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October 1, 2004

BY ELECTRONIC FILING

Jeffery J. Carlisle
Chief, Wireline Competition Bureau
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

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

Dear Mr. Carlisle:

On September 29, 2004, BellSouth filed "Acknowledgements of Confidentiality" on behalf of twenty individuals seeking access to confidential information filed in the above-referenced proceedings. By BellSouth's own admission, eight of the twenty individuals identified in its filing are "employed by BellSouth in federal regulatory and interconnection management positions outside of the Legal Department."¹ Under the terms of the Protective Order adopted for use in these proceedings, these individuals are not entitled to review confidential filings made by other parties.² On September 30, 2004 BellSouth filed five more "Acknowledgements of Confidentiality," including at least one

¹ See letter from Theodore R. Kingsley, BellSouth, to Jeffrey J. Carlisle, FCC, WC Docket No. 04-313 and CC Docket No. 01-338, at 1 (Sept. 29, 2004). These individuals are Lisa Brooks, Kathleen Wilson-Chu, Gay P. Dilz, Stephen R. Harris, Jerry E. Johnson, David W. Partington, Ronald M. Pate and Kelly M. Stephens (collectively, the "non-qualified individuals").

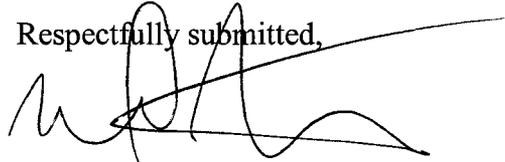
² *Unbundled Access to Network Elements*, Protective Order, 19 FCC Rcd 16292 at Appendix A, ¶ 5 (2004), *modified* by Order, WC Docket No. 04-313 and CC Docket No. 01-338, DA 04-3152, *see* Appendix A, ¶ 5 (rel. Sept. 29, 2004) ("Protective Order").

signed by an employee who does not appear entitled to review confidential filings submitted pursuant to the Protective Order.³

T-Mobile USA, Inc. objects to the disclosure of any T-Mobile-related confidential information to any of the non-qualified individuals.⁴ Under the terms of the Protective Order, these individuals should not be granted access to any confidential information filed by T-Mobile until and unless this objection is resolved in favor of the non-qualified individuals.⁵

In accordance with the Commission's rules, this letter is being provided to you for inclusion in the public record of the above-referenced proceeding. BellSouth's counsel is also being served a copy of this objection, in accordance with the requirements of paragraph 8 of the Protective Order.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Gil M. Strobel', written over a horizontal line.

Gil M. Strobel

cc: Marlene H. Dortch
(via electronic filing)

Theodore R. Kingsley, Counsel for BellSouth
(via facsimile and overnight delivery)

³ See letter from Theodore R. Kingsley, BellSouth, to Jeffrey Carlisle, FCC, WC Docket No. 04-313 and CC Docket No. 01-338 (Sept. 30, 2004) (attaching a modified Acknowledgement of Confidentiality signed by Eric Fogle, Director – Interconnection Operations). Mr. Fogle appears to be employed by BellSouth in an interconnection management position. Accordingly, Mr. Fogle should be classified as a non-qualified individual and denied access to confidential information filed in this proceeding.

⁴ See notes 1 and 3, above.

⁵ See Protective Order, ¶ 8.