

Sherry Ingram
Assistant General Counsel



1515 N. Courthouse Road
Suite 500
Arlington, VA 22201-2909
Phone 703-351-3065
Fax 703-351-3662
sherry.a.ingram@verizon.com

April 27, 2005

VIA ELECTRONIC FILING

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

Re: Access to Confidential Materials in WC Docket No. 05-75

Dear Ms. Dortch:

By letter dated April 22, 2005, Covad Communications submitted "Acknowledgements of Confidentiality" on behalf of five individuals seeking access to confidential information filed in the above-referenced proceedings.¹ Pursuant to paragraph 7 of the Protective Order adopted in these proceedings,² Verizon and MCI hereby object to the disclosure of Confidential Information to one of the five individuals designated in that letter: Susan Jin Davis.

Ms. Jin Davis is described as Vice President External Affairs & Investor Relations. Based on her title, Ms. Jin Davis does not appear to be eligible to review confidential documents pursuant to Paragraph 4 of the Protective Order. In her capacity as Vice President Investor Relations, Ms. Jin Davis appears to be "involved in competitive decision-making" for Covad and is positioning Covad competitively with investors. Protective Order ¶¶ 1, 4. Ms. Jin Davis also is not "involved solely in one or more aspects of organizing, filing, coding, converting, storing, or retrieving documents or data or designing programs for handling data connected with this

¹ See Letter from Gregg Hyde, Covad Communications Company, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 05-75 (filed Apr. 22, 2005).

² *Verizon Communications Inc. and MCI, Inc. Applications for Approval of Transfer of Control*, WC Docket No. 05-75, DA 05-647 at Appendix A (rel. Mar. 10, 2005) ("Protective Order").

Marlene H. Dortch

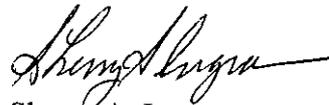
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proceeding, or performing other clerical or ministerial functions with regard to documents connected with this proceeding.” *Id.* ¶ 4.

Based on the information in the record, Ms. Jin Davis is not eligible to have access to Confidential Information pursuant to the Protective Order, and the parties objects to her having access to Confidential Information submitted in this proceeding without further clarification of her position. In view of the parties’ objections, Ms. Jin Davis may not have access to Confidential Information unless and until the parties’ objections are resolved in Covad’s favor by the Commission and, if appropriate, any court of competent jurisdiction. *Id.* ¶ 7.

Respectfully Submitted,



Sherry A. Ingram

cc: Gregg Hyde, Covad Communications*
Denise N. Smith, Kelley Drye & Warren - outside counsel for Covad*

* Via facsimile and overnight delivery