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August 25, 2003

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

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Re: Docket No. 990649B

Dear Ms. Bayo:

Our law firm represents Time Warner Telecom of Florida, L.P. ("Time Warner"). Pursuant to Order No. PSC-03-0896-PCO-TP, this letter serves as formal notification of Time Warner's intent to avail itself of the UNE rate reduction in Docket No. 990649B.

On November 15, 2002, the Commission issued Order No. PSC-02-1574-FOF-TP in the above referenced docket in which it ordered Verizon to reduce certain UNE rates paid by Competitive Local Exchange Carriers ("CLECs").

On August 5, 2003, the Commission issued Order No. PSC-03-0896-PCO-TP in which it granted Verizon's Motion to Stay the effectiveness of Order No. PSC-02-1574-FOF-TP pending judicial review.

At page 9 of Order No. PSC-03-0896-PCO-TP, the Commission stated:

To be eligible for the full aforementioned refund back to the date of this Order, a CLEC must, within 90 days of the issuance of this Order, file with the Commission and send to Verizon a letter stating that the CLEC would have sought implementation of the rates ordered in this proceeding, absent the stay. This condition recognizes the varying effect of the rates on individual CLECs. Any CLECs that submit the required letter after the 90 days will only be eligible for a refund back to the filing date of their letter.

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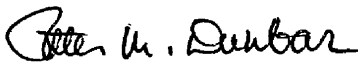
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The purpose of this letter is to verify that, absent the stay, Time Warner would have sought implementation of the rates ordered in Order No. PSC-02-1574-FOF-TP. Accordingly, as provided by the terms of Order No. PSC 03-0896-PCO-TP, Time Warner is entitled to have any refund in this proceeding made effective as of August 5, 2003.

Respectfully,

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


Peter M. Dunbar

PMD/tmz
Enclosure

cc: Carolyn Marek, Time Warner Telecom of Florida, Inc.
Kimberly Caswell, Verizon Florida Inc.
Parties of Record