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October 7, 2013

**SUBMITTED ELECTRONICALLY** (*recordsaccessofficer@dps.ny.gov*)

Ms. Donna Giliberto  
Records Access Officer  
New York State Department of Public Service  
Three Empire State Plaza  
Albany, New York 12223-0350

***Re: Request for Records in Case 13-C-0197***

Dear Ms. Giliberto:

Attached please find Verizon New York Inc.'s Statement of Necessity Pursuant to Public Officers Law § 89(5)(b)(2).

Respectfully submitted,

A handwritten signature in black ink that reads "Joseph A. Post".

Joseph A. Post

cc: Richard Brodsky, Esq.  
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White Plains, NY 10607  
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**STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION**

**Tariff Filing by Verizon New York Inc.  
to Introduce Language under which  
Verizon Could Discontinue its Current  
Wireline Service Offerings in a Specified  
Area and Instead Offer a Wireless  
Service as its Sole Service Offering in the  
Area**

**Case 13-C-0197**

**VERIZON NEW YORK INC.'S STATEMENT OF NECESSITY  
PURSUANT TO PUBLIC OFFICERS LAW § 89(5)(b)(2)**

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**October 7, 2013**

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**STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION**

**Tariff Filing by Verizon New York Inc. to Introduce Language under which Verizon Could Discontinue its Current Wireline Service Offerings in a Specified Area and Instead Offer a Wireless Service as its Sole Service Offering in the Area**

**Case 13-C-0197**

**VERIZON NEW YORK INC.'S STATEMENT OF NECESSITY  
PURSUANT TO PUBLIC OFFICERS LAW § 89(5)(b)(2)**

The Records Access Office must deny the Brodsky Group's request for the release of certain documents that Verizon New York Inc. ("Verizon") produced in response to Staff Information Requests ("IRs") in this case.<sup>1</sup> The documents contain non-public, competitively-sensitive information — including information related to Verizon's network costs and its proprietary processes and procedures for marketing and administering a competitive product offering — and thus are exempt from disclosure under the State Freedom of Information Law ("FOIL").<sup>2</sup>

**I. THE APPLICABLE STANDARD**

Section 87(2)(d) of the Public Officers Law authorizes state agencies to deny access to records that "are trade secrets or are submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise." Further, § 89(5)(a) of that Law not only authorizes but *requires* agencies to "except[] from disclosure" any information that

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<sup>1</sup> The Brodsky Group consists of Mr. Richard Brodsky, the Communications Workers of America District 1, Common Cause New York, the Consumers Union, and the Fire Island Association. Their request relates to Verizon's responses to seven specific IRs, which are identified in Appendix A. The request did not specifically identify those IRs, but rather stated that the Group was seeking responses containing seven general categories of information. The responses listed in Appendix A are the only ones that contain information in one or more of the seven categories for which Verizon has sought confidential treatment.

<sup>2</sup> Publ. Off. L. Article 6.

was submitted pursuant to a claim of trade secret status under § 87(d)(2) “until fifteen days after the entitlement to such exception has been finally determined.”<sup>3</sup>

Under the Commission’s rules,<sup>4</sup> a “trade secret” is “*any . . . compilation of information which is used in one’s business, and which provides an opportunity to obtain an advantage over competitors who do not know or use it.*” (Emphasis supplied.)<sup>5</sup> Determinations of trade secret status are based on whether “the information [in question], if disclosed, would be likely to cause substantial injury to the competitive position of the subject commercial enterprise.” Factors to be considered by the Commission in making that determination include the difficulty of generating or obtaining the information independently (*i.e.*, other than from records produced to the Commission), and the value of the information (*i.e.*, to the extent to which the providing party will be harmed, and the receiving party will be benefited, by its disclosure).

