

April 4, 2005

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
Room TW-A325
445 12th St. S.W.
Washington D.C. 20554

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

Dear Ms. Dortch:

On March 28, 2005, Cbeyond Communications, LLC (“Cbeyond”) filed a confidential version of a Petition for Reconsideration of the *Triennial Review Remand Order*.¹ Attached to the petition was a declaration by Richard Batelaan of Cbeyond which asserted, in paragraph three, that “Cbeyond’s business customers range in size from those with 4 to those with 100 employees and those that use from 5 to 48 phone lines.” After the declaration was filed by hand in the above-referenced proceedings, Mr. Batelaan discovered that Cbeyond serves customers with as many as 200 employees. The relevant passage in paragraph three of the declaration should therefore state as follows: “Cbeyond’s business customers range in size from those with 4 to those with 200 employees and those that use from 5 to 48 phone lines.” (emphasis added) Only the confidential version of the declaration hand-filed with the Commission and Gary Remondino of the Wireline Competition Bureau as well as the two redacted copies filed along with the confidential version contained the error. The redacted copy filed electronically with the Commission contained the corrected statement.

On behalf of Cbeyond, we have filed, pursuant to the protective order in the above referenced proceedings, two copies of the redacted version of Cbeyond’s Petition for Reconsideration of the *Triennial Review Remand Order* along with two corrected copies of the redacted version of the declaration of Richard Batelaan of Cbeyond.

¹ See *Unbundled Access to Network Elements, Review of Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, Order on Remand, WC Dkt. No. 04-313 *et al.*, FCC 04-290 (rel. Feb. 4, 2005) (“*Triennial Review Remand Order*”).

