

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition of The Citizens of the State of Florida to initiate rulemaking which will require telephone companies to give customers reasonable notice before customers incur higher charges or change in services, and allow them to evaluate offers for service from competing alternative providers.

Docket No. 010774-TP
Filed: February 5, 2002

TIME WARNER TELECOM OF FLORIDA L.P.'S
COMMENTS ON DRAFT RULE 25-4.1105

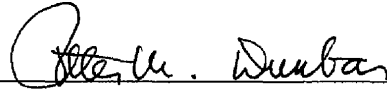
Time Warner Telecom of Florida, L.P., hereby submits its comments on the Office of Public Counsel's original draft of rule 25-4.1105, as well as comments on staff's draft of the proposed rule:

1. Time Warner executes a written contract with each customer to whom services are provided. The contract sets forth the price and services that will be provided to the customer during the term of the contract. Prices for services cannot be changed during the term of a contract without renegotiation between Time Warner and the customer.

2. Time Warner does not believe that a rule in this area is supported by evidence of customer dissatisfaction with the methods of operation of ILECs or ALECs. Additionally, Time Warner believes that this issue is more appropriately addressed in the competitive marketplace rather than through rulemaking. That being said, Time Warner does not oppose staff's proposed rule as currently drafted. Staff's draft rule allows price increases to be governed by contract provisions agreed upon by a service provider and its customers. However, the OPC draft rule as originally proposed does not take into consideration providers who execute contracts with their customers. Therefore, Time Warner respectfully opposes the OPC's proposed rule.

DOCUMENT NUMBER-DATE
01379 FEB-58
FPSC-COMMISSION CLERK

Respectfully submitted this 5th day of February, 2002.



PETER M. DUNBAR, ESQ.

Fla. Bar No. 146594

KAREN M. CAMECHIS, ESQ.

Fla. Bar No. 0898104

Pennington, Moore, Wilkinson,
Bell & Dunbar, P.A.

Post Office Box 10095

Tallahassee, Florida 32302-2095

(850) 222-3533

(850) 222-2126 (fax)

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

CERTIFICATE OF SERVICE
DOCKET NO. 010774-TP

I **HEREBY CERTIFY** that a true and correct copy of the foregoing **Time Warner Telecom of Florida, L.P.'s Comments on Draft Rule 25-4.1105** has been served by U.S. Mail on this 5th day of February, 2002, to the following parties of record:

ALLTEL Florida, Inc.
c/o Ausley Law Firm
Jeffrey Wahlen
P.O. Box 391
Tallahassee, FL 32302

Florida Competitive Carriers Assoc.
c/o McWhirter Law Firm
Joseph McGlothlin/Vicki Kaufman
117 S. Gadsden St.
Tallahassee, FL 32301

AT&T
Virginia C. Tate
1200 Peachtree St., NE
Suite 8100
Atlanta, GA 30309

Florida Public Telecommunications Assoc.
Angela Green, General Counsel
2292 Wednesday Street
Suite 1
Tallahassee, FL 32308-4334

Association of Communications Enterprises
Andrew O. Isar
1401 K Street, N.W., Suite 600
Washington, DC 20005

Holland Law Firm
Bruce May
P.O. Drawer 810
Tallahassee, FL 32302-0810

Becker & Poliakoff Law Firm
Allison Hift
5201 Blue Lagoon Drive, Suite 100
Miami, FL 33126

MCI WorldCom Network Services, Inc.
Ms. Donna C. McNulty
325 John Knox Road, Suite 105
Tallahassee, FL 32303-4131

BellSouth Telecommunications, Inc.
Nancy B. White/James Meza III
c/o Ms. Nancy H. Sims
150 South Monroe Street, Suite 400
Tallahassee, FL 32301-1556

McWhirter Law Firm
Joseph McGlothlin/Vicki Kaufman
117 S. Gadsden St.
Tallahassee, FL 32301

Florida Cable Telecommunications Assoc., Inc.
Michael A. Gross
246 E. 6th Avenue, Suite 100
Tallahassee, FL 32303

Messer Law Firm
Norman H. Horton, Jr.
P.O. Box 1876
Tallahassee, FL 32302-1876

Northeast Florida Telephone Company, Inc.
Ms. Deborah (Debi) L. Nobles
P.O. Box 544
Macclenny, FL 32063-0544

Office of Public Counsel
Stephen M. Presnell
c/o The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, FL 32399-1400

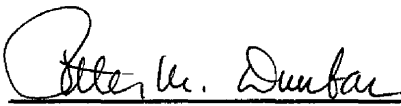
Qwest Communications Corporation
Ms. Kathryn Ford
1801 California Street, 49th Floor
Denver, CO 80202-2613

Sprint
Mr. F. B. (Ben) Poag
c/o Sprint-Florida, Incorporated
P. O. Box 2214 (MC FLTLHO0107)
Tallahassee, FL 32316-2214

State Technology Office
Carolyn Mason/Winston Pierce
4030 Esplanade Way, Suite 235
Tallahassee, FL 32399-0950

Time Warner Telecom of Florida, L.P.
Ms. Carolyn Marek
c/o Time Warner Telecom
233 Bramerton Court
Franklin, TN 37069-4002

Verizon
Michelle A. Robinson/Linda Rossy
One Tampa City Center
P. O. Box 110, FLTC0616
Tampa, FL 33601-0110


KAREN M. CAMECHIS, ESQ.