The controlling precedent on the scope of the FOIL exemption for trade secrets and confidential commercial information is the 1995 decision of the State Court of Appeals in *Encore College Bookstores v. Auxiliary Service Corp.*<sup>6</sup> The Court of Appeals noted in *Encore* that FOIL’s trade-secret exemption was intended to track the parallel exemption in the federal Freedom of Information Act (“FOIA”), and that “whether ‘substantial competitive harm’ exists for purposes of FOIA’s exemption for commercial information turns on the commercial value of the requested information to competitors and the cost of acquiring it through other means.” The *Encore* court also quoted with approval federal precedent holding that:

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<sup>3</sup> See also the Records Access Office’s Determination 11-04 in Matter 09-01904 (August 3, 2011) (stating that Commission has not only the power but also the affirmative responsibility to provide for protection of trade secrets).

<sup>4</sup> 16 NYCRR § 6-1.3(a).

<sup>5</sup> Thus, the term “trade secret” is not limited to its technical sense in intellectual property law.

<sup>6</sup> 87 N.Y.2d 410, 663 N.E.2d 302, 639 N.Y.S.2d 990.

Because competition in business turns on the relative costs and opportunities faced by members of the same industry, there is a potential windfall for competitors to whom valuable information is released under FOIA. If those competitors are charged only the minimal FOIA retrieval costs for the information, rather than the considerable costs of private reproduction, they may be getting quite a bargain. Such bargains could easily have competitive consequences not contemplated as part of FOIA's principal aim of promoting openness in government.

The reasoning underlying these considerations is consistent with the policy behind [Public Officers Law § 87(2)(d)] — to protect businesses from the deleterious consequences of disclosing confidential commercial information, so as to further the State's economic development efforts and attract business to New York . . . .<sup>7</sup>

Thus, under *Encore*, the windfall resulting from the free disclosure of competitively valuable information to a submitting party's competitors is *itself* a "substantial competitive harm" sustained by the submitting party, or at a minimum gives rise to a clear likelihood of such harm. The Court specifically rejected the contention that actual competitive harm beyond that free-ride (such as an actual loss of customers or profits) need be shown.<sup>8</sup>

Creating such a windfall through the disclosure of trade-secret information would undermine not only the state's policies favoring economic development — as the Court of Appeals specifically noted — but also the pro-competitive policies of this Commission. As an eminent Commission Administrative Law Judge, the late Joel A. Linsider, observed, "[W]e would frustrate our own efforts to promote competition if those very efforts, which require us to obtain competitively sensitive information, led to the release of that information to competitors of the firm providing it and, in consequence, to market distortions."<sup>9</sup>

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<sup>7</sup> *Id.*, 87 N.Y.2d at 420, 663 N.E.2d at 307, 639 N.Y.S.2d at 995, quoting *Worthington Compressors, Inc. v. Costle*, 662 F.2d 45, 51 (D.C. Cir. 1981).

<sup>8</sup> *See id.* at 421.

<sup>9</sup> Case 99-C-0529, "Ruling Concerning Proprietary Material" (issued December 13, 1999), at 2.

## **II. EACH CATEGORY OF INFORMATION AT ISSUE HERE IS ENTITLED TO CONFIDENTIAL TREATMENT UNDER THE FREEDOM OF INFORMATION LAW**

Initially, it should be noted that *none* of the information requested by the Brodsky Group bears on any live issue in this proceeding. For example, the cost of deploying either Voice Link or a Digital Loop Carrier (“DLC”) network is now moot in light of Verizon’s decision not to make Voice Link its sole offering in western Fire Island, and instead to build out a wireline Fiber to the Premises (“FTTP”) network in that area. Nor has the Group shown or suggested a reason why Verizon’s initial estimate of the cost of constructing the FTTP network is of any continuing interest, particularly since that estimate is bound to be superseded as actual construction proceeds. (Even if there were any remaining relevance to this information, the public interest is adequately protected by Staff’s access to it.) The Group’s request for these documents was crafted for an earlier phase of this case, and it has not been withdrawn simply because it advances the Group’s objective of keeping the case alive and active so that it can be used as a “hook” for pursuing other items on their regulatory agenda.<sup>10</sup>

In any event, and independent of the lack of any legitimate justification for the Group’s request, disclosure of these documents would clearly violate FOIL.

