



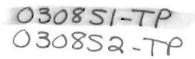
Peter M. Dunbar

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December 1, 2003

Ms. Blanca Bayo, Director Division of the Commission Clerk and Administrative Services Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850



RE: Request for Confidential Classification

> Implementation of Requirements Arising From Federal Communication Commission's Triennial UNE Review

Dear Ms. Bayo:

Our law firm represents Time Warner Telecom of Florida, L.P. ("Time Warner"). On December 1, 2003, pursuant to a cooperative agreement between Time Warner and BellSouth Telecommunications, Inc., Time Warner submitted its responses to the Data Request Regarding Implementation of Requirements Arising From Federal Communication Commission's Triennial Unbundled Network Element Review. Specifically, Time Warner submitted tables titled Loop Questions and Transport Questions. On behalf of our client, we would like to request confidential classification of the responses in the aforementioned tables.

Time Warner's request for confidential classification is made pursuant to Section 364.183(1), Florida Statutes, and Rule 22.006(5), Florida Administrative Code. The information contained in these tables are considered proprietary confidential business information as that term is defined in Section 364.183(3), Florida Statutes. As such, this information is exempt from Section 119.07(1) and Section 24(a), Article I of the State Constitution. The information is a trade secret and relates to competitive interests, the disclosure of which would impair the competitive business of Time Warner. Additionally, the information is intended to be private, and has not been otherwise disclosed by Time Warner

CAF CMP COM CTR ECR GCL OPC MMS SEC OTH leach att contrecords

AUS

This claim of confidentiality was filed by or on behalf of a "telco" for Confidential DN ______. Th document is in locked storage pending advice on handling. To access the material, your name must be on the CASR. If undocketed, your division director must obtain written EXD/Tech permission before you can access it.

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Ms. Blanco Bayo December 1, 2003 Page Two

In accordance with Rule 22.006(5), Florida Administrative Code, I have enclosed one highlighted copy and two redacted copies of the relevant documents.

If you have any questions with regard to the foregoing, please do not hesitate to contact me.

Respectfully,

PENNINGTON, MOORE, WILKINSON, BELL & DUNBAR, P.A.

Peter M. Dunbar

Linda Noel

Counsel for Time Warner Telecom of Florida, L.P.

cc: Pat Lee, Division of Competitive Markets & Enforcement FPSC Carolyn Marek, Time Warner Telecom, L.P.

AFFIDAVIT

By my signature below, I, Carolyn M. Marek, attest to the accuracy of information contained herein and the attached documents. I have reviewed foregoing and declare that, to the best of my knowledge and belief, the information true and correct. I attest that I have the authority to sign on behalf of Time War: Telecom of Florida, L.P.

Further, I am aware that, pursuant to Chapter 837.06, Florida Statutes, "Whoever knowingly makes a false statement in writing with the intent to misle a public servant in the performance of his official duty shall be guilty of misdemeanor of the second degree, punishable as provided in s. 775.082 and 775.083."

Carolyn M. Marek	Carolannak
Print Name	Signature
Vice President Regulatory - Southeast	12/1/03
Title	Date
615-376-6404	615-376-6405
Telephone No.	Fax No.
-	
Utility: Time Warner Telecom	
Address: 233 Bramerton Court Franklin, TN 37069	
STATE OF TENNESSEE	
COUNTY OF Davidson	
Sworn to (or affirmed) and subscribed before me this 1st day of Dec. 20 8 by Carolyn Marek	
	Carol Qualeurs (Signature of Notary Public
(NOTARY SEAL)	(Name of Notary Typed, Printed, or Starror
Personally Known OR Produced Identification Type of Identification Produced	

My Comm. expires: 5-29-03