

Dallas
Denver
Fort Lauderdale
Jacksonville
Las Vegas
Los Angeles
Madison
Miami
New York
Orlando
Tallahassee
Tampa
Tysons Corner
Washington, DC
West Palm Beach

Suite 1200
106 East College Avenue
Tallahassee, FL 32301
www.akerman.com
850 224 9634 tel 850 222 0103 fax

April 12, 2010

RECEIVED-FPSC
10 APR 12 PM 1:33
COMMISSION
CLERK

VIA HAND DELIVERY

100000-0T

Ms. Ann Cole
Director
Commission Clerk & Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

Re: CLAIM OF CONFIDENTIALITY: tw telecom's Response to 2010 Local Competition Report Data Request

Dear Ms. Cole:

Pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, tw telecom hereby claims confidential treatment for certain portions of its Response to the 2010 Local Competition Report Data Request ("Response").

COM _____
APA _____
ECR _____
GCL 1
RAD 1
SSC _____
ADM _____
OPC _____
CLK 1

Enclosed herewith are the following attachments:

- (1) Two copies of a public version of tw telecom's Response with the specific information claimed to be confidential redacted; and
- (2) A sealed envelope marked "CONFIDENTIAL" containing a hard copy of tw telecom's Response with the specific information claimed to be confidential highlighted in yellow, along with an electronic version of Table 1.

tw telecom asserts that the portions of its Response described below contain proprietary confidential business information regarding the competitive interests of tw telecom. Pursuant to Section 364.183, Florida Statutes, upon filing this claim that such information is proprietary confidential business information, such information shall be kept confidential and shall be exempt from Section 119.07(1) and

Section 24(a), Art. I of the State Constitution. The specific portions of the Response to telecom claims as proprietary confidential business information are as follows:

1. Question No. 6 – Bundled Services: Disclosure of tw telecom's response to this item would provide tw telecom's competitors with proprietary confidential information regarding tw telecom's involvement in the highly competitive market of bundled services. This type of proprietary confidential business information is not made public. Disclosure would impair the provider's competitive interests.
2. Question Nos. 15-17 – Fiber: Disclosure of tw telecom's response to this item would provide tw telecom's competitors with proprietary confidential business information regarding tw telecom's involvement in the market. This type of proprietary confidential business information is not made public. Disclosure would impair the provider's competitive interests.
3. Question No. 18 – Network: Disclosure of tw telecom's response to this item would provide tw telecom's competitors with proprietary confidential information regarding tw telecom's involvement in the market. This type of proprietary confidential business information is not made public. Disclosure would impair the provider's competitive interests.
4. Table 1 – Attachment A: The information provided in Table 1 consists of competitively sensitive information related to the number and location of tw telecom's access lines. Such information is considered by tw telecom to be proprietary confidential business information. Disclosure would impair the provider's competitive interests.
5. FCC Form 477 – Attachment B: tw telecom's responses to FCC Form 477 contain proprietary confidential information that is treated as confidential by tw telecom and the FCC and should also be treated as confidential by the Florida Public Service Commission.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the copy to me. Thank you for your assistance with this filing.

Sincerely,



Matthew Feil

Enclosures

STATE OF FLORIDA

COMMISSIONERS:
NANCY ARGENZIANO, CHAIRMAN
LISA POLAK EDGAR
NATHAN A. SKOP
DAVID E. KLEMENT
BEN A. "STEVE" STEVENS III



OFFICE OF COMMISSION CLERK
ANN COLE
COMMISSION CLERK
(850) 413-6770

Public Service Commission

ACKNOWLEDGEMENT

DATE: April 12, 2010

TO: Matthew Feil, Esquire - Akerman Senterfitt

FROM: Marguerite H. Mclean, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket Number undocketed or, if filed in an undocketed matter, concerning response to 2010 local competition report data request, and filed on behalf of t w telecom. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Kim Peña, Records Management Assistant, at (850) 413-6393.

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850
An Affirmative Action/Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us