### **A. COST AND NETWORK INFORMATION**

The first four items requested by the Brodsky Group (Nos. 1 through 4 on Appendix A) relate to the costs of constructing Voice Link, DLC, and FTTP networks on western Fire Island, and

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<sup>10</sup> *See also* Case 03-C-0971, “Ruling on Protective Order and Access by Competitors to Allegedly Confidential Information” (issued February 23, 2007) and *id.*, “Determination on Appeal of Ruling on Access by Competitors to Allegedly Confidential Information” (issued March 20, 2007) (citing parties’ need for information, particularly in view of Staff’s access to the information, as a relevant factor in administration of a protective order).

information bearing on those costs, such as the specific equipment to be utilized, the cost of that equipment to Verizon, and demand projections.<sup>11</sup> More specifically:

- ***DPS-1, Response to Information Request No. 7:*** IR-7 asked Verizon to provide support for its estimates of the cost of deploying a Voice Link network in western Fire Island, and two alternative wireline networks — a DLC-based network and an FTTP network. Most of Verizon’s response to IR-7 consists of (non-confidential) cross-references to other responses. The confidential portion of the response sets forth certain assumptions underlying the cost studies, including demand forecasts.
- ***DPS-1, Response to Information Request No. 8:*** The confidential data in this response is set forth in Confidential Exhibit 2, which provides detailed backup for the estimated costs of constructing a DLC network and an FTTP network on Fire Island. The costs set forth in the Exhibit include materials costs, plant labor costs, the costs of pair-gain (DLC) equipment, trenching costs, and the costs of reconnecting customers to the new network. The materials costs include detailed breakout of quantities and unit costs for specific, identified types of copper and fiber cable, circuit cards, cabinets, and other equipment.
- ***DPS-1, Response to Information Request No. 9:*** The confidential information in this response set forth certain costs associated with the Distributed Antenna System on Fire Island.
- ***DPS-1, Response to Information Request No. 10:*** Verizon’s response to IR-10 provides backup for the company’s estimate of the cost of installing a Voice Link network on Fire Island, including the cost of the in-home devices themselves. Also included in the response are the costs of carrying out Verizon’s commitment to provide copper loops to municipal locations.

These costs are all relevant to Verizon’s provision of highly competitive retail services.

Verizon offers a wide range of services throughout the State over DLC and FTTP networks (as well as over other types of network architecture), in a fiercely competitive environment that has resulted in the loss of some 70% of the company’s access lines since 2000, with a correspondingly severe

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<sup>11</sup> Certain overall, high-level cost estimates were publicly disclosed in the revised Certification that Verizon filed on May 10, 2013 in conjunction with its tariff filing. The confidential information at issue here consists of very granular data on equipment costs, labor costs, etc., that underlies those high-level estimates, as well as some costs that were not addressed at all in the Certification.

impact on its finances.<sup>12</sup> It is irrelevant that the company has no wireline competitors on Fire Island itself; the costs at issue here are equally relevant to similar networks constructed — and used to offer competitive retail services — in other parts of the State. The company is also beginning to roll out Voice Link service on an optional basis, which, like its wireline offerings, will compete with voice services provided by other carriers. Moreover, on Fire Island itself, Verizon’s wireline and optional Voice Link services compete with other providers’ wireless services. (As the Revised Certification notes, wireline services are in decline on Fire Island, and usage data indicates that far more wireless calls are made on the Island than wireline calls.)

Information on the costs of offering service over telecommunications networks has great value in this highly competitive environment. For example, knowing a provider’s costs gives competitors information on whether (and under what circumstances, and to what extent) the provider will be able to meet price reductions by the competitor. It therefore provides valuable input to the competitor’s own pricing decisions. Moreover, cost information gives a competitor a window into a provider’s financial strength, and thus into the likelihood of success of, and the likely returns from, a competitive offensive.

