# McWhirter Reeves

ATTORNEYS AT LAW

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PLEASE REPLY TO:

TALLAHASSEE

TALLAHASSEE OFFICE: 117 SOUTH GADSDEN TALLAHASSEE, FLORIDA 33201 (850) 222-2525

December 3, 2003

## VIA HAND DELIVERY

Ms. Blanca Bayo Division of Records and Reporting Betty Easley Conference Center 4075 Esplanade Way Tallahassee, Florida 32399-0870

Ms. Pat Lee

Division of Competitive Markets and Enforcement

Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

Re:

Docket Nos. 030851-TP and 030852-TP, XO Florida, Inc.'s Responses to 2003 TRO

Data Request

Dear Ms. Bayo and Ms. Lee:

Attached are XO Florida, Inc.'s Initial Responses to Staff's Data Request in the above dockets in both electronic and hard copy format, as well as the notarized statement of Dana Shaffer, Vice President, Regulatory Affairs, attesting to the accuracy of the responses.

Please note that XO has already provided switching information in response to a subpoena from BellSouth. This information will be provided in XO's supplemental response. Further note that XO objects to the Staff request for detailed loop information as being overly burdensome and premature. BellSouth has the burden in this case. Once BellSouth makes an initial showing as to which loop routes it intends to challenge, XO will provide information on those specific routes.

Confidential information has been provided to Ms. Bayo under separate cover in accordance with the Commission's confidentiality procedures.

Per XO's agreement with Staff Counsel, Mr. Teitzman, XO will supplement these responses on December 10, 2003.

If you have any questions, please contact me.

D& FILED

FPSC-BUREAU OF RECORDS

Sincerely,

Vicki Gordon Kaufman

VGK/bae Enclosures

AUS

CAF

CMP COM

CCL

OPC

WMS

Dana Shaffer

Adam Teitzman

This claim of confidentiality was filed by or on behalf of a "telco" for Confidential DN 12360-03. The 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.

MCWHIRTER, REEVES, MCGLOTHLIN, DAVIDSON, KAUFMAN, & ARNOLD, P.A.

#### general\_XO Florida Inc\_FL General

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# remote\_switches\_XO Florida Inc\_FL Remote Switch Addresses

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### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of requirements arising From Federal Communications Commission Triennial UNE review: Local Circuit Switching

For Mass Market Customers

In re: Implementation of requirements arising From Federal Communications Commission's Triennial UNE review; Location-Specific Review for DS1, DS3 and Dark Fiber Loops, And Route-Specific Review for DS1, DS3 and Dark Fiber Transport.

Docket No. 030852-TP

Docket No. 030851-TP

## AFFIDAVIT OF DANA SHAFFER

STATE OF TENNESSEE

COUNTY OF Wavidsa-

- I, Dana Shaffer, being first duly sworn, do hereby depose and state as follows:
- 1. I am Vice President, Regulatory Affairs, for XO Communications, Inc.
- 2. I have reviewed the attached answers of XO Florida, Inc. to Staff's Data Request.

Such responses are true and correct to the best of my knowledge, information and belief.

SWORN TO AND SUBSCRIBED before me this 2nd day of Dec

Dana Shaffer, who is personally know to me.

Notary Public, State of Tennessee

County of Dandson

Commission Number: My Commission Expires NOV. 27, 20

My Commission expires: