



Timothy M. Boucher
Suite 250
1099 New York Avenue, N.W.
Washington, DC 20001
Phone 303-992-5751
Facsimile 303-896-1107

Associate General Counsel

April 26, 2018

VIA ECFS

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

RE: Docket No. 18-73, *CenturyLink Communications, LLC and Level 3 Communications, LLC v. Birch Communications, Inc.*, File No. EB-18-MD-002

Dear Ms. Dortch:

Pursuant to paragraph 9 of the Protective Order adopted on March 14, 2018 in the above referenced proceeding, CenturyLink Communications, LLC and Level 3 Communications, LLC (CenturyLink), complainants, hereby file executed declarations for the following employees of CenturyLink and their outside counsel:

- Timothy Boucher, Associate General Counsel
- Adam Sherr, Associate General Counsel
- Kenneth Shomaker, Sr. Lead Engineer
- Steven D. Gwin, Lead Engineer
- Julie Ward, Public Policy Director
- Patrick Welch, Manager of Finance
- Charles W. Steese, Armstrong Teasdale LLP
- Martin Estevao, Armstrong Teasdale LLP
- Tami Spocogee, Armstrong Teasdale LLP
- Marjorie Herlth, Paralegal
- Ross Dino, Federal Regulatory Affairs Director

Also pursuant to paragraph 9, as noted below, CenturyLink is serving copies of these declarations via electronic mail on Enforcement Bureau staff counsel and counsel for defendant, Birch Communications, Inc.

Ms. Marlene Dortch
April 26, 2018
Page 2

If you have any questions concerning this matter, please contact the undersigned.

Sincerely,

/s/ Timothy M. Boucher

Encls.

cc:

Rosemary McEnery, Enforcement Bureau, FCC (rosemary.mcenery@fcc.gov)
Lisa Saks, Enforcement Bureau, FCC (lisa.saks@fcc.gov)
Erin Boone, Enforcement Bureau, FCC (erin.boone@fcc.gov)
Lia Royle, Enforcement Bureau (lia.royle@fcc.gov)
Angela F. Collins, Counsel for Birch (acollins@cahill.com)
Chérie R. Kiser, Counsel for Birch (ckiser@cahill.com)

Attachment A

DECLARATION

In the Matter of

CenturyLink Communications, LLC and Level 3 Communications, LLC

v.

Birch Communications, Inc.

Docket No. 18-73

I, Timothy Baer, hereby declare under penalty of perjury that I have read the Protective Order in this proceeding, and that I agree to be bound by its terms pertaining to the treatment of Confidential Information submitted by parties to this proceeding. I understand that the Confidential Information shall not be disclosed to anyone except in accordance with the terms of the Protective Order and shall be used only for purposes of the proceedings in this matter. I acknowledge that a violation of the Protective Order is a violation of an order of the Federal Communications Commission. I acknowledge that this Protective Order is also a binding agreement with the Submitting Party.

(signed) [Signature]

(printed name) Timothy Baer

(representing) CenturyLink

(title) Assoc. Gen. Counsel

(employer) CenturyLink

(address) 931 14th St., 12th Floor,

(phone) 303-792-5751

(date) 4/23/18

Denver, CO
80202

Attachment A

DECLARATION

In the Matter of

CenturyLink Communications, LLC and Level 3 Communications, LLC

v.

Birch Communications, Inc.

Docket No. 18-73

I, Adam L. Sherr, hereby declare under penalty of perjury that I have read the Protective Order in this proceeding, and that I agree to be bound by its terms pertaining to the treatment of Confidential Information submitted by parties to this proceeding. I understand that the Confidential Information shall not be disclosed to anyone except in accordance with the terms of the Protective Order and shall be used only for purposes of the proceedings in this matter. I acknowledge that a violation of the Protective Order is a violation of an order of the Federal Communications Commission. I acknowledge that this Protective Order is also a binding agreement with the Submitting Party.

(signed)



(printed name)

Adam Sherr

(representing)

CenturyLink

(title)

Assoc. General Counsel

(employer)

CenturyLink

(address)

1600 7th Ave Rm 1506, Seattle WA 98191

(phone)

206 398 2507

(date)

4/23/18

Attachment A

DECLARATION

In the Matter of

CenturyLink Communications, LLC and Level 3 Communications, LLC

v.

Birch Communications, Inc.

