

October 25, 2004

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
Room TW-325
445 12th Street, S.W.
Washington D.C. 20554

Re: Unbundled Access to Network Elements, Review of the Section 251 Unbundling Obligations of Local Exchange Carriers, WC Dkt. No. 04-313, CC Dkt. No. 01-338 Submission of Acknowledgements Concerning Compliance with Protective Order

Dear Ms. Dortch:

On behalf Time Warner Telecom, Inc. ("TWTC"), in accordance with the procedures outlined in the Protective Order adopted on August 20, 2004 in the above-referenced proceedings,¹ I am submitting herewith copies of the Acknowledgements of Confidentiality executed by Kelsi Reeves and Don Shephard, employees of TWTC, who will require access to confidential materials of the filings in the above referenced proceedings. A list of the parties from whom confidential materials are requested is attached.

Under the terms of paragraph 5 of the Protective Order, Ms. Reeves, Vice-President, Federal Government Relations, and Mr. Shephard, Vice-President, Federal Regulatory Affairs & Policy, are not "Counsel" nor are they employees, outside consultants or contractors to Counsel. Therefore, Form B, the Acknowledgement of Confidentiality, has been modified to the limited extent necessary to make clear their actual positions. This limited modification in no way changes and is not meant to change the obligations imposed by the Wireline Competition Bureau through its Protective Order on TWTC, Counsel or other persons described in paragraph 5 of the Protective Order. Neither Ms. Reeves nor Mr. Shephard is involved in "competitive decision-making" as that term is used in paragraph 2 of the Protective Order.

Each of the parties listed in the enclosed certificate of service has been separately served, via fax and overnight mail, with this letter and signed Acknowledgements of Confidentiality. If confidential information from additional parties is sought, they will be served with Acknowledgements of Confidentiality as well.

¹ See *Unbundled Access to Network Elements; Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, Order, DA 04-2603 (2004).

Federal Communications Commission

DA 04-2603

APPENDIX B

Acknowledgment of Confidentiality

CC Docket No. 01-338 & 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 Vice President—Federal Regulatory Affairs & Policy, in which capacity I am responsible for the development of regulatory strategies generally and in this proceeding in particular, along with Outside Counsel for Time Warner Telecom. I will not use such confidential 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 Braintree, VT this 22 day of October, 2004.


[Name] Donald Shephard
[Position] VP Federal Regulatory Affairs & Policy
[Address] 228 Blanchard Rd. Braintree, VT 05160
[Telephone] 802-728-5479

Federal Communications Commission

DA 04-2603

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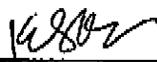
Without limiting the foregoing, to the extent that I have any employment, affiliation or role with any person or entity other than a conventional private law firm (such as, but not limited to, a lobbying or public interest organization), I acknowledge specifically that my access to any information obtained as a result of the order is due solely to my capacity as Vice President--Federal Government Relations, in which capacity I am responsible, along with Time Warner Telecom's Outside Counsel, for communicating Time Warner Telecom's policy positions generally and in this proceeding in particular to the FCC, Congress and the Administration. I will not use such confidential 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 Virginia this 21st day of October, 2004


[Name] Kelsi Reeves
[Position] Vp Federal Government relations, TWTC
[Address] 836 S. Royal street alexandria, VA 22314
[Telephone] 703-287-9604

CERTIFICATE OF SERVICE

I, Jonathan Lechter, do hereby certify that on this 25th day of October, 2004, I caused to be served a true and correct copy of the foregoing Acknowledgements by delivering copies thereof by overnight delivery and facsimile to the following:

<p><u>Verizon</u> Jennifer Hoh Verizon 1515 N. Courthouse Road 5th Floor Arlington VA., 22201 Fax: 703-351-3662</p>	<p><u>SBC</u> Kevin Walker Kellogg, Huber, Hanson, Todd & Evans, PLLC Sumner Square 1615 M St. N.W. Suite 400 Washington, D.C. 20036-3209 Fax: 202-326-7999</p>
<p><u>BellSouth Corporation</u> Anthony V. Jones Senior Paralegal BellSouth 1133 21st Street, Suite 900 Washington, D.C. 20036 Fax: 202-463-4195</p>	<p><u>Qwest</u> Christopher K. Calvert Wilkinson Barker Knauer, LLP 2300 N. St. N.W. Washington D.C. 20037-1128 Fax: 202-783-5851</p>
<p><u>AT&T</u> David Petron Sidley Austin Brown & Wood LLP 1501 K Street N.W. Washington, D.C. 20005 Fax: 202-736-8711</p>	<p><u>Sprint</u> Jeb Benedict 401 9th Street NW, Suite 400 Washington DC 20004 Fax: 202-585-1897</p>
<p>Gary Remondino* Wireline Competition Bureau Federal Communications Commission 445 12th Street, S.W.</p>	<p><u>New Jersey Ratepayer Advocate</u> Christopher White 31 Clinton St. 11th Floor Newark NJ, 07102 Fax: 973-624-1047</p>

/s/Jonathan Lechter

*via e-mail