

# SWIDLER BERLIN LLP

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March 9, 2005

## **Via Electronic Filing**

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

Re: WCB Docket No. 04-313, CC Docket No. 01-338 Acknowledgements of Confidentiality

Dear Ms. Dortch:

On behalf of Neutral Tandem, Inc., I am filing the attached copies of the Acknowledgments of Confidentiality pursuant to the Protective Order and Revised Protective Order adopted in the above-captioned proceedings.

Neutral Tandem seeks access to the confidential material filed by SBC in this proceeding and referenced in its CLEC accessible letter CLECALL 05-037. Executing the Protective Order on behalf of Neutral Tandem are Ronald Gavillet, Executive Vice President and General Counsel and Jon Clopton, Vice President Network Optimization, both of whom fit within the definition of Counsel in paragraph 5 of the Protective Order.

A copy of this letter and the executed acknowledgments have been provided to SBC consistent with the terms of the Protective Order. The undersigned has previously execute an acknowledgment of confidentiality and made the requisite filings with the Commission and provided copies to SBC.

Sincerely,



Joshua M. Bobeck

Marlene H. Dortch  
March 9, 2005  
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**CERTIFICATE OF SERVICE**

I, Linda Crelling, do hereby certify that the Acknowledgement of Confidentiality was sent out via e-mail, filed electronically, fax or via first class mail postage prepaid to the following on March 9, 2005:

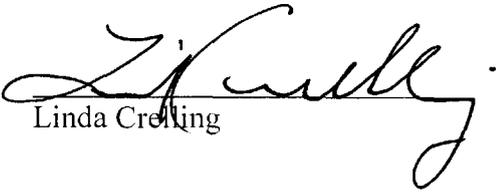
Marlene H. Dortch, Secretary (via Electronic filing)  
FCC  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Russell Hanser  
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Colin S. Stretch  
Kellogg Huber Hansen Todd, Evans and Figel  
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Suite 400  
Washington, DC 20036

Gary L. Phillips  
SBC Communications, Inc.  
1401 I Street, NW  
Washington, DC 20005

  
Linda Crelling

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 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 Chicago, Illinois this 4<sup>th</sup> day of March, 2005

  
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[Position] vice President  
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