

Law Offices of Gregory J. Vogt, PLLC

103 BLACK MOUNTAIN AVE.
SUITE 11
BLACK MOUNTAIN, NC 28711

www.vogtlawfirm.com

Gregory J. Vogt
828.669.2099 (office)
gvogt@vogtlawfirm.com

May 11, 2016

EX PARTE PRESENTATION

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: Business Data Services in an Internet Protocol Environment, WC Docket No. 16-143; Investigation of Certain Price Cap Local Exchange Carrier Business Data Services Tariff Pricing Plans, WC Docket No. 15-247; Special Access for Price Cap Local Exchange Carriers; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services; WC Docket No. 05-25, RM-10593

Dear Ms. Dortch:

On behalf of Hawaiian Telcom, Inc. ("HT"), enclosed is the executed copies of the Acknowledgements of Confidentiality required by the Wireline Competition Bureau's Protective Order (DA 15-1387), Appendices A & B, for access to Confidential and Highly Confidential documents filed in Docket No. 16-143. I have previously filed my Acknowledgment on January 26, 2016 in Docket No. 05-25 and RM-10593, which was placed on public notice and no objections were received. I have also signed the Acknowledgment for access to Highly Confidential and Confidential information contained in the Tariff Investigation Order and Further Notice of Proposed Rulemaking in the above-captioned dockets. The signatory is outside counsel for HT.

Sincerely,

/s/ Gregory J. Vogt

Gregory J. Vogt
Counsel for Hawaiian Telcom, Inc.

Enclosures

APPENDIX A

Attachment 1

**Business Data Services Data Collection Protective Order
Acknowledgment of Confidentiality
WC Docket No. 15-247**

I am seeking access to only Confidential Information or Confidential and Highly Confidential Information.

I hereby acknowledge that I have received and read a copy of the foregoing Business Data Services Data Collection Protective Order in the above-captioned proceeding, and I understand it.

I agree that I am bound by the Business Data Services Data Collection Protective Order and that I shall not disclose or use Stamped Confidential Documents, Stamped Highly Confidential Documents, Confidential Information, or Highly Confidential Information except as allowed by the Business Data Services Data Collection Protective Order.

I acknowledge that a violation of the Business Data Services Data Collection Protective Order is a violation of an order of the Federal Communications Commission (Commission). I further acknowledge that the Commission retains its full authority to fashion appropriate sanctions for violations of this Business Data Services Data Collection Protective Order, including but not limited to suspension or disbarment of Counsel or Outside Consultants from practice before the Commission, forfeitures, cease and desist orders, and denial of further access to Confidential or Highly Confidential Information in this or any other Commission proceeding.

I acknowledge that nothing in the Business Data Services Data Collection Protective Order limits any other rights and remedies available to a Submitting Party at law or in equity against me if I use Confidential or Highly Confidential Information in a manner not authorized by this Business Data Services Data Collection Protective Order.

I certify that I am not involved in Competitive Decision-Making.

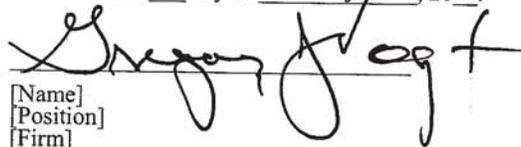
Without limiting the foregoing, to the extent that I have any employment, affiliation, or role with any person or entity other than a conventional private law firm (such as, but not limited to, a lobbying or advocacy organization), I acknowledge specifically that my access to any information obtained as a result of the Business Data Services Data Collection Protective Order is due solely to my capacity as Counsel or Outside Consultant to a party or as a person described in paragraph 6 of the Business Data Services Data Collection Protective Order and agree that I will not use such information in any other capacity.

I acknowledge that it is my obligation to ensure that Stamped Confidential Documents and Stamped Highly Confidential Documents are not duplicated except as specifically permitted by the terms of the Business Data Services Data Collection Protective Order and to ensure that there is no disclosure of Stamped Confidential Documents, Stamped Highly Confidential Documents, Confidential Information, and Highly Confidential Information in my possession or in the possession of those who work for me, except as provided in the Business Data Services Data Collection Protective Order.

I certify that I have verified that there are in place procedures at my firm or office to prevent unauthorized disclosure of Confidential Information and Highly Confidential Information.

Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Business Data Services Data Collection Protective Order.

Executed this 11 day of May, 2016



Gregory J. Vogt
Owner
Law Offices of Gregory J. Vogt, PLLC
Represents: Hawaiian Telcom, Inc.
828.669.2099

[Name]
[Position]
[Firm]
[Name of Client(s) Representing]
[Telephone]

APPENDIX B

Attachment 2

**Tariff Investigation Protective Order
Acknowledgment of Confidentiality
WC Docket No. 15-247**

I am seeking access to only Confidential Information or Confidential and Highly Confidential Information.

I hereby acknowledge that I have received and read a copy of the foregoing Tariff Investigation Protective Order in the above-captioned proceeding, and I understand it.

I agree that I am bound by the Tariff Investigation Protective Order and that I shall not disclose or use Stamped Confidential Documents, Stamped Highly Confidential Documents, Confidential Information or Highly Confidential Information except as allowed by the Tariff Investigation Protective Order.