Docket No. 18-73

I, Kenneth Shomaker, hereby declare under penalty of perjury that I have read the Protective Order in this proceeding, and that I agree to be bound by its terms pertaining to the treatment of Confidential Information submitted by parties to this proceeding. I understand that the Confidential Information shall not be disclosed to anyone except in accordance with the terms of the Protective Order and shall be used only for purposes of the proceedings in this matter. I acknowledge that a violation of the Protective Order is a violation of an order of the Federal Communications Commission. I acknowledge that this Protective Order is also a binding agreement with the Submitting Party.

(signed) Kenneth Shomaker

(printed name) Kenneth Shomaker

(representing) CenturyLink

(title) Sr. Lead Engineer

(employer) CenturyLink

(address) 4650 Lakehurst Ct, Dublin, OH, 43026

(phone) 614-689-6974

(date) April 23, 2018

Attachment A

DECLARATION

In the Matter of

CenturyLink Communications, LLC and Level 3 Communications, LLC

v.

Birch Communications, Inc.

Docket No. 18-73

I, Steve Gwin, hereby declare under penalty of perjury that I have read the Protective Order in this proceeding, and that I agree to be bound by its terms pertaining to the treatment of Confidential Information submitted by parties to this proceeding. I understand that the Confidential Information shall not be disclosed to anyone except in accordance with the terms of the Protective Order and shall be used only for purposes of the proceedings in this matter. I acknowledge that a violation of the Protective Order is a violation of an order of the Federal Communications Commission. I acknowledge that this Protective Order is also a binding agreement with the Submitting Party.

(signed) SHG

(printed name) Steven D. Gwin

(representing) CenturyLink

(title) LEAD ENGINEER

(employer) CenturyLink

(address) 20 E. Thomas, Phoenix, AZ 85012

(phone) 602-716-3306

(date) 4/23/18

Attachment A

DECLARATION

In the Matter of

CenturyLink Communications, LLC and Level 3 Communications, LLC

v.

Birch Communications, Inc.

Docket No. 18-73

I, Julie Ward, hereby declare under penalty of perjury that I have read the Protective Order in this proceeding, and that I agree to be bound by its terms pertaining to the treatment of Confidential Information submitted by parties to this proceeding. I understand that the Confidential Information shall not be disclosed to anyone except in accordance with the terms of the Protective Order and shall be used only for purposes of the proceedings in this matter. I acknowledge that a violation of the Protective Order is a violation of an order of the Federal Communications Commission. I acknowledge that this Protective Order is also a binding agreement with the Submitting Party.

(signed) Julie Ward

(printed name) Julie Ward

(representing) CTL

(title) Public Policy Director

(employer) CTL

(address) 600 New Century Pkwy

(phone) 913 353 7076

(date) 4/23/18

Attachment A

DECLARATION

In the Matter of

CenturyLink Communications, LLC and Level 3 Communications, LLC

v.

Birch Communications, Inc.

Docket No. 18-73

I, PATRICK WELCH, hereby declare under penalty of perjury that I have read the Protective Order in this proceeding, and that I agree to be bound by its terms pertaining to the treatment of Confidential Information submitted by parties to this proceeding. I understand that the Confidential Information shall not be disclosed to anyone except in accordance with the terms of the Protective Order and shall be used only for purposes of the proceedings in this matter. I acknowledge that a violation of the Protective Order is a violation of an order of the Federal Communications Commission. I acknowledge that this Protective Order is also a binding agreement with the Submitting Party.

(signed) 

(printed name) PATRICK WELCH

(representing) CenturyLink

(title) MANAGER OF FINANCE

(employer) CENTURY LINK

(address) 5325 20th ST DENVER, CO 80221

(phone) 720 578 2238

(date) 4/26/18

Attachment A

DECLARATION

In the Matter of

CenturyLink Communications, LLC and Level 3 Communications, LLC

v.

Birch Communications, Inc.

Docket No. 18-73

I, Charles W. Steere, hereby declare under penalty of perjury that I have read the Protective Order in this proceeding, and that I agree to be bound by its terms pertaining to the treatment of Confidential Information submitted by parties to this proceeding. I understand that the Confidential Information shall not be disclosed to anyone except in accordance with the terms of the Protective Order and shall be used only for purposes of the proceedings in this matter. I acknowledge that a violation of the Protective Order is a violation of an order of the Federal Communications Commission. I acknowledge that this Protective Order is also a binding agreement with the Submitting Party.

