## Public Service Commission

### ACKNOWLEDGEMENT

DATE: April 15, 2010

TO: Matthew T. Kinney, Manager - Regulatory Compliance

FROM: Marguerite H. Mclean, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

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This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number undocketed or, if filed in an undocketed matter, concerning responses to data requests associated with 2010 CLEC questionnaire, and filed on behalf of RNK Inc. D/B/A RNK Communications, Inc. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Kim Peña, Records Management Assistant, at (850) 413-6393.

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