

**BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of

Petition of Charter Fiberlink WA-CCVII, LLC
for Designation as an Eligible
Telecommunications Carrier to Receive Rural
Digital Opportunity Fund Auction (Auction
904) Support for Voice and Broadband
Services

Docket No. UT-210008

CHARTER FIBERLINK’S MOTION
FOR STANDARD PROTECTIVE
ORDER (**Expedited Treatment
Requested**)

I. RELIEF REQUESTED

I Charter Fiberlink WA-CCVII, LLC (“Charter Fiberlink” or “Company”) moves for the entry of the standard protective order by the Washington Utilities and Transportation Commission (“Commission”) under WAC 480-07-420(1). Charter Fiberlink seeks expedited treatment of this motion to allow it to timely respond to requests for information issued by Commission Staff which ask for confidential information. Charter Fiberlink’s representatives in this proceeding are:

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II. BACKGROUND AND AUTHORITIES IN SUPPORT

2 On January 6, 2021, Charter Fiberlink filed its Petition for Designation as an Eligible Telecommunications Carrier. The Company did not include confidential information in its initial Petition, in order to promote the ability of the public to review the filing and participate in this case. However, the Company has recently received a request for information from Commission Staff seeking documents that contain commercially sensitive information. Specifically, Staff has asked Charter Fiberlink to provide its Long Form Application (Form 683) that was filed with the FCC in connection with the recently completed Rural Digital Opportunity Fund auction. In response, the Company intends to provide confidentially relevant portions of the Phase I FCC Form 683 for Washington, including the Indirect Ownership Exhibit and Initial Project Overview, as well as a description of the technology and system design information contained in its Phase II FCC Form 683. These contain technical and financial information that is confidential and extremely competitively sensitive.

3 The Commission has authority to grant Charter Fiberlink’s motion under WAC 480-07-420(1), which allows the Commission to enter “a standard form of protective order designed to promote the free exchange of information and development of the factual record in a proceeding when the [C]ommission finds that parties reasonably anticipate that discovery or evidentiary filings will require information designated as confidential as defined in WAC 480-07-160 to be disclosed to other parties in the adjudication.” In turn, WAC 480-07-160 defines confidential information as including, among other things, “valuable commercial information, including trade secrets or confidential marketing, cost, or financial information, or customer-specific usage and network configuration and design information, as provided in RCW 80.04.095 and 81.77.210.”

4 The material that Charter Fiberlink seeks to protect in this case is the type of information that is intended to be eligible for confidential protection under RCW 80.04.095 and WAC 480-07-160. Public release of any of the confidential information could compromise the Company's ability to compete fairly and impose a business risk to the Company. The result would be increased costs for Charter Fiberlink and, ultimately, its customers.

III. CONCLUSION

5 For the reasons set forth above, Charter Fiberlink respectfully requests that the Commission enter its standard form of protective order in this case.

Respectfully submitted this 25th day of February, 2021

/s/ Lisa Rackner

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