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December 1, 2003

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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

030851-TP
030852-TP

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.

This claim of confidentiality was filed by or on behalf of a "telco" for Confidential DN 12183-03. The document is in locked storage pending advice on handling. To access the material, your name must be on the CASR. If undocketed, your division director must obtain written EXD/Tech permission before you can access it.

DOCUMENT NUMBER - DATE
12182 DEC-18
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Ms. Blanco Bayo
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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 black ink, appearing to read "Peter M. Dunbar". The signature is written in a cursive, flowing style.

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.

AFFIDAVIT

By my signature below, I, Carolyn M. Marek, attest to the accuracy of information contained herein and the attached documents I have reviewed foregoing and declare that, to the best of my knowledge and belief, the information true and correct. I attest that I have the authority to sign on behalf of Time Warner Telecom of Florida, L.P.

Further, I am aware that, pursuant to Chapter 837.06, Florida Statutes, "Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 and 775.083."

Carolyn M. Marek
Print Name
Signature
Vice President Regulatory - Southeast
Title
Date
615-376-6404
Telephone No.
615-376-6405
Fax No.

Utility: Time Warner Telecom

Address: 233 Bramerton Court
Franklin, TN 37069

STATE OF Tennessee
COUNTY OF Davidson

Sworn to (or affirmed) and subscribed before me this 1st day of Dec, 2003, by Carolyn Marek

(NOTARY SEAL)
Carol A. Davis
(Signature of Notary Public)
Carol A. Davis
(Name of Notary Typed, Printed, or Stamped)

Personally Known X OR Produced Identification Type of Identification Produced

My comm. expires: 5-29-03