

APPENDIX B

Declaration

In the Matter of)	
)	
Providing Eligible Entities Access to Aggregate Form 477 Data)	WC Docket No. 07-38
)	
Implementation of the Broadband Data Improvement Act of 2008)	GN Docket No. 09-47
)	
A National Broadband Plan for our Future)	GN Docket No. 09-51

I, Thomas D. Smith, of the eligible entity Office of Cyber Security for the state of New York, hereby declare under penalty of perjury that I have read the Order that has been entered by the Commission in this proceeding, and I understand it.

I agree to be bound by its terms pertaining to the treatment of section 106(h) aggregate data, and I agree that I shall not disclose or use section 106(h) aggregate data except as allowed by the Order.

I certify that I have verified that there are in place procedures at my place of business where the data is accessed to prevent unauthorized disclosure of section 106(h) aggregate data.

I acknowledge that a violation of the Order is a violation of an order of the Federal Communications Commission.

Executed at Albany, New York this 14 day of September, 2011

[signed] 

[Name] Thomas D. Smith

[Position] Director

[Eligible Entity] New York State Office of Cyber Security

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