This information would *not* be available to competitors other than through the regulatory process. Competitors could, of course, construct their own cost models and develop their own estimates of Verizon’s costs, but the level of effort and expense involved in such attempts would be substantial, and the results would not be as detailed and accurate as Verizon’s own data.

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<sup>12</sup> See, e.g., Verizon’s Annual Reports to the Commission for calendar years 2000 and 2012, Schedule 61 (showing access line counts of 11,887,948 and 3,533,025, respectively); Annual Report for 2012, Schedules 12 and 13 (showing total-company net income of *negative* \$2.1 billion and net cash flow from operating and investing activities of *negative* \$1.9 million); Case 05-C-0616, “Statement of Policy on Further Steps Toward Competition in the Intermodal Telecommunications Market and Order Allowing Rate Filings” (issued and effective April 11, 2006), at 35 (referring to continuing loss of access lines by incumbent ILECs due to competition); *id.* at 26, 54-55; Department of Public Service Staff, Report on Verizon Service Quality — Second Quarter 2013 (filed Session of August 15, 2013), at 1 (“Verizon’s wireline customer base continues to decline in large part due to competitive alternatives”).

In view of these considerations, it is not surprising that the Commission and Department have consistently concluded that detailed cost data is entitled to trade secret protection under FOIL.<sup>13</sup> For example, in a 2002 ruling,<sup>14</sup> Administrative Law Judge (now Chief ALJ) Elizabeth Liebshutz upheld Verizon's claims to trade secret protection for certain cost data relevant to Verizon's retail operations on the grounds that it "provide[d] a window into Verizon's inner financial workings that may indeed benefit a retail competitor, to the detriment of Verizon's retail business." That ruling also granted trade-secret status to information on the terms on which Verizon purchased materials from its vendors.<sup>15</sup>

As these precedents demonstrate, the information included in items 1-4 on Appendix A is entitled to protection under FOIL.

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<sup>13</sup> See, e.g., Case 95-C-0657, *et al.*, "Ruling Concerning Trade Secrets and Motion to Strike Portions of a Brief" (issued February 18, 1997) (trade secret protection granted to plans related to the deployment of a fiber-to-the-curb network and to network cost data, including specifically vendor prices for equipment); *id.*, "Ruling Concerning Phase 2 Trade Secrets" (issued January 7, 1998) (trade secret protection granted to vendor pricing information and financial planning information, including revenue projections); Case 98-C-1357, "Ruling Extending Module 3 Schedule, Setting a Separate Schedule for Line Sharing Rates, and Affording Trade Secret Protection to an Exhibit in Module 2" (issued March 17, 2000) (trade secret protection granted to information on standard equipment configurations used by a service provider); *id.*, "Ruling Concerning Proprietary Status of Exhibit 106-P" (issued April 17, 2000) (trade secret protection granted to cost information for a competitive retail service); *id.*, "Ruling on Proprietary Status of Line Sharing Exhibits" (issued May 26, 2000) (trade secret protection granted to information including cost data and demand projections); *id.*, "Ruling on Proprietary Status of Module 3 Testimony and Exhibits" (issued January 31, 2002) (trade secret protection granted to vendor pricing data, demand forecasts, technology deployment plans); Case 01-C-0767, "Ruling Concerning Trade Secret Information" (issued August 26, 2002) (trade secret protection granted to cost analyses and data used in such analyses, and technology deployment plans).

<sup>14</sup> Case 02-C-1425, "Ruling on Confidential Trade Secret Status of Testimony and Exhibits" (issued October 8, 2004) (the "*Hot Cut Ruling*"). This ruling was affirmed in part and modified in part on appeal. None of the appellate determinations affected the aspects of the ruling that are relied on in this Statement of Necessity.

