

Eric Fryson

From: Feil, Matthew [MFeil@gunster.com]
Sent: Friday, March 30, 2012 2:08 PM
To: Filings@psc.state.fl.us
Subject: PSC Filing Docket No. 110303-OT -- Section 120.745, F.S. (2011), Legislative review of agency rules in effect on or before November 16, 2010

Attachments: TWTC Survey Response RAF Rule.pdf

The attached is an electronic filing for the docket referenced below. If you have any questions, please contact Matt Feil at the number below. Thank you.

Person Responsible for Filing:

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Docket Name and Number: Docket No. 110303-OT -- Section 120.745, F.S. (2011), Legislative review of agency rules in effect on or before November 16, 2010

Filed on Behalf of: tw telecom of florida, l.p.

Total Number of Pages: 3

Description of Documents: tw telecom of florida, l.p.'s Response to Staff Survey Questions Regarding Rule 25-6.0161

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March 30, 2012

Ms Judy Harlow
c/o Ann Cole
Commission Clerk, Office of the Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850.

Re: Docket No. 110303-OT

Dear Ms. Harlow:

Please find attached the responses of tw telecom of florida, l.p. ("TWTC") to the staff's survey questions regarding Rule 25-4.0161, sent by letter dated February 24, 2012

If you have any questions, please contact me at 850-521-1708.

Sincerely,



Matthew Feil

DOCUMENT NUMBER DATE

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Rule 25-4.0161, F.A.C. – Survey Questions

The following survey questions apply to **Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies**. For responding to these questions, please refer to Subsection 120.541(2), F.S., and Subparagraph 120.745(1)(b)2, F.S. “Transactional costs” are defined in Subparagraph 120.541(2)(d), F.S., as:

...direct costs that are readily ascertainable based upon standard business practices, including filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.

The company’s response data to these survey questions should be provided for the entire rule, unless the response data is available by rule section, in which case we request the response data be provided by rule section. Please present data in annualized format, if possible, and all cost or benefit dollar estimates should be stated in nominal terms.

Please find below the responses for tw telecom of florida, lp. (“TWTC”):

1. What are the estimated transactional costs resulting from the Company’s compliance of Rule 25-4.0161, F.A.C., for the five year period beginning July 1, 2011?

a. What are your actual transactional costs resulting from your Company’s compliance with Rule 25-4.0161, F.A.C., for the period July 1, 2011 through December 31, 2011?

Answer: TMI bills TWTC for preparing the assessment fees for all of the states in which we operate. The portion attributable to Florida is less than \$500/report. Given this, the total estimated projection for the five year period is around \$5000.

2. What is your estimate of the likely impact, stated in terms of costs and/or benefits, on small businesses (as defined by Section 288.703, F.S.) located in the Company’s service territory, resulting from the compliance of Rule 25-4.0161, F.A.C., for the five year period beginning July 1, 2011?

Answer: TWTC considers the regulatory assessment fees as a cost of doing business which we include in our corporate overhead. There was not a significant enough of a change to the Florida RAFs as a part of the rule change to be able to quantify an impact on entities outside of TWTC.

3. What is your estimate of the likely impact, stated in terms of costs and/or benefits, on small counties and small cities (as defined in Section 120.52, F.S.) located in the Company’s service territory, resulting from the compliance of 25-4.0161, F.A.C., for the five year period beginning July 1, 2011?

Answer: TWTC considers the regulatory assessment fees as a cost of doing business which we include in our corporate overhead. There was not a significant enough of a change to the Florida RAFs as a part of the rule change to be able to quantify an impact on entities outside of TWTC.

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4. What is your estimate of the likely impact, stated in terms of costs and/or benefits, on entities located in the Company's service territory other than those specifically identified in Questions 2 and 3, resulting from the compliance of 25-4.0161, F.A.C., for the five year period beginning July 1, 2011?

Answer: TWTC considers the regulatory assessment fees as a cost of doing business which we include in our corporate overhead. There was not a significant enough of a change to the Florida RAFs as a part of the rule change to be able to quantify an impact on entities outside of TWTC.

5. What expected impact do you believe Rule 25-4.0161, F.A.C., will have on economic growth, private sector job creation or employment, and private sector investment for the five year period July 1, 2011 in the Company's service territory?

Answer: TWTC considers the regulatory assessment fees as a cost of doing business which we include in our corporate overhead. There was not a significant enough of a change to the Florida RAFs as a part of the rule change to be able to quantify an impact on entities outside of TWTC.

6. What expected impact do you believe Rule 25-4.0161, F.A.C., will have on business competitiveness, including the ability of persons doing business in the Company's service territory to compete with persons doing business in states other than Florida or other domestic markets, productivity, and innovation, for the five year period July 1, 2011?

Answer: TWTC considers the regulatory assessment fees as a cost of doing business which we include in our corporate overhead. There was not a significant enough of a change to the Florida RAFs as a part of the rule change to be able to quantify an impact on entities outside of TWTC.

7. What are the benefits to your Company associated with Rule 25-4.0161, F.A.C.?

Answer: TWTC will experience a reduction in our corporate overhead. We would encourage the FPSC to move to an annual reporting process for RAFs instead of a semi-annual report to further increase the benefits.

8. Since the December 4, 2011 rule change has your Company revised customer rates in order to comply with Rule 25-4.0161, F.A.C.? If so, please explain any rate changes that were made.

Answer: No.

9. If the Company did revise customer rates after the rule change, what were the specific costs associated with processing and implementing these rate changes?

Answer: Not applicable.

10. Does the Company anticipate having to revise customer rates in the future in order to comply with Rule 25-4.0161, F.A.C.? If so, please explain any anticipated rate changes for the five year period beginning July 1, 2011.

Answer: No.

11. If the company anticipates revising customer rates in order to comply with Rule 25-4.0161, F.A.C., what costs does the company expect to incur to process and implement the rate changes for the five year period beginning July 1, 2011?

Answer: Not applicable.