

**Ruth Nettles**

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**From:** terry.scobie@verizon.com  
**Sent:** Thursday, June 26, 2008 4:45 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Adam Teitzman; Beth Salak; David Christian; de.oroark@verizon.com; demetria.g.clark@verizon.com; Kimberly Caswell; Susan Masterton  
**Subject:** Docket No. 080308-TP - Verizon's Motion to Dismiss Complaint and Request for Oral Argument  
**Attachments:** 080308 VZB Req for Oral Arg 6-26-08.pdf; 080308 VZB MTD 6-26-08.pdf



The attached filings are submitted in Docket No. 080308-TP on behalf of MCI Communications Services, Inc. d/b/a Verizon Business Services by

Dulaney L. O'Roark  
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The first .pdf document consists of a total of 4 pages (cover letter-1 page, Request-2 pages, and Certificate of Service-1 page).

The second .pdf document consists of a total of 15 pages (cover letter-1 page, Motion-13 pages, and Certificate of Service-1 page).

**Terry Scobie**  
**Legal Secretary II**  
**Verizon Legal Department**  
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DOCUMENT NUMBER-DATE

05542 JUN 26 08

FPSC-COMMISSION CLERK

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June 26, 2008 – **VIA ELECTRONIC MAIL**

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

Re: Docket No. 080308-TP  
Complaint against MCI Communications Services, Inc. d/b/a Verizon Business  
Services for failure to pay intrastate access charges pursuant to Embarq's tariffs,  
by Embarq Florida, Inc.

Dear Ms. Cole:

Enclosed for filing in the above-referenced matter is Verizon's Request for Oral  
Argument. Service has been made as indicated on the Certificate of Service. If there  
are any questions regarding this filing, please contact me at (678) 259-1449.

Sincerely,

s/ Dulaney L. O'Roark III

Dulaney L. O'Roark III

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Enclosures

DOCUMENT NUMBER-DATE

05542 JUN 26 08

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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Complaint against MCI Communications Services, ) Docket No. 080308-TP  
Inc. d/b/a Verizon Business Services for failure to pay ) Filed: June 26, 2008  
intrastate access charges pursuant to Embarq's tariffs, )  
by Embarq Florida, Inc. )  
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**VERIZON'S REQUEST FOR ORAL ARGUMENT**

Pursuant to Rule 25-22.0022, MCI Communications Services, Inc. d/b/a Verizon Business Services ("Verizon") requests that the Commission hear oral argument on Verizon's Motion to Dismiss Embarq's Complaint, in the event that the Commission would find such argument useful. Embarq Florida, Inc. ("Embarq") asks the Commission to assert jurisdiction over VoIP services in violation of Florida statutes exempting VoIP from the Commission's jurisdiction and oversight. There is no doubt that the Commission lacks jurisdiction over Embarq's Complaint; Verizon is requesting oral argument only because commissioners may seek an explanation of the relevant statutes. Verizon requests that each party be allowed to argue for ten minutes.

This request for oral argument is exclusively for the purpose of contesting the Commission's jurisdiction over the claims asserted by Embarq in its Complaint and Verizon does not, by filing its motion or this request, in any way accede to the Commission's jurisdiction over Verizon's VoIP services or Verizon as a provider of those services.

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Respectfully submitted on June 26, 2008.

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Attorneys for MCI Communications Services,  
Inc. d/b/a Verizon Business Services

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that copies of the foregoing were sent via electronic mail and U.S. mail on June 26, 2008 to:

Adam Teitzman, Staff Counsel  
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2540 Shumard Oak Boulevard  
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s/ Dulaney L. O'Roark III