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December 4, 2012

VIA OVERNIGHT DELIVERY

Catrice Williams, Secretary Department of Telecommunications and Cable 1000 Washington Street, Suite 820 Boston, Massachusetts 02118 (617) 305-3580

Re: Q LINK WIRELESS LLC

Dear Ms. Williams:

Enclosed please find an original and three (3) copies of Q LINK WIRELESS LLC's Responses to the Department's Record Request #1 and Record Request #2, along with a revised Motion for Non-Disclosure of Confidential Information.

If you have any questions or if I may provide you with additional information, please do not hesitate to contact me. Please acknowledge receipt of this filing by returning the duplicate copy of this letter in the enclosed, self-addressed envelope. Thank you.

Respectfully submitted,

Kasey Chow Associate at Lance J.M. Steinhart, P.C. Attorneys for Q LINK WIRELESS LLC

Enclosures

cc:

Issa Asad D.T.C. 11-18 Service List

LOPEZLEV Financial Experts | Business Advisors | Certified Public Accountants

LETTER OF ATTESTATION

To Whom It May Concern:

I am a certified public accountant in the states of Florida and Texas, and hold Certified Financial Forensics and Certified Valuation Analyst.

In so doing we have reviewed all of Q Link's pertinent books and records as well as interviewed company's Chief Executive Officer, Mr. Asad. Q Link is profitable as a going concern.

Sincerely,

LOPEZ LEVI & ASSOCIATES, P.A.

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Raimundo Lopez-Lima Levi, CPA, CVA, CFF For the Firm Florida Lic# AC22033

cc: Q Link Wireless LLC

CERTIFICATION

State of Florida County of Broward

I, Issa Asad, being duly sworn upon oath, do hereby depose and state that I am CEO of Q LINK WIRELESS LLC ("Q LINK"). My business address is 499 East Sheridan Street, Suite 300, Dania Beach, Florida 33004. I am authorized to make this Certification on Q LINK's behalf, and it is given upon my personal knowledge and belief. This Certification is in support of Q LINK's Petition to be designated as an Eligible Telecommunications Carrier.

On behalf of Q LINK, I declare the following:

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1. Q LINK will comply with the mass migration requirements set forth in D.T.E. 02-28 to the extent that these requirements are not in contradiction with Federal Communications Commission rules or the Q LINK's FCC-Approved Compliance Plan, and to the extent that the requirements are applicable to a wireless Lifeline provider.

Issa Asad CEO Q LINK WIRELESS LLC

Subscribed and sworn to before me, this <u>3</u> day of <u>December</u>, 2012.



Notary Public

My commission expires: OCtober 11, 2013

BEFORE THE MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

Petition of Q LINK WIRELESS LLC for)D.T.C. 11-18Designation as an Eligible Telecommunications Carrier)

MOTION FOR NON-DISCLOSURE OF CONFIDENTIAL INFORMATION

Q LINK WIRELESS LLC ("Q LINK" or the "Company") hereby moves the Department of Telecommunications and Cable (the "Department") to grant its Motion for Non-disclosure of Confidential Information ("Motion") precluding public disclosure of certain proprietary, competitively sensitive confidential information contained in Q LINK's Responses to the First Set of Information Requests of the Department of Telecommunications and Cable ("Responses") filed November 13, 2012. Q LINK respectfully requests the Department grant its Motion for the reasons provided below, and in accordance with Massachusetts G.L. Ch. 25C § 5:

1. The information that Q LINK seeks to protect in the Responses is the information submitted in Exhibit 2 in response to D.T.C. 1-3, and Exhibit 3 in response to D.T.C. 1-16 (collectively the "Protected Information"). The Protected Information consists of the Company's financial information and a detailed description of the Company's third-party contractor, CGM, LLC's intercompany duplicate database. The Protected Information is marked with the words "CONFIDENTIAL AND PROPRIETARY" and enclosed in a separate sealed envelope marked with the words "CONFIDENTIAL AND PROPRIETARY".

2. Q LINK respectfully requests that the Protected Information (and any reproduction or copying of any part thereof) be restricted to counsel, and other agents or employees, who have been specifically assigned to this proceeding by the Department; that the Protected Information be used solely in connection with this proceeding; that the Protected Information used in depositions,

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prepared testimony or other similar uses will be redacted and submitted under seal; that all Protected Information should be marked "CONFIDENTIAL AND PROPRIETARY" prior to delivery; that neither the filing of the Protected Information in this proceeding, nor the furnishing of the Protected Information for review by Department Staff shall be considered a waiver of any right to object upon any ground to the use of introduction into evidence during any proceeding of any Protected Information; and that not later than thirty (30) days following the conclusion of this proceeding by issuance of a final, non-appealable order of this Department, all Protected Information designated as "CONFIDENTIAL AND PROPRIETARY," including all copies in whole or in part thereof, should be returned to Q LINK.