<sup>15</sup> *Id.* at 21-22. See also *N.Y. State Elec. & Gas Corp. v. N.Y. State Energy Planning Bd.*, 221 A.D.2d 121, 125 (3d Dep't 1996), *app. granted*, 89 N.Y.2d 803, 675 N.E.2d 1233, 653 N.Y.S.2d 280 (1996), *app. withdrawn*, 89 N.Y.2d 1031, 680 N.E.2d 620, 658 N.Y.S.2d 246 (1997) (where information would allow competitor to infer essential aspects of company's production costs, which would allow the competitor to project future costs, disclosure would give competitor an unfair advantage).

**B. INFORMATION ON VOICE LINK INSTALLATIONS OUTSIDE OF WESTERN FIRE ISLAND**

*DPS-3, Information Request No. 3* asked for information concerning “Voice Link devices/services that have been installed at any customer premises locations outside of the Western Fire Island area.” The relevant and confidential portion of Verizon’s response is the first tab in Confidential Exhibit IR-3 (Item 5 on Appendix A),<sup>16</sup> which provides, for each such installation, the location (by municipality or borough and by zip code) and the installation date.<sup>17</sup>

This information is also exempt from disclosure under FOIL because it would identify specific areas where Verizon is rolling out a new service, and thus help other providers of similar home wireless services — such as Consumer Cellular’s “Wireless Home Phone” service, endorsed by AARP — to target competitive responses. Collecting this information through statewide surveillance of Verizon’s offerings would obviously be a far more expensive, more time-consuming, and less complete way of obtaining this information.

**C. INFORMATION ON VERIZON’S METHODS AND PROCEDURES**

*DPS-3, Information Request No. 4* requested “marketing materials, scripts, and/or training materials in use by Verizon employees or contracted third party workers to inform customers about Voice Link service.” Thirteen documents were produced in response to this request. (Appendix A, Item No. 6) They include training materials, memoranda, and M&P (methods and procedures)

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<sup>16</sup> The remaining two tabs of Confidential Exhibit IR-3 include other data relating to non-Fire-Island Voice Link installations that are not within the scope of any of the Brodsky Group’s requests.

<sup>17</sup> It is worth noting that at least one CWA local recently engaged in questionable actions targeting precisely this type of information. During July members of CWA Local 1126 were asked in a recorded message to provide the Union with copies of all trouble tickets or installation orders involving Voice Link, stating: “If you are dispatched on an order or a trouble for any of these [Voice Link] boxes, the union needs a copy of that order or trouble immediately.” These trouble tickets and installation orders include information, such as the service plan subscribed to and the technical configuration that will be used to provide service to the customer, that falls within the FCC’s definition of CPNI. *See* 47 U.S.C. § 222(h)(1). In addition, CWA requested that this information be provided to the union without the consent of the customer and for a purpose that does not relate to Verizon’s provision of service to that customer. We understand that the message was subsequently removed.

documents — addressed to supervisors, field technicians, and call center employees — that are intended to inform, instruct and advise them on various aspects of the company’s interaction with customers concerning Voice Link.

Verizon does not publicly disclose these M&Ps, and they would not be available to competitors except through the regulatory process. They would be of significant value to competitors who seek to develop M&Ps for their own, comparable service offerings. The documents embody a great deal of thought and experience, acquired by Verizon at great expense and over a considerable period of time, concerning the questions customers might ask, the most appropriate way to respond to those questions, and the procedures that will enable company employees to guide potential customers through the ordering process (and subsequent interactions with the company) in the most efficient and effective manner.

