

**BellSouth Corporation**  
**Legal Department**  
675 West Peachtree Street  
Suite 4300  
Atlanta, GA 30375-0001

**Theodore R. Kingsley**  
Senior Regulatory Counsel

404 335 0720  
Fax 404 614 4054

September 30, 2004

Mr. Jeffrey J. Carlisle  
Chief, Wireline Competition Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street; SW  
Washington, D.C. 20554

**Re: *Unbundled Access to Network Elements; Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, WC Docket No. 04-313, CC Docket No. 01-338**

Dear Mr. Carlisle:

Attached are five signed "Acknowledgement of Confidentiality" forms (Exhibit B to the August 20, 2004 Protective Order) for BellSouth In-House Counsel, in-house paralegals, in-house legal secretaries, and outside consultants and experts retained for the purpose of assisting BellSouth counsel in this proceeding.

The attached service list reflects the outside counsel of record for parties that filed confidential information during the *Triennial Review Proceeding*, or that have already filed acknowledgements of confidentiality in this proceeding and have served on BellSouth, or who may file confidential information in this proceeding and from whom BellSouth may seek to obtain copies of such information. If confidential information is sought from other parties, those parties will likewise be served with Acknowledgements of Confidentiality.

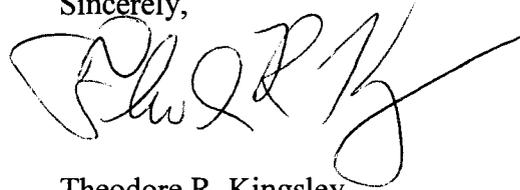
As explained by the earlier filing parties, due to the truncated nature of this proceeding, BellSouth is filing and serving these Acknowledgements of Confidentiality at this time in order to expedite obtaining confidential documents that have been or will be filed by the parties being served, and requests that this filing begin the running of the three business day waiting period required by paragraph 8 of the Modified Protective Order of September 29th.

Mr. Jeffrey J. Carlisle  
September 30, 2004  
Page 2 of 2

As is customary with electronic filings, I submit PDF facsimiles of these documents, and am safekeeping the signed originals in our offices.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Theodore R. Kingsley', with a long horizontal flourish extending to the right.

Theodore R. Kingsley

Enclosures ( Acknowledgements)

cc: Marlene H. Dortch, Secretary (via electronic filing)  
Parties on attached service list

## **ACKNOWLEDGEMENTS**

### **Names**

Bennett L. Ross

Aniruddha Banerjee

Anthony V. Jones

Kellie Wenzlick

Eric Fogle

### **Titles**

General Counsel- D.C.

Vice President-NERA  
Economic Consulting

Senior Paralegal

Legal Office Administrator

Director-  
Interconnection Operations

## APPENDIX B

Acknowledgment of Confidentiality

CC Docket No. 01-338 &amp; WC Docket No. 04-313

I hereby acknowledge that I have received and read a copy of the Protective Order in the above-captioned proceeding, and I understand it. I agree that I am bound by the Protective Order and that I shall not disclose or use Stamped Confidential Documents or Confidential Information except as allowed by the Protective Order. I acknowledge that a violation of the Protective Order is a violation of an order of the Federal Communications Commission.

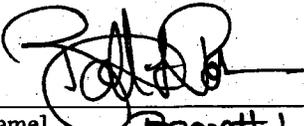
Without limiting the foregoing, to the extent that I have any employment, affiliation or role with any person or entity other than a conventional private law firm (such as, but not limited to, a lobbying or public interest organization), I acknowledge specifically that my access to any information obtained as a result of the order is due solely to my capacity as Counsel or consultant to a party or other person described in paragraph 5 of the foregoing Protective Order and that I will not use such information in any other capacity nor will I disclose such information except as specifically provided in the Protective Order.

I hereby certify that I am not involved in "competitive decision-making" as that term is used in the definition of In-House Counsel in paragraph 2 of the Protective Order.

I acknowledge that it is my obligation to ensure that: (1) Stamped Confidential Documents and Confidential Information are used only as provided in the Protective Order; and (2) Stamped Confidential Documents are not duplicated except as specifically permitted by the terms of paragraph 10 of the Protective Order. I certify that I have verified that there are in place procedures, at my firm or office, to prevent unauthorized disclosure of Stamped Confidential Documents or Confidential Information.

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

Executed at Washington, D.C. this 30th day of September, 2004

  
[Name] Bennett L. Ross  
[Position] General Counsel - D.C.  
[Address] BellSouth  
1133 21st Street, NW, Suite 900  
[Telephone] Washington, DC 20026  
(202) 463-4113

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Executed at BOSTON this 30 day of SEPTEMBER, 2004.

