

**BEFORE THE
TENNESSEE REGULATORY AUTHORITY**

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Joint Application of Birch Telecom of the)
South, Inc. dba Birch Communications of the)
South and Primus Telecommunications, Inc.)
for Approval to Transfer Primus Customers to)
Birch)

T.R.A. DOCKET ROOM.
Docket No. 16-00018

REQUEST FOR CONFIDENTIAL TREATMENT

Birch Telecom of the South, Inc. dba Birch Communications of the South ("Birch") and Primus Telecommunications, Inc. ("Primus") (Birch and Primus collectively, the "Applicants") respectfully request that the Tennessee Regulatory Authority ("Authority") grant protection from public disclosure and afford confidential treatment to the **CONFIDENTIAL** version of their Joint Application for Approval to Transfer Primus Customers to Birch ("Application"), including the financial information submitted as **Exhibit 1** to the Application and the number of customers affected by the transaction (collectively, the "Information"). Applicants request that the Authority afford the highest level of protective treatment to the Information, and ask that the Information be made available only to the Authority.

Applicants request confidential treatment of the Confidential Version of the Application and the Information because they contain revenue information, as well as confidential customer information and detailed, highly confidential information regarding Applicants' assets, liabilities, and financial condition. The Information is proprietary, sensitive, commercial, and financial information that is not publicly available and, if released, could be used by Applicants' competitors to cause competitive harm. The potential harm to Applicants is substantial, and the need for proprietary protection of the Information outweighs any need for public disclosure at this time. As such, the Information should be afforded protection from public inspection.

Disclosure of the Information would have adverse competitive consequences for Applicants. Absent protection from disclosure, Applicants' competitors would have access to sensitive and private financial data and proprietary information of Applicants and Birch's parent company, none of which publicly-traded companies. Because Applicants are operating in a highly competitive market, public availability of the Information would adversely disadvantage Applicants. Release of the Information to the public would cause undue economic damage and substantially harm Applicants' ability to compete in the marketplace.

Protection of the Information does not affect the public interest and does not restrict interested parties from participating in the administrative process. Furthermore, the harm that would result from disclosure of the Information far outweighs the public interest in accessing the Information.

All notices and inquiries concerning this request should be directed to:

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Accordingly, and for the foregoing reasons, Applicants respectfully request that the Authority afford confidential treatment to the Information and the Confidential Version of their Application. In the event that this request is denied, please provide the undersigned with notice of that determination prior to making the Information available to the public. Applicants further request that the Authority stay the release of the Information until such time as an application for review of the determination is resolved. Disclosure of the Information without affording

Applicants an opportunity to contest a finding against confidentiality would prejudice Applicants and render moot any successful appeal.

Respectfully submitted,

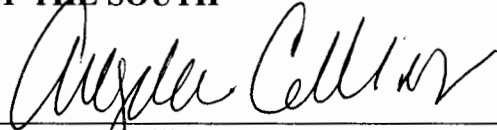
**PRIMUS TELECOMMUNICATIONS,
INC.**

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Counsel for Primus Telecommunications,
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Dated: February 18, 2016

**BIRCH TELECOM OF THE SOUTH,
DBA BIRCH COMMUNICATIONS
OF THE SOUTH**



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