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Business Partners and Certified Public Accountants

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February 1, 2012

Ms. Lisa Foust
Utilities Division
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243-0505

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TN REGULATORY AUTHORITY
UTILITIES DIVISION

Re: Docket No. 11-00181, Application of Telmate, LLC. For Certificate of Authority to Resell Telecommunications Services in Tennessee

On January 10, 2012, a request was made under Tennessee Open Records laws to have responses filed on December 20, 2011 by Telmate, LLC. ("Telmate") placed in public files. Our responses were made under confidential seal in order to satisfy specific questions brought by Commission staff to clarify our application for a Certificate of Authority to Resell Telecommunications Services in Tennessee and to protect proprietary trade secrets of Telmate.

We have reviewed our responses and offer the following:

1. We concede that Questions 1 (one) and 4 (four) can be removed from CONFIDENTIAL Designation.
2. We maintain that Questions 2 (two), 3 (three), 5 (five), 6 (six) and 7 (seven) are Proprietary Trade Secrets and must have CONFIDENTIAL Designation. In support of our position, we have attached under CONFIDENTIAL seal for commission one (1) original and four (4) copies of our comments supporting continued CONFIDENTIAL Designation.

We respectfully request that the commission uphold our CONFIDENTIAL Designation and proceed with approval of our application.

As instructed we filed an electronic version of this letter request with Sharla Dillon, docket registry. We did not include confidential comments.

Sincerely,

Jose L. Solana
Regulatory Consultant to Telmate, LLC.
678-304-6465
joe@gsaudits.com

Enclosures



**Re: Docket No. 11-00181, Application of Telmate, LLC. For -
Certificate of Authority to Resell Telecommunications Services in Tennessee**

In response to a request to remove confidential treatment of its responses to Tennessee 2nd request for information by Henry Walker of Bradley Arant Boult Cummings LLP, we maintain that responses to questions 2 (two), 3 (three), 5 (five), 6 (six) and 7 (seven) are Telmate, LLC ("Telmate") Proprietary Trade Secret Information. In support of this position we offer the following for commission review.

- 1) The identity of Telmate's business partners and the scope of those relationships constitute valuable information that retains its value by virtue of not being generally known or known by our competitors. Telmate's ability to compete in the market place would be hindered by public disclosure of these relationships and their scope.
- 2) Telmate's breadth of business licenses is, in the aggregate, proprietary and trade secret information. Although each individual license may be subject to public records, the list, details, description and collection as disclosed under CONFIDENTIAL seal in our response to Tennessee PUC would be unavailable or very difficult and time consuming for a competitor to obtain, and likely never quite complete. Knowledge of this trade secret would harm Telmate's ability to compete in the marketplace, and would allow our competitors to focus their competitive activities against Telmate in a more concentrated geography. For these and other reasons, this aggregate information is trade secret and retained as such.
- 3) Telmate's payment and collections process is unique among different states and facilities, all of which represent customers of Telmate. The process terms are negotiated with each contract, subject to the restrictions and requirements of local law. This information is not shared publicly because, among other reasons, our competitors knowing our exact pricing practice would be able to undercut us (proposals are submitted "blind", so each bidder is required to estimate whether it is providing better responses than the others) and our customers to reject us.

Since Telmate does not offer service to the general public rather to contracted inmate locations, publication of proprietary information does not serve the public interest, but rather provides proprietary confidential information to our competitors.

We respectfully request continued CONFIDENTIAL Designation and that our application be moved forward for commission approval.

Sincerely,

Jose L. Solana
Regulatory Consultant to Telmate, LLC.
678-304-6465
joe@gsaudits.com