I acknowledge that a violation of the Tariff Investigation Protective Order is a violation of an order of the Federal Communications Commission (Commission). I further acknowledge that the Commission retains its full authority to fashion appropriate sanctions for violations of this Tariff Investigation Protective Order, including but not limited to suspension or disbarment of Counsel or Consultants from practice before the Commission, forfeitures, cease and desist orders, and denial of further access to Confidential or Highly Confidential Information in this or any other Commission proceeding.

I acknowledge that nothing in the Tariff Investigation Protective Order limits any other rights and remedies available to a Submitting Party at law or in equity against me if I use Confidential or Highly Confidential Information in a manner not authorized by this Tariff Investigation Protective Order.

I certify that I am not involved in Competitive Decision-Making.

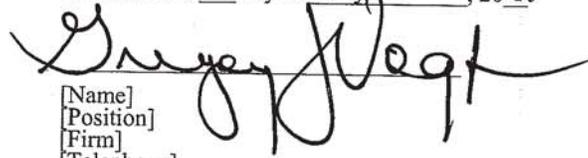
Without limiting the foregoing, to the extent that I have any employment, affiliation, or role with any person or entity other than a conventional private law firm (such as, but not limited to, a lobbying or advocacy organization), I acknowledge specifically that my access to any information obtained as a result of the Tariff Investigation Protective Order is due solely to my capacity as Counsel or Outside Consultant to a party or as an employee of Counsel, Outside Consultant, or Outside Firm, and I agree that I will not use such information in any other capacity.

I acknowledge that it is my obligation to ensure that Stamped Confidential Documents and Stamped Highly Confidential Documents are not duplicated except as specifically permitted by the terms of the Tariff Investigation Protective Order and to ensure that there is no disclosure of Confidential Information or Highly Confidential Information in my possession, in the possession of those who work for me or in the possession of other Support Personnel, except as provided in the Tariff Investigation Protective Order.

I certify that I have verified that there are in place procedures at my firm or office to prevent unauthorized disclosure of Confidential Information and Highly Confidential Information.

Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Tariff Investigation Protective Order.

Executed this 11 day of May, 2016



Gregory J. Vogt
Owner
Law Offices of Gregory J. Vogt, PLLC
Represents: Hawaiian Telcom, Inc.
828.669.2099

[Name]
[Position]
[Firm]
[Telephone]
[Party]

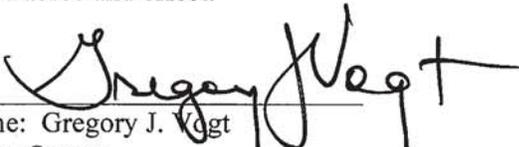


Highly Confidential
Tariff Investigation Order and Further Notice of Proposed Rulemaking
Recipient Acknowledgment

Business Data Services Rulemaking
WC Docket Nos. 16-143, 15-247, 05-25; RM-10593

By signing below, you certify that you are Outside Counsel or Outside Consultant (as such terms are defined in the protective orders in WC Docket Nos. 16-143, 15-247, No. 05-25).¹ You agree that you will not make any photocopies of the unredacted version of the Tariff Investigation Order and Further Notice of Proposed Rulemaking (Order)² in this proceeding and that, as required by the protective orders, you will not share any Highly Confidential or Confidential Information (howsoever designated in the Order) except as provided for in the protective orders. You acknowledge the provisions of the protective orders do not terminate at the conclusion of this proceeding. You further acknowledge that any use of the Highly Confidential or Confidential Information contained in the unredacted version of the Order that violates any term or condition found in the protective orders constitutes a violation of an order of the Federal Communications Commission.

I acknowledge that I have read the above paragraph and agree to its terms. I provided Commission staff with a copy of my signed Acknowledgments from the protective orders.³ I confirm that any challenge to such Acknowledgment has been resolved in my favor and the Acknowledgment remains in full force and effect.

By: 
Name: Gregory J. Vogt
Title: Owner
Organization: Law Offices of Gregory J. Vogt, PLLC
Party representing: Hawaiian Telcom, Inc.

Date: 5/11/2016

¹ See *Investigation of Certain Price Cap Local Exchange Carrier Business Data Services Tariff Pricing Plans; Special Access for Price Cap Local Exchange Carriers; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, WC Docket Nos. 15-247, 05-25, RM-10593, Order and Protective Orders, 30 FCC Rcd 13680 (WCB 2015) (*Business Data Services Protective Order*); *Special Access for Price Cap Local Exchange Carriers; AT&T Corp. Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, WC Docket No. 05 25, RM-10593, Order and Modified Data Collection Protective Order, 30 FCC Rcd 10027 (WCB 2015); *Special Access for Price Cap Local Exchange Carriers; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, WC Docket No. 05-25, RM-10593, Order and Data Collection Protective Order, 29 FCC Rcd 11657 (WCB 2014) (*Data Collection Protective Order*).

² *Business Data Services in an Internet Protocol Environment Investigation of Certain Price Cap Local Exchange Carrier Business Data Services Tariff Pricing Plans; Special Access for Price Cap Local Exchange Carriers; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, WC Docket Nos. 16-143, 15-247, 05-25, RM-10593, Tariff Investigation Order and Further Notice of Proposed Rulemaking, FCC 16-54 (rel. May 2, 2016).

³ See *Business Data Services Protective Order*, 30 FCC Rcd at 13693-4, 13706-7, Appx. A, Attach. 1 & Appx. B, Attach. 2; *Data Collection Protective Order*, 29 FCC Rcd at 11680, Appx. C.