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June 15, 2024

FILED VIA EMAIL

Sherri L. Golden
Secretary of the Board
New Jersey Board of Public Utilities
44 S. Clinton Avenue
Trenton, NJ 08625

Re: Joint Petition of BCM One, Inc. – Referred to as (“BCM”) and Wholesale Carrier Services, Inc. (“WCS”) for Approval to Obtain Debt Financing; Docket No. TF22090554

Dear Secretary Golden:

Please find attached, pursuant to N.J.A.C. 14:1-12.3(d), the following: (1) A Confidential Copy of BCM One, Inc.’s (“BCM’s”) and Wholesale Carrier Services, Inc. (“WCS’s”) (together “BCM One’s”) Semi-Annual Letter Statement pursuant to Board ordered provisions in the December 7, 2022 decision in the above referenced docket and related decisions and dockets (2) A Preliminary Public Copy of the information provided by BCM One, which is identical to the Confidential Copy except that any asserted confidential information has been deleted.

Pursuant to N.J.A.C. 14:1-12.3(c), the first page of the Confidential Copy—which is the only page that contains confidential information—has been labelled “**CONFIDENTIAL COPY.**” BCM One has appropriately indicated, through the use of underlining, highlighting, or other means, all information in the Confidential Copy that BCM One asserts to be confidential. The first page of the Preliminary Public Copy has been labelled “**PRELIMINARY PUBLIC COPY**” and also bears a notation stating that confidential information has been deleted.

The information that is hereby submitted in response to the Board provision, and that BCM One asserts is confidential (hereinafter referred to as the “Confidential Information”), relates to the amount of debt financing for which BCM One is a co-borrower that has been drawn down.

The following paragraphs provide information that is being submitted by BCM One, pursuant to N.J.A.C. 14:1-12.8(a), to substantiate its claims of confidentiality.

1. Measures taken by BCM One to prevent disclosure of the information to others (§ 14:1-12.8(a)(1)).

BCM One routinely guards against disclosure of Confidential Information (1) by instructing Company personnel that such information is for internal use only, and must not be disclosed or released to any persons or entities outside the Company; (2) by providing for secure storage of such information; and (3) to the extent such information is retained in electronic form, utilizing password protections and similar restrictive measures to protect against unauthorized access to such information.

2. Whether the information is contained in materials that are routinely available to the general public (§ 14:1-12.8(a)(2)).

The Confidential Information is not contained in materials that are routinely available to the general public.

3. Whether the information is contained in materials that are routinely available to other government agencies, regardless of whether such agencies treat the information as confidential, and the reasons therefor (§ 14:1-12.8(a)(3)).

The Confidential Information is not contained in materials that are routinely available to other government agencies.

4. The extent to which the information has been disclosed to others, and the precautions taken to prevent further disclosure (§ 14:1-12.8(a)(4)).

BCM One has not disclosed the Confidential information to others.

5. If the Board, the Board's records custodian, or any other State or Federal agency or court of competent jurisdiction has previously made a confidentiality determination relevant to the pending confidentiality claim, provide copies of all such determinations (§ 14:1-12.8(a)(5)).

BCM One is not aware of any confidentiality determination made by any other State or Federal agency or court of competent jurisdiction relevant to the Confidential Information.

6. A description of any harmful effects that disclosure would have upon BCM One, including, but not limited to, BCM One's competitive or bidding position, trade secrets, proprietary commercial or financial information, or national security, and an

explanation of the causal relationship between the disclosure and such harmful effects (§ 14:1-12.8(a)(6)).

Any release by the Board of the Confidential Information would cause BCM One competitive harm by allowing its competitors to become aware of sensitive proprietary information regarding the operation of BCM One's business at a level of detail not currently available to the public. Any competitor given access to such information would thereby be given an advantage in developing strategies and taking actions to enhance its competitive position to the detriment of BCM One.

7. The period of time for which BCM One desires that the Board's records custodian treat the asserted confidential information as confidential information (§ 14:1-12.8(a)(7)).

BCM One cannot determine at this time any date on which the Confidential Information should not be considered confidential.

8. If known, any provision in a statute, rule, Order or other document, which would exempt the information from public disclosure (§ 14:1-12.8(a)(8)).

N.J.S.A. 47:1A-1.1 provides that "[a] government record shall not include ... information which, if disclosed, would give an advantage to competitors or bidders[,] and that such information "is deemed to be confidential for the purposes of P.L.1963, c.73 (C.47:1A-1 et seq.) [the "Open Public Records Act"] as amended and supplemented"

9. Any other substantiation that BCM One believes to be relevant in establishing that the Board's records custodian should determine the information to be confidential information (§ 14:1-12.8(a)(9)).

The Confidential Information bears directly on the inner workings and operations of BCM One and, in BCM One's view, this information is generally recognized as confidential and proprietary.

* * * * *

BCM One hereby requests, pursuant to N.J.A.C. 14:1-12.4(a)(3), that all communications of the Board's records custodian (oral and written), including, without limitation, the notices listed in N.J.A.C. 14:1-12.7 and 14:1-12.9, be directed to the designee specified below:

Claimant	BCM One, Inc. 295 Madison Avenue, 5th Floor New York, NY 10017
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Sherri L. Golden
Secretary of the Board
New Jersey Board of Public Utilities
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Designees

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Please contact counsel below if any questions arise concerning the above-referenced Joint Supplement or if you require any additional information.

Sincerely,



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Enclosures