



**FILED ELECTRONICALLY**

February 22, 2008

Ms. Ann Cole  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Embarq Corporation  
Mailstop: FTLH00102  
1313 Blair Stone Rd.  
Tallahassee, FL 32301  
EMBARQ.com

Re: Docket No. 070699-TP  
Embarq's Response to Intrado's February 15, 2008 Letter

Dear Ms. Cole:

On February 15, 2008 Intrado filed a letter with this Commission requesting that the Commission establish a procedural schedule to address Intrado's arbitration petition with Embarq. Embarq files this letter in response.

Embarq concurs with Intrado's representation of the status of negotiations between the parties and also agrees that at this stage the parties have identified disputed issues that are unlikely to be resolved through negotiation and, therefore, will need to be resolved by the Commission. Embarq notes that these post-filing negotiations were necessary because, as detailed in Embarq's Motion to Dismiss currently pending before the Commission, over 70% of the issues raised by Intrado in its Petition had never been submitted to or discussed with Embarq prior to Intrado's filing. The Commission staff has set an issue identification meeting for March 10, 2008. This meeting will be key in determining whether the parties have made sufficient progress in their negotiations to allow the arbitration to continue in a manner that is consistent with the applicable law and that allows a full and fair consideration and determination of the issues by the Commission.

In its letter, Intrado also discusses the E911 Board and its process to award grants to counties to implement enhanced 911 services. This process is entirely separate from and irrelevant to the arbitration process and the law governing the Commission's consideration and determination of the issues raised in the arbitration petition. (In fact, Embarq understands that the E911 Board has already met to consider the grant requests and has approved funding for several projects, including projects involving Intrado.) Intrado's attempt to inject these unrelated issues into the arbitration proceeding is inappropriate and should be disregarded by the Commission.

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Embarq intends to participate fully and fairly in this docket consistent with applicable substantive and procedural law. Embarq trusts that, in accordance with the Commission's established procedures, the arbitration will be conducted in a manner that allows both parties to fully and fairly present their interests and positions on the issues.

Sincerely,



Susan S. Masterton

cc: per attached Certificate of Service

**CERTIFICATE OF SERVICE  
DOCKET NO. 070699-TP**

**I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic and U.S. Mail this 22<sup>nd</sup> day of February, 2008 to the following:**

**Florida Public Service Commission**

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**Susan S. Masterton**