

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

IN RE: LEGACY LONG DISTANCE INTERNATIONAL, INC.	DOCKET NO. TF-2019-0035
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APPLICATION FOR CONFIDENTIAL TREATMENT

COMES NOW, Legacy Long Distance International, Inc. (“Legacy”) and for its Application for Confidential Treatment (“Application”) pursuant to Iowa Code §22.7 (2019) and 199 IAC Chapter 1.9(5), submits as follows:

1. Pursuant to the Iowa Utilities Board’s (“Board”) “Order Granting Petitions to Intervene and Requiring Additional Information” issued on May 24, 2019 in this docket, Legacy is filing its responses to Attachment A: Utilities Board Questions RE: Filed AOS Tariffs as Exhibit A to this request.
2. Exhibit A includes specific customer usage and billing information (“Confidential Materials”).
3. The Board has established rules governing the examination of all public records as set out in 199 IAC 1.9. Legacy’s request asks the Board to maintain the confidentiality of the Confidential Materials as records not routinely available for public inspection subject to such other limitations as the Board may consider appropriate.
4. Legacy, with this application, states that the Confidential Materials consist of trade secrets of Legacy and its customers, which are recognized and protected as such by law, and requests that the same be kept confidential to the full extent permitted by Iowa law. This request is premised on the statutory authority granted under Iowa Code §22.7 (3).

5. Legacy, with this Application, hereby further states that the Confidential Materials constitutes a report to this Board which, if released, would give advantage to competitors and serve no public purpose. This request is premised on the statutory authority granted under Iowa Code §22.7 (6).

6. In support of its belief that the Confidential Materials constitute a trade secret pursuant to Iowa Code §22.7(3), and further that the Confidential Materials constitute a report pursuant to Iowa Code §22.7(6) to the Board which, if released, would give advantage to competitors and serve no public purpose, Legacy attaches hereto incorporates the Affidavit of Brian Hill, Chief Executive Officer of Legacy.

Statement for Legal Basis for this Request

Trade Secret Iowa Code §22.7(3)

7. The confidential information consists of confidential and proprietary information of Legacy which falls within the purview and protection of the exclusion authorized under Iowa Code §22.7, which is an exception to the right of the general public to otherwise have unrestricted access to said public records.

8. "Trade secrets" have been defined as "...information which is used in one's business, and which gives him an opportunity to obtain an advantage over competitors who do not know or use it." Farnum v. G.D. Searle, 339 N.W.2d 384, 389 (Iowa 1983).

Report to Agency, Iowa Code § 22.7(6)

9. The Confidential Materials contains information which, if released to the general public, would give an unfair advantage to existing and potential inmate service providers, competitors of Legacy and its customers. National Parks and Conservation Ass'n v. Morton, 498 F.2d 765, 768 (D.C. Cir. 1974).

10. Because maintaining confidentiality of such information maximizes Legacy's ability to operate at the lowest reasonable cost, substantial public benefits result from confidential treatment and no tangible public benefits would result from release.

WHEREFORE, Legacy Long Distance International, Inc. respectfully requests the Iowa Utilities Board to grant this Application for Confidential Treatment, holding confidential the confidential materials filed in this proceeding, subject only to the established procedures of the Board in the retention of and public access to such Confidential Materials. Accordingly, Legacy respectfully requests that the Confidential Materials, in their entirety, be held by the Board as a confidential record not routinely available for public inspection.

DATED this 21st day of June, 2019.

Respectfully submitted,

LEGACY LONG DISTANCE INTERNATIONAL, INC.

By: /s/Sharon R. Warren
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**AFFIDAVIT IN SUPPORT OF THE APPLICATION
FOR CONFIDENTIAL TREATMENT**

STATE OF CALIFORNIA)
) ss
COUNTY OF ORANGE)

I, Brian Hill, being first duly sworn on oath, do hereby depose and state that I am Chief Executive Officer of Legacy Long Distance International, Inc. ("Legacy"), and I have personal knowledge of the facts stated in the attached Application for Confidential Treatment.

In support of Legacy's claim of privilege for responses to Attachment A of the Order, I state as follows:

For the reasons stated in the Application for Confidential Order filed concurrently, it is my opinion that the Confidential Materials comprise a report to a government agency (the Iowa Utilities Board) and that, if released, would give advantage to competitors and serve no public purpose. It is not my intent to withhold this information from the Iowa Utilities Board or the Office of Consumer Advocate who require it to carry out their statutory responsibilities. Therefore, Legacy respectfully requests that the Confidential Materials be withheld from general public inspection to the extent permitted by statute and by the rules of the Board.

Further the Affiant sayeth not.

/s/Brian Hill

Brian Hill

SUBSCRIBED AND SWORN TO before me this 22nd day of June, 2019.

/s/Caitlin R. Daner

Notary Public in and for the State of California

My Commission Number 2216211

Commission Expires Sep 29, 2021