

**STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD**

IN RE:	
GLOBAL TEL*LINK CORPORATION	DOCKET NO. TF-2019-0039
PUBLIC COMMUNICATIONS SERVICES, INC.	DOCKET NO. TF-2019-0040

REQUEST FOR CONFIDENTIAL TREATMENT

Global Tel*Link Corporation and Public Communications Services, Inc. (collectively, “GTL”), pursuant to Iowa Code § 22.7 and 199 IAC 1.9, respectfully request that the Iowa Utilities Board (“Board”) treat as confidential information certain portions of GTL’s response to Board Question 1, which was filed by GTL in response to the Order Granting Petitions to Intervene and Requiring Additional Information (the “Order”) issued on May 24, 2019 in the above-referenced matters. In support of this Request for Confidential Treatment, GTL states as follows:

1. The Order requested additional information from alternative operator services (“AOS”) companies regarding the tariffs filed by AOS companies in response to the Board’s January 2, 2019 decision, which required all AOS companies providing inmate calling service (“ICS”) in Iowa to file tariffs with the Board for review.¹

2. In response to Board Question 1, GTL provides information on the correctional facilities it serves in Iowa (the “Confidential Information”). The Confidential Information includes

¹ Docket No. RMU-2017-0004, *Rule Making Regarding Inmate Calling Rate Caps [199 IAC Chapter 22]*, Order Terminating Rule Making (Jan. 2, 2019) (“January 2019 Order”); *see also* Docket No. RMU-2017-0004, *Rule Making Regarding Inmate Calling Rate Caps [199 IAC Chapter 22]*, Order Requiring Tariff Filing (Mar. 14, 2019).

the names of GTL's correctional facility customers and the number of telephones that GTL maintains and operates in each of those correctional facilities.

3. In accordance with 199 IAC 1.9(6), GTL is separately filing the portion of its responses to the Order that includes the Confidential Information. The Confidential Information also has been marked as "confidential" as required under 199 IAC 1.9(6).

4. The Confidential Information is a report to a government agency that, if released, would give advantage to GTL's competitors and serve no public purpose. Further, the Confidential Information constitutes a "trade secret" under Iowa Code § 550.2. Accordingly, such information must be kept confidential under Iowa Code § 22.7(3) and (6).²

5. Public disclosure of information concerning GTL's business operations could damage the company's competitive position by giving competitors insight into the company's business methods and strategies, and thereby give GTL's competitors an economic advantage.³ The Confidential Information constitutes the type of business information that may properly be withheld from public disclosure under Iowa Code § 22.7(3) and (6).⁴

6. Attached hereto is an Affidavit in support of this Request for Confidential Treatment from a corporate officer of GTL with personal knowledge of the specific facts.

² The same is true under the federal Freedom of Information Act ("FOIA"). *See, e.g.*, 5 U.S.C. § 552(b)(4); *Food Marketing Institute v. Argus Leader Media*, No. 18-481, slip op. at 6-8 (S. Ct. June 24, 2019).

³ *See, e.g., US West Communications, Inc. v. Office of Consumer Advocate*, 498 N.W.2d 711 (Iowa 1993) (finding information that would be useful to a competitor and requires cost, time, and effort to duplicate is of economic advantage to a competitor).

⁴ *See, e.g.* SPU-2011-0004, *Great Lakes Communication Corp.*, Order Granting Request for Confidentiality filed November 30, 2012 (Dec. 4, 2012) (finding names of customers should be protected from disclosure) *MidAmerican Energy Company*, 1999 WL 35236278 (Feb. 9, 1999) (finding customer-specific information constitutes a trade secret); *see also Mobile Relay Associates*, 14 FCC Rcd 18919, ¶¶ 8-9 (1999) (finding "customer records are among the most basic business records that a company uses in furtherance of its commercial activities" and a "customer list constitutes the type of business information that may be properly withheld" from public disclosure).

7. In the event there is a challenge to GTL's designation of the Confidential Information as confidential, GTL respectfully requests notice of that determination and an opportunity to seek further relief pursuant to the process set forth in 199 IAC 1.9(6).

WHEREFORE, GTL respectfully requests the Board grant its Request for Confidential Treatment and treat the Confidential Information as confidential under Iowa Code §22.7(3) and (6) and 199 IAC 1.9(6).

Respectfully submitted,

**GLOBAL TEL*LINK CORPORATION
PUBLIC COMMUNICATIONS SERVICES, INC.**

/s/ Steve Montanaro

Steve Montanaro
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Dated: June 24, 2019

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AFFIDAVIT IN SUPPORT OF REQUEST FOR CONFIDENTIAL TREATMENT

I, John Pitsenberger, under oath depose and state that I am the Chief Financial Officer of Global Tel*Link Corporation and its subsidiary Public Communications Services, Inc. (collectively, "GTL"). I provide this Affidavit in support of GTL's Request for Confidential Treatment under the provisions of Iowa Code §22.7(3) and (6) and 199 IAC 1.9(6).

I am personally knowledgeable of the adverse effect that would result from public disclosure of the Confidential Information provided by GTL in response to Board Question 1. The information for which confidential treatment is being sought is the names of GTL's correctional facility customers in Iowa and the number of telephones that GTL maintains and operates in each of those correctional facilities.

Public disclosure of this information could damage GTL's competitive position by giving competitors an economic advantage and insight into the company's business methods and strategies. Competitors also could use the information to contact the correctional facilities for direct marketing purposes.

/s/ John Pitsenberger _____
Chief Financial Officer
Global Tel*Link Corporation

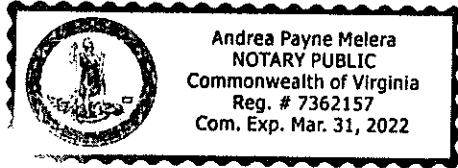
Subscribed and sworn before me this 21st day of June 2019.

/s/ Andrea Payne Melera

ANDREA PAYNE MELERA

Notary Public

My commission expires on March 31, 2022.



CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 24th day of June 2019, he had the foregoing document electronically filed with the Iowa Utilities Board using the Electronic Filing System, which will send notification of such filing (electronically) to the appropriate persons.

/s/ Steve Montanaro _____