

August 7, 2003

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: *IB Docket No. 03-115*

Dear Ms. Dortch:

Pacific Telecom Inc. ("Pacific Telecom") had submitted the four letters identified below to the Commission under requests for confidential treatment pursuant to Sections 0.457 and 0.459 of the Commission's rules ("confidential letters"). The confidential letters were submitted in response to claims by the Office of the Governor of the Commonwealth of the Northern Mariana Islands ("Office of the CNMI Governor") that Pacific Telecom did not have the requisite financial qualifications to purchase and operate The Micronesian Telecommunications Corporation ("MTC").

The letters at issue are:

- March 27, 2002, and June 20, 2002, letters from internationally known financial institutions regarding the accounts in their institutions held by Pacific Telecom's owners (Ricardo C. Delgado and Jose Ricardo Delgado). These letters were submitted to the FCC under request for confidential treatment dated April 18, 2003
- June 20, 2003 and June 23, 2003 letters from internationally known financial institutions regarding the accounts in their institutions held by the Delgados. These letters were submitted to the FCC under request for confidential treatment dated June 24, 2003.

On July 1, 2003, the Office of the CNMI Governor filed a Freedom of Information Act ("FOIA") request to make the letters available for copying and inspection because, *inter alia*, "public disclosure [of the confidential letters] may yield responsive information from third parties in a distant part of the world with more detailed information regarding such shareholders." Pacific Telecom and the Delgados opposed the FOIA request on the basis that the letters were exempt from disclosure under FOIA Exemptions 4 and 6, which protect personal

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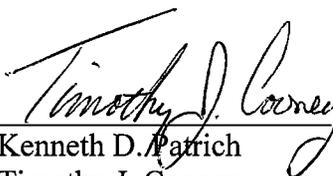
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financial records. The Delgados argued that disclosure of confidential letters that identified the specific financial institutions in which they hold accounts and the approximate amount of those accounts not only would violate their personal privacy but would jeopardize the safety of their family in the Philippines, which has been experiencing a wave of kidnappings.

To resolve the FOIA dispute in a way that will both protect the Delgados' privacy and family safety and not prejudice the Office of the CNMI Governor and others who filed petitions to deny the transfer of MTC to Pacific Telecom, Pacific Telecom hereby requests that the Commission not rely upon or otherwise consider the confidential letters in its disposition of the pending applications to transfer control of MTC from Bell Atlantic New Zealand Holdings, Inc. to Pacific Telecom.¹

Please contact the undersigned attorneys for Pacific Telecom if you have any questions.

Sincerely,


Kenneth D. Patrich
Timothy J. Cooney

cc: Peter D. Shields, counsel to Bell Atlantic New Zealand Holdings, Inc.
Jennifer D. Hindin, counsel to Bell Atlantic New Zealand Holdings, Inc.
Attached service list for IB Docket No. 03-115

¹ By letter dated August 6, 2003, to the FCC's FOIA officer, Pacific Telecom requested that the copies of the confidential letters in the Commission's files be physically returned to Pacific Telecom, consistent with a suggestion by the Office of the CNMI Governor in the FOIA proceeding in which it stated that "the Commission should ensure that [the confidential letters] are not relied on in any way in assessing the financial qualification of [Pacific Telecom]."

CERTIFICATE OF SERVICE

I, Felicia Lane, a legal secretary at Wilkinson Barker Knauer, LLP certify that on August 7, 2003, the foregoing was served on all parties listed below by hand delivery (indicated by asterisk) and US. mail, first class, postage prepaid.

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