Verizon creates such M&Ps for its own, internal use, at substantial expense. Formal M&P documents are created by Verizon’s Field Support and Center Support teams. These teams employ approximately 25 people full-time, and approximately one-third of the resources are dedicated to the preparation of M&P research and writing. Depending on the subject matter of an M&P, it can take months to prepare as Field Support and Center Support staff work with subject matter experts to arrive at a definitive M&P publication that is ready for use. Collectively, the managers and employees of the Field Support and Center Support teams spend thousands of hours annually drawing on the technical knowledge of persons with appropriate expertise within and outside of Verizon to develop documents similar to those at issue and ensuring that they are up-to-date. Such documents are in effect intellectual property created by Verizon, and as the *Encore* decision

recognized, competitors should not be enabled to piggy-back on Verizon's knowledge and experience for free, simply by obtaining M&P documents through FOIL.<sup>18</sup>

Verizon's competitors, of course, do not make their own, comparable documents available to Verizon, so disclosure under FOIL — which is possible only because Verizon's regulatory status subjects it to the necessity of providing M&Ps to the Department of Public Service from time to time — would place the company at a unique competitive disadvantage.

In view of these considerations, the Department has recognized the fact that such information is entitled to trade-secret protection.<sup>19</sup>

#### **D. INSURANCE COVERAGE INFORMATION**

The confidential portion of Verizon's response to *DPS-4, Information Request No. 2* (Item No. 7 in Appendix A) provides a detailed description of the scope and extent of the company's (and its affiliates') insurance coverage with respect to losses related to Superstorm Sandy. Like the other categories of information at issue here, it would not be available to competitors other than through the regulatory process. Also like the other categories, disclosure would cause significant competitive harm to Verizon.

Verizon does not buy its insurance "off the shelf," just as it does not go to Radio Shack to buy its fiber optic cable. Rather, insurance coverage is intensely negotiated, through a formal sourcing process. Some of the coverage that Verizon is able to negotiate — in terms of the risks covered and the amount of the coverage — may not be generally available to other insured companies that do not have a comparable scope and volume of business to offer the insurer (or that otherwise are not similarly situated to Verizon). In this respect, coverage information is similar to

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<sup>18</sup> It is irrelevant that none of the members of the Brodsky Group are competitors, since release of information under FOIL is tantamount to making it publicly available.

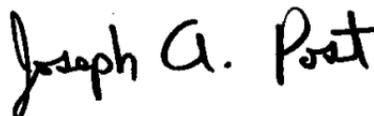
<sup>19</sup> See *Hot Cut Order*, *supra*, at 11.

information on vendor discounts that Verizon is able to negotiate for telecommunications equipment — information that was uniformly held to be subject to trade-secret protection in the Commission’s 1995-1997 and 1998-2002 UNE costing inquiries and other, related cost proceedings. (*See* rulings cited in Section II(A), above.) The company’s insurance coverage information should be subject to protection for the same reasons — including the fact that such disclosure may make providers less willing to negotiate unique, customized coverage with Verizon. Additionally, knowledge of the type or amount of Verizon’s coverage could affect its negotiations with contractors and other third parties who may expect some of that coverage to be made available for their benefit in case of loss or accident. In both respects, disclosure of coverage information is within the trade-secret exception to FOIL as well as within the separate exception for information that “if disclosed would impair present or imminent contract awards or collective bargaining negotiations” (Publ. Off. Law § 87(2)(c)).

**III. SUMMARY AND CONCLUSION**

For the reasons set forth above, the Records Access Office should determine that the confidential information requested by the Brodsky Group is exempt from disclosure under FOIL.

Respectfully submitted,



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**Counsel for Verizon New York Inc.**