3. As grounds for this Motion, Q LINK states:

(a) The Protected Information constitutes or contains proprietary information, confidential business information, or trade secrets.

(b) The Protected Information is not publicly available and the release of such information would be competitively disadvantageous to Q LINK and its third-party contractor CGM, LLC.

(c) The Protected Information is only available to a limited number of Q LINK personnel, or CGM, LLC personnel in the case of Exhibit 3 in response to D.T.C. 1-16, and both Q LINK and CGM, LLC employ their best efforts to maintain the secrecy and security of the information. The Protected Information is housed on encrypted servers and is only accessible with the appropriate password and security clearance.

(d) The Protected Information is not generally available outside the companies, other than by order or request of a judicial or regulatory body or in the course of the discovery

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process in a hearing or trial, but then only to the extent that the discovery of the information is subject to a non-disclosure agreement or protective order.

(e) The Protected Information contains commercial information that derives actual and potential independent economic value from not being known to, and not being ascertainable by proper means by, persons who can obtain economic value from its disclosure and use.

(f) No public interest would be served by the disclosure of the Protected Information.

(g) Release of the Protected Information could have serious and injurious consequences as Q LINK is a privately-held limited liability company and such financial information is limited to a small number of Company employees, agents, representatives, including counsel. Release of data regarding customer accounts, business plans, business development, strategic plans, and the like of Q LINK's third-party contractor could have serious and injurious consequences as it would uniquely situate competing contractors to focus its marketing and business plans to target CGM, LLC's customer base. Competitive harm could also occur as to both Q LINK and CGM, LLC. Such actions could result in a degradation of service outside the areas of concentration, delay in further or future deployment, duplication of service offerings, and reduce pressure for price competition. These results are clearly undesirable, but entirely likely to occur as a result of any release confidential data provided to the Department by Q LINK.

i. <u>Financial Information</u>: Q LINK is a privately-owned company and its Financial Information is not readily ascertainable. Disclosure of Q LINK's Financial Information is limited to Q LINK's senior officers, counsel, and employees of the company who are

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directly involved with Q LINK's financial operations. Furthermore, when required to submit Financial Information to public authorities, all such information is clearly marked as "confidential" and is accompanied by formal requests to maintain the confidentiality of the information and to withhold it from public disclosure. Q LINK's Financial Information contains a compilation of information related to its parent company's current and fixed assets, current liabilities, and shareholder's equity, and disclosure of such information would provide competitors with an unfair look at Q LINK's financial fitness and would undermine the company's ability to be competitive. Q LINK is not privy to such information of its competitors and if it is forced to disclose such information it will be at a competitive disadvantage in the market place. Based on the foregoing, Q LINK submits that its Financial Information should be deemed confidential.

ii. <u>CGM, LLC's Intercompany Duplicate Database</u>: Q LINK is party to various contracts with third-parties which, by their contract terms, proprietary information is confidential and which Q LINK is prohibited from disclosing. CGM, LLC has created a proprietary Intercompany Duplicate Database which is designed to facilitate the prevention of fraud in the Lifeline program. The Protected Information includes a detailed description of the database, its use and rationale, as well as a list of those CGM, LLC clients that have committed to implementing and using the database. Disclosing such information would put CGM, LLC as well as its clients at a competitive disadvantage in the market place. Competitors of CGM, LLC would be able to see CGM, LLC's client list and proprietary information regarding the database. CGM, LLC is not privy to such information of its competitors. Hence, in order to honor contractual obligations, Q LINK submits that information concerning its third-party contractor's Intercompany Duplicate Database should be treated as confidential.

WHEREFORE, Q LINK WIRELESS LLC requests that the Department enter an

order granting Q LINK's motion for confidential treatment to protect the identified submitted information, requiring Staff to treat the Protected Information in the manner described herein, and issue a Protective Order to ensure the confidentiality and facilitate the submission of confidential information in response to such further information and data requests as may be made by the Department in the instant docket.

Respectfully submitted, Q LINK WIRELESS, LJ

By:

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Dated: December 4, 2012