



**Department of
Public Service**

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April 6, 2016

Via E-Mail

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RE: Case 15-M-0388 - Copy of the unredacted "unserved housing units" filed by Time Warner Cable on April 4, 2016. Two-fold letter.

Dear Mr. Henner, Ms. Helmer, and Ms. Senlet:

This letter serves two purposes. First, I hereby acknowledge Mr. Henner's request of April 6, 2016 for the record(s) described above, pursuant to the Freedom of Information Law, Public Officers Law (POL) Article 6. Access to such record(s) will be determined in accordance with POL §89(5). Second, this letter also serves to inform Ms. Helmer and Ms. Senlet's clients of the intention of the Department of Public Service (DPS) to determine the entitlement of the information contained in the record(s) described above for which the companies have sought trade secret protection to an exception from public disclosure.

In response to my April 1, 2016 request, Ms. Senlet re-submitted documents with fewer redactions. As noted in that letter, Mr. Henner had the opportunity to object to the resubmitted documents; which he did on April 6, 2016. Therefore, I will proceed with a Determination of the Records Access Officer in accordance with POL §89(5). Ms. Helmer and Ms. Senlet's clients may, within 10 business days of receipt of this notification, submit a written Statement of the Necessity for such exception from disclosure pursuant to POL §89(5)(b)(1)(2). Unless a contrary showing is made, receipt of this letter is presumed to have occurred on April 6, 2016 so the deadline for my receipt of any such written statement of necessity is April 20, 2016.

Very truly yours,

Donna M. Giliberto
Assistant Counsel &
Records Access Officer