**October 7, 2013**

**APPENDIX A**

ITEM	SET	REQUEST	STAFF REQUEST	RELEVANT BRODSKY REQUEST	STATUS/CONFIDENTIALITY
1	DPS-1	7	Provide support for cost and revenue estimates in the Company's revised Certification #8, to include pre-storm Fire Island revenues, post-storm estimates and how derived (including what assumptions were made regarding rebuilding all lines or a portion based upon penetration estimates).	[2] "Projected costs and expenses of repair, and/or rebuilding of wireline system on Fire Island." [7] "All information related to Company assertions concerning the cost of repair, replacement, rebuilding, or substitution of system service."	<b>Answered 6/17/13.</b> Written response contains <b>CONFIDENTIAL</b> information.
2	DPS-1	8	For the costs estimates identified in the revised Certification #8 for restoring wireline service, provide detailed support for both options, i.e., \$4.8 million for voice only digital loop carrier vs. \$6 million for fiber. Identify all investment and associated construction cost by equipment element/facility type with unit/mileage cost and quantity provided.	[2] "Projected costs and expenses of repair, and/or rebuilding of wireline system on Fire Island." [7] "All information related to Company assertions concerning the cost of repair, replacement, rebuilding, or substitution of system service."	<b>Answered 6/17/13.</b> Written response does not contain confidential information. <b>Exhibit 2</b> contains <b>CONFIDENTIAL</b> information.
3	DPS-1	9	Provide detailed support of the costs associated with the installation of the distributed antennae system (DAS). Include investment and associated construction cost for make ready work, telephone poles, DAS equipment, backhaul cabling and other static and recurring costs necessary to provide the Voice Link service. Describe the arrangement between Verizon and Verizon Wireless regarding the DAS deployment expenses, operating expenses, ownership of facilities, etc., specifying costs to be allocated to Verizon vs. Verizon Wireless.	[7] "All information related to Company assertions concerning the cost of repair, replacement, rebuilding, or substitution of system service."	<b>Answered 6/17/13.</b> Written response contains <b>CONFIDENTIAL</b> information.
4	DPS-1	10	Provide support for the \$500,000 Voice Link service deployment cost identified in revised Certification #8.	[7] "All information related to Company assertions concerning the cost of repair, replacement, rebuilding, or substitution of system service."	<b>Answered 6/17/13.</b> Written response contains <b>CONFIDENTIAL</b> information.
5	DPS-3	3	Please provide the following information for all Voice Link devices/services that have been installed at any customer premises locations outside of the Western Fire Island area: (a) Customer address, (b) Date Voice Link Installed, (c) Reason Voice Link Installed, (d) Was customer advised Voice Link service was optional or not, (e) Voice Link Service Calls/Repairs identified by location, date, reason for service visit, repair action taken, (f) If applicable to any locations, date Voice Link was uninstalled/disconnected and reason for termination	[3] "Location of any planned or active offering of Voice Link service in New York, and location of actual installation of Voice Line in New York"	<b>Answered 7/22/13.</b> Written response does not contain confidential information. <b>Supplemented 7/24/13.</b> Written response does not contain confidential information. <b>Exhibit IR-3</b> contains <b>CONFIDENTIAL</b> information. <b>Supplemented 8/7/13.</b> Written response does not contain confidential information.
6	DPS-3	4	Please provide any marketing materials, scripts, and/or training materials in use by Verizon employees or contracted third party workers to inform customers about Voice Link service.	[6] "Marketing and training materials used on Fire Island or elsewhere in New York relating to Voice Link service"	<b>Answered 7/22/13.</b> Written response does not contain confidential information. <b>Exhibits IR-4[1] through IR-4[11]</b> contain <b>CONFIDENTIAL</b> information. <b>Supplemented 8/15/13.</b> Written response does not contain confidential information. <b>Exhibits IR-4[12] and IR-4[13]</b> contain <b>CONFIDENTIAL</b> information.
7	DPS-4	2	Did Verizon apply to or receive any form of aid, funds or other compensation for restoration and/or losses related to Sandy and its aftermath, including, but not limited to: FEMA, other federal/state/local government agencies and insurance carriers? Please itemize the source, description, and dollar amounts of such funds, aid and/or compensation, and when it was received or is expected to be received by Verizon.	[5] "Source and amount of any extracompany monies or support received as a consequence of Hurricane Sandy"	<b>Answered 9/3/13.</b> Written response contains <b>CONFIDENTIAL</b> information.