

**ORIGINAL****Timolyn Henry**

**From:** Peg Griffin [pgriffin@moylslaw.com]  
**Sent:** Thursday, October 12, 2006 4:26 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Vicki Gordon Kaufman; mickeyhenry@alltel.net; Adam Teitzman;  
Susan.masterton@embarq.com; Charles Beck  
**Subject:** E-filing - Docket No. 060644-TL  
**Attachments:** Petition to Intervene.pdf

Attorney responsible for filing: Vicki Gordon Kaufman  
118 N. Gadsden Street  
Tallahassee, FL 32301  
Telephone: (850) 681-3828  
Facsimile: (850) 681-8788  
vkaufman@moylslaw.com

Docket No. and title: In re: Petition by Embarq Florida Inc. to Recover 2005 Tropical System Related  
Costs and Expenses

Docket No. 060644-TL

Filed on behalf of: Competitive Carriers of the South, Inc.

Number of pages: 3

Document attached: Petition to Intervene

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SEC 1

OTH Kim P.

Peg G. Griffin  
Assistant to Vicki Gordon Kaufman  
Moyle, Flanigan, Katz, Raymond White & Krasker, P.A.  
118 N. Gadsden Street  
Tallahassee, FL 32301  
Telephone: (850) 681-3828  
Facsimile: (850) 681-8788  
E-mail: pgriffin@moylslaw.com

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# ORIGINAL

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Embarq Florida Inc.  
to Recover 2005 Tropical System  
Related Costs and Expenses

Docket No. 060644-TL  
Filed: October 12, 2006

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### COMPETITIVE CARRIERS OF THE SOUTH, INC.'S PETITION TO INTERVENE

The Competitive Carriers of the South, Inc. (CompSouth), pursuant to rule 25-22.039, Florida Administrative Code, file this Petition to Intervene in the above referenced docket. CompSouth requests that its petition be granted, that it be designated as a party of record, and that it be afforded all applicable rights under Florida law and under the rules and regulations of the Florida Public Service Commission (Commission). As grounds therefore, CompSouth states:

1. Petitioner's principal place of business is:

Competitive Carriers of the South, Inc.  
118 North Gadsden Street  
Tallahassee, Florida 32301

2. All pleadings, orders, notices and other correspondence with respect to this docket should be addressed to:

Vicki Gordon Kaufman  
Moyle Flanigan Katz Raymond, White & Krasker, PA  
118 North Gadsden Street  
Tallahassee, Florida 32301  
850.681.3828  
[vkaufman@moylelaw.com](mailto:vkaufman@moylelaw.com)

3. CompSouth is a not-for-profit corporation whose members provide competitive telecommunications services in the State of Florida. 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. CompSouth members are a group of companies whose members include UNE customers

of Embarq and whose interests will be substantially affected by this Commission's action on Embarq's request. Thus, CompSouth's members' substantial interests will be affected by this proceeding and CompSouth has standing to intervene.

4. Disputed issues of fact include, but are not limited to, whether it is appropriate to apply the requested surcharge to UNE customers.

5. Ultimate facts alleged include, but are not limited to, the fact that it is neither appropriate nor legal, pursuant to federal law, to apply Embarq's proposed surcharge to UNE customers.

6. Any determinations and actions in this docket regarding Embarq's surcharge request will affect the substantial interests of CompSouth members as CLECs operating in Florida. CompSouth has standing under Chapter 120, Florida Statutes, and applicable rules to be granted intervention in this proceeding.

**WHEREFORE**, CompSouth requests the Commission to enter an Order authorizing it to intervene as a full party to this proceeding.

s/ Vicki Gordon Kaufman  
Vicki Gordon Kaufman  
Moyle Flanigan Katz Raymond  
White & Krasker, PA  
118 North Gadsden Street  
Tallahassee, Florida 32301  
850.681.3828  
[vkaufman@moylelaw.com](mailto:vkaufman@moylelaw.com)

s/ Michael J. Henry  
Michael J. Henry  
Attorney at Law  
10403 Big Canoe  
Jasper, Georgia 30143  
706.579.1283  
[mickeyhenry@alltel.net](mailto:mickeyhenry@alltel.net)

Attorneys for CompSouth

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing Petition to Intervene was furnished by (\*) electronic and U.S. Mail this 12<sup>th</sup> day of October, 2006 to:

(\*) Adam Teitzman  
Staff Counsel  
Florida Public Service Commission  
Division of Legal Services  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850  
[ateitzma@psc.state.fl.us](mailto:ateitzma@psc.state.fl.us)

(\*) Susan S. Masterton  
Embarq  
1313 Blair Stone Road  
Tallahassee, Florida 32301  
[Susan.masterton@embarq.com](mailto:Susan.masterton@embarq.com)

(\*) Charles J. Beck  
Deputy Public Counsel  
Office of Public Counsel  
111 West Madison Street, Room 812  
Tallahassee, FL 32399-1400  
[Beck.Charles@leg.state.fl.us](mailto:Beck.Charles@leg.state.fl.us)

s/ Vicki Gordon Kaufman  
Vicki Gordon Kaufman