Aniruddha Banerjee (ANIRUDDHA BANERJEE)  
[Name]

[Position] VICE PRESIDENT, NERA ECONOMIC CONSULTING

[Address] 200 CLARENDON ST, 35TH FL, BOSTON, MA 02116

[Telephone] (617)621-2604

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

Executed at Washington, DC this 30 day of September, 2004

[Name] Anthony V. Jones[Position] Senior Paralegal[Address] 1133 21st St. NW, Suite 900[Telephone] WASHINGTON DC 20036(202) 463 4133

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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 public interest organization), I acknowledge specifically that my access to any information obtained as a result of the order is due solely to my capacity as Counsel or consultant to a party or other person described in paragraph 5 of the foregoing Protective Order and that I will not use such information in any other capacity nor will I disclose such information except as specifically provided in the Protective Order.

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

Executed at D.C. this 30<sup>th</sup> day of September, 2004

Kellie Wenzlich  
[Name]  
[Position] Legal Office Administrator  
[Address] 1133 21st St, NW, Ste. 900  
[Telephone] Washington, DC 20036  
202.463.4159

**Acknowledgment of Confidential**

**CC Docket No. 01-338 & WC Docket No. 04-313**

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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 public interest organization), I acknowledge specifically that my access to any information obtained as a result of the order is due solely to my capacity as Director - Interconnection Operations, BellSouth Telecommunications, Inc., assisting In-House Counsel for BellSouth in this proceeding, and that I will not use such information in any other capacity nor will I disclose such information except as specifically provided in the Protective Order.

I hereby certify that I am not involved in "competitive decision-making" as that term is used in the definition of In-House Counsel in paragraph 2 of the Protective Order.

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

Executed at St. Louis, MO. this 27<sup>th</sup> day of September, 2004



[Name] ERIC FOGLE  
 [Position] DIRECTOR - INTERCONNECTION OPERATIONS  
 [Address] 675 W. PEACHTREE ST NW  
 [Telephone] 573-657-2140 (W)  
 404-226-9159 (C)

## CERTIFICATE OF SERVICE

I, Juanita H. Lee, certify that on this 30<sup>th</sup> day of September, 2004, I served copies of this filing letter and its accompanying Acknowledgements of Confidentiality by overnight delivery and facsimile to outside counsel of record for the following parties:

### T-Mobile USA, Inc.

Gil M. Strobel  
Lawler, Metzger & Milkman, LLC  
2001 K Street, NW, Suite 802  
Washington, D.C. 20006  
(202) 777-7728  
Facsimile Number: (202) 777-7763

### MCI, Inc.

A. Renee Callahan  
Lawler, Metzger & Milkman, LLC  
2001 K Street, NW, Suite 802  
Washington, D.C. 20006  
(202) 777-7723  
Facsimile Number: (202) 777-7763

### Association for Local Telecommunications Services

Thomas Jones  
Jonathan Lechter  
Wilkie Farr & Gallagher LLP  
1875 K Street, N.W.  
Washington, D.C. 20006  
(202) 303-1000  
Facsimile Number: (202) 303-2000

### Time Warner Telecom, Inc.

Thomas Jones  
Jonathan Lechter  
Wilkie Farr & Gallagher LLP  
1875 K Street, N.W.  
Washington, D.C. 20006  
(202) 303-1000  
Facsimile Number: (202) 303-2000

Conversant Communications

Thomas Jones  
Jonathan Lechter  
Wilkie Farr & Gallagher LLP  
1875 K Street, N.W.  
Washington, D.C. 20006  
(202) 303-1000  
Facsimile Number: (202) 303-2000

AT&T Corporation

Michael J. Hunseder  
Sidley Austin Brown & Wood  
1501 K Street, N.W.  
Washington, D.C. 20005  
(202) 736-8000  
Facsimile Number: (202) 736-8711

New South Communications

Christopher R. Bjornson  
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.  
701 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
(202) 434-7300  
Facsimile Number: (202) 434-7400

AT&T Wireless Services

Michael H. Pryor  
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.  
701 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
(202) 434-7300  
Facsimile Number: (202) 434-7400

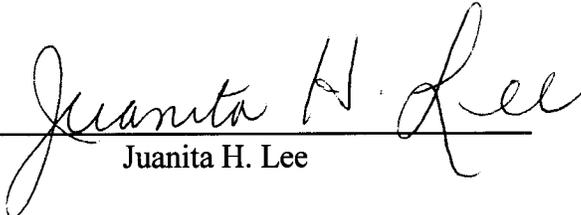
Sprint Corporation

John E. Benedict  
H. Richard Juhnke  
Jay C. Keithley  
Sprint Corporation  
(service party of record, CC Docket O1-338)  
401 Ninth Street, NW Suite 400  
Washington, D.C. 20004

Facsimile Number: (202) 585-1897

Promoting Active Competition Everywhere

Genevieve Morelli  
Kelley Drye & Warren  
1200 19<sup>th</sup> Street, N.W., Suite 500  
Washington, D.C. 20036  
(202) 955-9600  
Facsimile Number: (202) 955-9792

  
\_\_\_\_\_  
Juanita H. Lee