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Craig J. Brown
Senior Associate General Counsel

VIA ECFS

November 19, 2015

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

Re: In the Matter of CenturyLink's Petition for Forbearance Pursuant to 47 U.S.C. § 160(c) from Dominant Carrier and Certain Computer Inquiry Requirements on Enterprise Broadband Services, WC Docket No. 14-9

Dear Ms. Dortch:

On November 9, 2015, an Acknowledgment of Confidentiality was filed by George E. Scarce in WC Docket No. 14-9 via the FCC's Mailroom (Scarce confidentiality acknowledgment).¹ In this proceeding, CenturyLink petitioned for forbearance from dominant carrier regulation and the *Computer Inquiry* tariffing requirements regarding its provision of enterprise broadband services.² The Scarce confidentiality acknowledgment was filed pursuant to the Second Protective Order in WC Docket No. 14-9.³ For the reasons described below, the Scarce confidentiality acknowledgment is not valid under the Second Protective Order and should be rejected.

¹ The Scarce confidentiality acknowledgment was posted to ECFS in WC Docket No. 14-9 on November 16, 2015 (<http://apps.fcc.gov/ecfs/document/view?id=60001337785>).

² *In the Matter of CenturyLink's Petition for Forbearance Pursuant to 47 U.S.C. § 160(c) from Dominant Carrier and Certain Computer Inquiry Requirements on Enterprise Broadband Services*, WC Docket No. 14-9, CenturyLink Petition for Forbearance (Dec. 13, 2013).

³ *In the Matter of CenturyLink's Petition for Forbearance Pursuant to 47 U.S.C. § 160(c) from Dominant Carrier and Certain Computer Inquiry Requirements on Enterprise Broadband Services*, WC Docket No. 14-9, Second Protective Order, DA 14-318, 29 FCC Rcd 2200 (rel. Mar. 7, 2014) (Second Protective Order).

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CenturyLink objects to any consideration of a request to access its Highly Confidential Information subsequent to the conclusion of the proceeding.⁴ CenturyLink notes that WC Docket No. 14-9 concluded on March 16, 2015 when its petition for forbearance was deemed granted by operation of law.⁵ In paragraph 20 of the Second Protective Order, which is entitled, “*Termination of Proceeding*”, the Wireline Competition Bureau states that “[w]ithin two weeks after *conclusion of this proceeding*[,]...Reviewing Parties shall destroy or return to the Submitting Party Stamped Highly Confidential Documents and all copies of the same [emphasis added].” Inasmuch as Mr. Scarce is not a Reviewing Party as defined in the Second Protective Order,⁶ nor can he become a Reviewing Party subsequent to the conclusion of the proceeding, the Scarce confidentiality acknowledgment is invalid and should be rejected.

For the above reasons, CenturyLink objects to the confidentiality acknowledgment filed by Mr. Scarce in WC Docket No. 14-9 and requests that the Commission reject it.

Sincerely,

/s/ Craig J. Brown

Encl. (certificate of service)

⁴ Although Mr. Scarce has not requested access to date from CenturyLink to its highly confidential information submitted in WC Docket No. 14-9, the submission of the confidentiality acknowledgment would appear to be the basis upon which to do so subsequently.

⁵ *In the Matter of CenturyLink’s Petition for Forbearance Pursuant to 47 U.S.C. § 160(c) from Dominant Carrier and Certain Computer Inquiry Requirements on Enterprise Broadband Services*, WC Docket No. 14-9, News Release, *CenturyLink’s Petition for Forbearance from Dominant Carrier Regulation and the Computer Inquiry Tariffing Requirement with Respect to its Enterprise Broadband Services Is Granted by Operation of Law*, 2015 FCC Lexis 767 (rel. Mar. 16, 2015).

⁶ Second Protective Order, 29 FCC Rcd at 2202 ¶ 2 (“‘Reviewing Party’ means a person who has obtained access to Highly Confidential Information...pursuant to [the] Second Protective Order.”)

CERTIFICATE OF SERVICE

I, Ross Dino, do hereby certify that I have caused the foregoing **OBJECTION OF CENTURYLINK** to be:

- 1) Filed with the Wireline Competition Bureau of the FCC via ECFS in WC Docket No. 14-9; and
- 2) Served via first-class U.S. Mail, postage prepaid, on the following person:

George E. Scarce
31116 Alchester Drive
Wesley Chapel, FL 33543

/s/ Ross Dino

Ross Dino

November 19, 2015