

ORIGINAL

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for waiver of carrier of last resort obligations for multitenant property in Collier County known as Treviso Bay, by Embarq Florida, Inc.

DOCKET NO. 060763-TL

FILED: JANUARY 24, 2007

COMMISSION CLERK

07 JAN 24 PM 3:19

RECEIVED-FPSC

STAFF'S PREHEARING STATEMENT

Pursuant to Order No. PSC-06-1076-PCO-TL, issued December 29, 2006, and Order No. PSC-07-0047-PCO-TL, issued January 16, 2007, the Staff of the Florida Public Service Commission files its Prehearing Statement.

a. All Known Witnesses

None at this time.

b. All Known Exhibits

None at this time.

c. Staff's Statement of Basic Position

Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein.

CMP _____

COM 3 d. Staff's Position on the Issues

CTR _____ ISSUE 1: WILL VOICE SERVICE FROM OTHER PROVIDERS BE AVAILABLE TO CUSTOMERS OF TREVISO BAY? IF SO, WHEN AND UNDER WHAT CONDITIONS?
ECR _____
GCL _____

OPC _____ POSITION: Staff has no position at this time.

RCA _____

SCR _____

SGA _____

SEC 1

OTH _____

DOCUMENT NUMBER-DATE

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ISSUE 2: HAS TREVISO BAY ENTERED INTO ANY AGREEMENTS, OR DONE ANYTHING ELSE, THAT WOULD RESTRICT OR LIMIT EMBARQ'S ABILITY TO PROVIDE THE REQUESTED COMMUNICATIONS SERVICE?

POSITION: Staff has no position at this time.

ISSUE 3: DO TREVISO BAY'S EXISTING AGREEMENTS MAKE IT UNECONOMIC FOR EMBARQ TO PROVIDE THE REQUESTED COMMUNICATIONS SERVICE TO THE CUSTOMERS OF TREVISO BAY?

POSITION: Staff has no position at this time.

ISSUE 4: HAS EMBARQ, FORMERLY KNOWN AS SPRINT-FLORIDA, INCORPORATED, TAKEN ANY ACTION THAT WOULD PRECLUDE EMBARQ FROM OBTAINING A WAIVER OF ITS CARRIER OF LAST RESORT OBLIGATION IN TREVISO BAY?

POSITION: Staff has no position at this time.

ISSUE 4A: IS EMBARQ OBLIGATED TO PROVIDE SERVICE TO TREVISO BAY BY ITS TARIFF OR BY HOLDING ITSELF OUT AS WILLING AND ABLE TO PROVIDE SERVICE?

POSITION: Staff has no position at this time.

ISSUE 5: HAS EMBARQ DEMONSTRATED "GOOD CAUSE" UNDER SECTION 364.025(6)(D) FOR A WAIVER OF ITS CARRIER-OF-LAST-RESORT OBLIGATION IN TREVISO BAY?

POSITION: Staff has no position at this time.

e. Pending Motions

Staff has no pending motions.

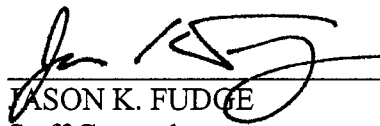
f. Pending Confidentiality Claims or Requests

Staff has no pending confidentiality claims or requests.

g. Compliance with Order Nos. PSC-06-1076-PCO-TL and PSC-07-0047-PCO-TL

Staff has complied with all requirements of the Orders Establishing Procedure entered in this docket.

Respectfully submitted this 24th day of January, 2007.



JASON K. FUDGE
Staff Counsel

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that one true copy of STAFF'S PREHEARING STATEMENT has been furnished to the following by U. S. and Electronic Mail this 24th day of January, 2007:

Embarq Florida, Inc.
Susan S. Masterton
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Tallahassee, FL 32301

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Christopher Cramer/Sanjay Kuttemperoor
c/o V.K. Development Corporation
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