(signed) C. Steere

(printed name) Charles W. Steere

(representing) CenturyLink and Level 3

(title) Attorney

(employer) Armstrong Teardale LLP

(address) 443 S. Vester, Suite 800
Denver, Co 80237

(phone) 720-200-0677

(date) 4/23/18

Attachment A

DECLARATION

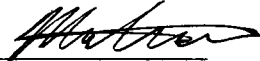
In the Matter of

**CenturyLink Communications, LLC and Level 3 Communications, LLC
v.**

Birch Communications, Inc.

Docket No. 18-73

I, Martin Estevao, hereby declare under penalty of perjury that I have read the Protective Order in this proceeding, and that I agree to be bound by its terms pertaining to the treatment of Confidential Information submitted by parties to this proceeding. I understand that the Confidential Information shall not be disclosed to anyone except in accordance with the terms of the Protective Order and shall be used only for purposes of the proceedings in this matter. I acknowledge that a violation of the Protective Order is a violation of an order of the Federal Communications Commission. I acknowledge that this Protective Order is also a binding agreement with the Submitting Party.

(signed) 

(printed name) Martin Estevao

(representing) CenturyLink and Level 3

(title) Attorney

(employer) Armstrong Teasdale LLP

4643 S. Ulster St., Ste. 800
(address) Denver, CO 80237

(phone) 720-200-0677

(date) 4/23/2018

Attachment A

DECLARATION

In the Matter of

CenturyLink Communications, LLC and Level 3 Communications, LLC

v.

Birch Communications, Inc.

Docket No. 18-73

I, Tami Spodgee hereby declare under penalty of perjury that I have read the Protective Order in this proceeding, and that I agree to be bound by its terms pertaining to the treatment of Confidential Information submitted by parties to this proceeding. I understand that the Confidential Information shall not be disclosed to anyone except in accordance with the terms of the Protective Order and shall be used only for purposes of the proceedings in this matter. I acknowledge that a violation of the Protective Order is a violation of an order of the Federal Communications Commission. I acknowledge that this Protective Order is also a binding agreement with the Submitting Party.

(signed) Tami Spodgee

(printed name) TAMI SPODGE

(representing) CENTURYLINK/TECO

(title) SR AUDIT CONSULTANT

(employer) TECO CORP

(address) FAIRFAX, VA

(phone) 918 406-8637

(date) 4/25/18

Attachment A

DECLARATION

In the Matter of

CenturyLink Communications, LLC and Level 3 Communications, LLC

v.

Birch Communications, Inc.

Docket No. 18-79

I, Margorie Herth, hereby declare under penalty of perjury that I have read the Protective Order in this proceeding, and that I agree to be bound by its terms pertaining to the treatment of Confidential Information submitted by parties to this proceeding. I understand that the Confidential Information shall not be disclosed to anyone except in accordance with the terms of the Protective Order and shall be used only for purposes of the proceedings in this matter. I acknowledge that a violation of the Protective Order is a violation of an order of the Federal Communications Commission. I acknowledge that this Protective Order is also a binding agreement with the Submitting Party.

(signed) Margorie Herth

(printed name) Margorie Herth

(representing) CenturyLink

(title) Paralegal

(employer) CenturyLink

(address) 931 14th St., 12th Fl., Denver CO 80202

(phone) 303.992.5792

(date) 4-23-18

Attachment A

DECLARATION

In the Matter of

CenturyLink Communications, LLC and Level 3 Communications, LLC

v.

Birch Communications, Inc.

Docket No. 18-73

I, Ross Dino, hereby declare under penalty of perjury that I have read the Protective Order in this proceeding, and that I agree to be bound by its terms pertaining to the treatment of Confidential Information submitted by parties to this proceeding. I understand that the Confidential Information shall not be disclosed to anyone except in accordance with the terms of the Protective Order and shall be used only for purposes of the proceedings in this matter. I acknowledge that a violation of the Protective Order is a violation of an order of the Federal Communications Commission. I acknowledge that this Protective Order is also a binding agreement with the Submitting Party.

(signed) Ross Dino

(printed name) Ross Dino

(representing) CenturyLink Communications, LLC
and Level 3 Communications, LLC

(title) Federal Regulatory Affairs Director

(employer) CenturyLink, Inc.

(address) 931 14th St, Suite 1340, Denver, CO
80202

(phone) 303-992-5823

(date) 04/22/18