

February 5, 2004

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

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COMMISSION  
CLERK  
04 FEB - 5 PM 4: 28

RE: *Docket No.: 030851-TP 030852-TP*  
*Time Warner's Confidential Discovery Responses*

Dear Ms. Bayo:

On November 14, 2003, November 18, 2003, December 1, 2003 and December 12, 2003, pursuant to a cooperative agreement between Time Warner Telecom of Florida, L.P. ("Time Warner") and BellSouth Telecommunications, Inc. ("BellSouth"), Time Warner submitted its responses to the Data Request Regarding Implementation of Requirements Arising From Federal Communication Commission's Triennial Unbundled Network Element Review. Upon submitting its responses, Time Warner requested confidential classification of certain responses labeled Loop Questions, Switching Questions, Amended Switching Questions, and Transport Questions. See Exhibit A.

Time Warner recently learned that the Florida Public Service Commission Staff requested that BellSouth file copies of the aforementioned documents that it received from Time Warner. BellSouth filed the documents along with a request for confidential classification on February 4, 2004.

Having previously requested confidential classification for the very same documents

- AUS \_\_\_\_\_
- CAF \_\_\_\_\_
- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- MMS \_\_\_\_\_
- SEC \_\_\_\_\_
- OTH \_\_\_\_\_

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(pertains to DN 01733-04)

DOCUMENT NUMBER - DATE

01739 FEB-5 04

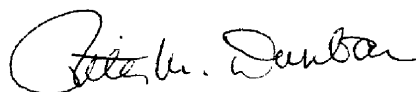
COMMUNICATION CLERK

Ms. Blanca Bayo, Director  
February 5, 2004  
Page 2

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

Respectfully,

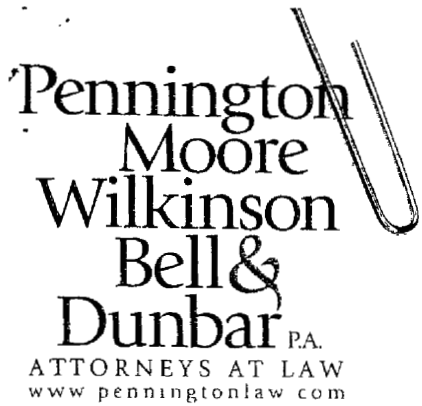
PENNINGTON, MOORE, WILKINSON,  
BELL & DUNBAR, P.A.

A handwritten signature in black ink, appearing to read "Peter M. Dunbar". The signature is written in a cursive style with a large initial "P".

Peter M. Dunbar  
Counsel for Time Warner Telecom of Florida, L.P.

PMD/In

cc: Carolyn Marek, Time Warner Telecom, L.P.



Peter M. Dunbar  
Attorney at Law  
  
(850) 222-3533  
pete@penningtonlaw.com

November 14, 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

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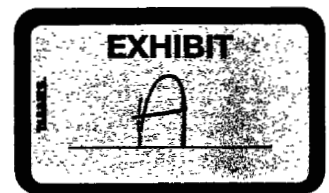
**RE: Request for Confidential Classification**  
Implementation of Requirements Arising From Federal Communication  
Commission's Triennial UNE Review

Dear Ms. Bayo:

Our law firm represents Time Warner Telecom of Florida, L.P. ("Time Warner"). On November 14, 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 General Questions, Switching Questions, and Remote Switches. On behalf of our client, we would like to request confidential classification of the responses in the table labeled Switching Questions. Enclosed please find amended copies of the Switching Questions table.

Pursuant to Section 364.183(1), Florida Statutes, and Rule 22.006(5), Florida Administrative Code, Time Warner requests confidential classification of the amended document. The information contained in this document is 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.

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*in*  
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Ms. Blanca Bayo, Director  
November 14, 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.

/In  
Enclosures

cc: Pat Lee, Division of Competitive Markets & Enforcement, PSC  
Carolyn Marek, Time Warner Telecom

Pennington  
Moore  
Wilkinson  
Bell &  
Dunbar P.A.  
ATTORNEYS AT LAW  
www.penningtonlaw.com

Linda Noel  
Attorney at Law  
  
(850) 222-3533  
linda@penningtonlaw.com

November 18, 2003

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NOV 18 AM 8:56  
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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: **Amended Request for Confidential Classification**  
Implementation of Requirements Arising From Federal Communication  
Commission's Triennial UNE Review

Dear Ms. Bayo:

By letter dated November 14, 2003, Time Warner Telecom of Florida, L.P. ("Time Warner") submitted its response and request for confidential classification of the responses to the above-referenced data request, which included spreadsheets titled General Questions, Switching Questions, and Remote Switches. Enclosed please find amended copies of the Switching Questions spreadsheet.

Pursuant to Section 364.183(1), Florida Statutes, and Rule 22.006(5), Florida Administrative Code, Time Warner requests confidential classification of the amended document. The information contained in this document is 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.

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

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Ms. Blanca Bayo, Director  
November 18, 2003  
Page Two

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.

A handwritten signature in black ink, appearing to read "Linda Noel". The signature is fluid and cursive, with the first name "Linda" written in a larger, more prominent script than the last name "Noel".

Peter M. Dunbar

Linda Noel

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

Cc: Carolyn Marek, Time Warner Telecom, L.P.

Pennington  
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Wilkinson  
Bell &  
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CLERK

DEC - 1 PM 4:35

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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

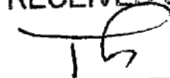
RE: **Request for Confidential Classification**  
Implementation of Requirements Arising From Federal Communication  
Commission's Triennial UNE Review

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.

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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.

A handwritten signature in cursive script, appearing to read "Linda Noel".

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.



Pennington  
Moore  
Wilkinson  
Bell &  
Dunbar P.A.  
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COPY

Linda Noel  
Attorney at Law  
(850) 222-3533  
linda@penningtonlaw.com

December 12, 2003

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03 DEC 12 PM 2:16  
COMMISSION  
CLERK

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: **Second Amended Request for Confidential Classification**  
Implementation of Requirements Arising From Federal Communication  
Commission's Triennial UNE Review

Dear Ms. Bayo:

By letter dated November 14, 2003 and November 18, 2003, Time Warner Telecom of Florida, L.P. ("Time Warner") submitted its response and request for confidential classification of the responses to the above-referenced data request, which included spreadsheets titled General Questions, Switching Questions, and Remote Switches. Enclosed please find amended copies of the Revised Switching Questions spreadsheet.

Pursuant to Section 364.183(1), Florida Statutes, and Rule 22.006(5), Florida Administrative Code, Time Warner requests confidential classification of the amended document. The information contained in this document is 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.

In accordance with Rule 22.006(5), Florida Administrative Code, I have enclosed

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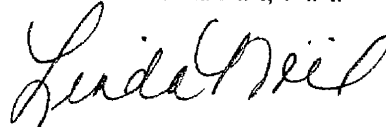
Ms. Blanca Bayo, Director  
December 12, 2003  
Page Two

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.

A handwritten signature in cursive script, appearing to read "Linda Noel".

Linda Noel

Peter M. Dunbar

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

Cc: Carolyn Marek, Time Warner Telecom, L.P.  
Pat Lee, Florida Public Service Commission