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COMMISSION
CLERK

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MICHAEL.COOKE@RUDEN.COM

January 27, 2011

Ms. Ann Cole, Director
Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

- claim of confidentiality
- notice of intent
- request for confidentiality
- filed by OPC

For DN 00050-11, which is in locked storage. You must be authorized to view this DN.-CLK

RE: Docket No. 090538-TP

Dear Ms. Cole:

On January 5, 2010, Commission staff asked Qwest Communications Company, LLC ("QCC") to provide a copy of its response to Broadwing Communications, LLC's ("Broadwing") First Request for Production of Documents ("Response") in the above-referenced docket. As requested by staff and pursuant to Rule 25-22.006(5), F.A.C., enclosed are two copies of a public version of such Response and a sealed envelope marked "CONFIDENTIAL" which contains one copy of the confidential Response. As required by Rule 25-22.006(5), F.A.C., confidential information has been highlighted, while such information has been redacted from the public document.

Pursuant to Section 364.183(1), Florida Statutes, QCC and Broadwing claim that the enclosed documents contain proprietary business information subject to nondisclosure agreements and accordingly, jointly request that the enclosed material be kept confidential and exempt from public disclosure.

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 and please do not hesitate to contact me if you have any questions.

Sincerely,

Michael G. Cooke

- COM MGC:amb
- APA Enclosure
- ECR cc: Lee Eng Tan (w/o confidential enclosure)
- GCL See Attached Certificate of Service
- RAD
- SSC
- ADM RM:7814852:1
- OPC
- CLK

BOCA RATON • FT. LAUDERDALE • MIAMI • NAPLES • ORLANDO • PORT ST. LUCIE • TALLAHASSEE • TAMPA • WEST PALM BEACH

DOCUMENT NUMBER - DATE

00649 JAN 27 =

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE
DOCKET NO. 090538-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic delivery and/or U.S. Mail this 27th day of January, 2011, to the following:

Florida Public Service Commission
Theresa Tan
Florida Public Service Commission
Office of General Counsel
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Windstream NuVox, Inc.
Birch Communications, Inc.
DeltaCom, Inc.
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CERTIFICATE OF SERVICE

DOCKET NO. 090538-TP

Page 2

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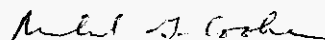
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US LEC of Florida, LLC d/b/a
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Michael G. Cooke

RM:7814852:1

REDACTED

Qwest. 

Qwest
1801 California Street, Suite 900
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Phone 303 383-6495
Facsimile 303 383-6667
terri.dunnington@qwest.com

Terri Dunnington
Staff Paralegal

December 8, 2010

REDACTED

Via E-mail and UPS Overnight Delivery

Marsha E. Rule
Rutledge, Ecenia & Purnell
119 South Monroe Street, Suite 202
Tallahassee, Florida 32301


Re: Qwest Communications Company, LLC's Responses to Broadwing
Communications, LLC's First Request for Production of Documents
Docket No. 090538-TP

Dear Ms. Rule:

Enclosed is Qwest Communications Company, LLC's ("QCC") Responses to Broadwing's First Request for Production of Documents in the above-referenced docket. The produced documents contain Proprietary and Confidential information and are served under seal and pursuant to the protective order in this docket and will be overnighted.

If you have any questions regarding the enclosed, please do not hesitate to contact me. Thank you for your assistance.

Sincerely,


Terri Dunnington

Enclosures

DOCUMENT NUMBER-DATE

00649 JAN 27 =

FPSC-COMMISSION CLERK

Florida
Docket No. 090538-TP
Broadwing Communications, LLC 1-001

INTERVENOR: Broadwing Communications, LLC

REQUEST NO: 001

Please provide all contracts or agreements between Broadwing and any IXC that Qwest claims subjects it to discriminatory treatment or disadvantage.

RESPONSE:

QCC objects to this data request on the basis that Broadwing is seeking information already in its possession and control and/or information equally available to Broadwing as it is to QCC. Without waiving its objections, QCC responds as follows.

QCC has not yet performed party discovery in this docket. As such, Broadwing's request is somewhat premature. Subject to obtaining additional responsive materials, QCC identifies the following documents, all of which are or may already be in Broadwing's possession:

See Broadwing/AT&T/Sprint Lawyers Only Confidential Attachment A.

Respondent: Legal

Florida
Docket No. 090538-TP
Broadwing Communications, LLC 1-002

INTERVENOR: Broadwing Communications, LLC

REQUEST NO: 002

Please provide all documents that support Qwest's claims against Broadwing as set forth in Paragraph 13 of the Amended Complaint of Qwest Communications Company, LLC.

RESPONSE:

QCC objects to this data request on the basis that Broadwing is seeking information already in its possession and control and/or information equally available to Broadwing as it is to QCC. Without waiving its objections, QCC responds as follows.

QCC has not yet performed party discovery in this docket. As such, Broadwing's request is somewhat premature. Subject to obtaining additional responsive materials, QCC identifies the following documents, all of which are or may already be in Broadwing's possession:

1. See QCC's response to Broadwing Data Request 1.
2. Focal Communications and Broadwing invoices to QCC for switched access services.
3. Focal Communications and Broadwing price lists and tariffs for switched access services.

Respondent: Legal

Florida
Docket No. 090538-TP
Broadwing Communications, LLC 1-003

INTERVENOR: Broadwing Communications, LLC

REQUEST NO: 003

Please provide all documents that support Qwest's claims against Broadwing as set forth in Paragraph 16 of the Amended Complaint of Qwest Communications Company, LLC.

RESPONSE:

QCC objects to this data request on the basis that Broadwing is seeking information already in its possession and control and/or information equally available to Broadwing as it is to QCC. Without waiving its objections, QCC responds as follows.

QCC has not yet performed party discovery in this docket. As such, Broadwing's request is somewhat premature. Subject to obtaining additional responsive materials, QCC identifies the following documents, all of which are or may already be in Broadwing's possession:

See QCC's response to Broadwing Data Request 2.

Respondent: Legal

Broadwing/AT&T/Sprint Lawyers Only - Attachment A
Florida Docket No. 090538-TP
Broadwing Communications LLC
Data Request Set 1, No. 1

1. [REDACTED]
[REDACTED]

2. [REDACTED]
[REDACTED]

3. [REDACTED]
[REDACTED]
[REDACTED]

State of Florida



Public Service Commission
CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

**Michael G. Cooke
401 E. Jackson Street
Suite 2700
Tampa FL 33602**

Re: Acknowledgement of Confidential Filing in Docket No. 090538-TP

This will acknowledge receipt by the Florida Public Service Commission, Office of Commission Clerk, of a CONFIDENTIAL DOCUMENT filed on January 27, 2011, in the above-referenced docket.

Document Number 00650-11 has been assigned to this filing, which 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.