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November 7, 2008

Ann Cole, Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

**Re: Complaint and request for emergency relief against Verizon Florida LLC for anticompetitive behavior in violation of Sections 364.01(4), 364.3381, and 364.10, F.S., and for failure to facilitate transfer of customers' numbers to Bright House Networks Information Services (Florida) LLC, and its affiliate, Bright House Networks, LLC, DOCKET NO. 070691-TP**

Dear Ms. Cole:

Bright House Networks Information Services (Florida) LLC and Bright House Networks, LLC ("Bright House") provides this status report as directed by the Commission in its Fourth Order Modifying Procedure (Aug. 20, 2008). The Order directed the parties to provide the Commission with a status report on the issues and the proceedings before the United States Court of Appeals for the District of Columbia Circuit related to the above-captioned matter by today, November 7, 2008.

The parties filed the last briefs with the Court of Appeals on October 2, 2008, and oral argument has been scheduled for December 5, 2008. There has been no other change in the status of the issues, and as far as Bright House is aware, Verizon Florida LLC has ceased its retention marketing program.

Very truly yours,

Davis Wright Tremaine LLP

s/ Christopher W. Savage

Christopher W. Savage

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that copies of the foregoing were sent via electronic mail on  
November 7, 2008 to:

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s/ Nancy Melandry