

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition to recover 2005 tropical system
related costs and expenses by Embarq Florida,
Inc.

DOCKET NO. 060644-TL
ORDER NO. PSC-06-1034-PCO-TL
ISSUED: December 14, 2006

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By Petition dated November 29, 2006, Florida Digital Network, Inc., d/b/a FDN Communications ("FDN"), has requested permission to intervene in this proceeding. FDN is a certified alternative local exchange telecommunications carrier ("ALEC") and intrastate inter-exchange carrier ("IXC"). In this docket, the Commission will address Embarq Florida, Inc.'s ("Embarq") request that it be permitted to recover a \$.50 per month surcharge assessed on basic and nonbasic local exchange service lines and on all unbundled wholesale loop network element (UNE) customers. FDN has an interconnection agreement with Embarq and provides UNE service to customers of Embarq and therefore the results of this proceeding will affect FDN's substantial interests.

In addition, FDN is a member of CompSouth which has agreed that its interests and those of FDN are aligned in this proceeding, and that FDN's General Counsel and Assistant General Counsel, Matthew Feil, Esq. and Allison Hicks, Esq. respectively, may act as co-counsel for CompSouth along with Vicki Gordon Kaufman, Esq.

Having reviewed the Petition, it appears that FDN's substantial interests may be affected by this proceeding. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, FDN takes the case as it finds it.

Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition for Leave to Intervene filed by Florida Digital Network, Inc., d/b/a FDN Communications, is hereby granted. It is further

ORDERED that counsel designated below shall be recognized as co-counsel for CompSouth. It is further

DOCUMENT NUMBER-DATE

11444 DEC 14 8

FPSC-COMMISSION CLERK


ORDER NO. PSC-06-1034-PCO-TL
DOCKET NO. 060644-TL
PAGE 2

ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents which may hereinafter be filed in this proceeding, to:

Matthew Feil
General Counsel
Allison Hicks
Assistant General Counsel
FDN Communications
2301 Lucien Way, Suite 200
Maitland, FL 32751
(407) 835-0460
mfeil@mail.fdn.com
ahicks@mail.fdn.com

By ORDER of the Florida Public Service Commission this 14th day of December, 2006.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: 
Marcia Sharma, Assistant Director
Division of the Commission Clerk
and Administrative Services

(SEAL)

JKF