

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-06-0942-PCO-TL
ISSUED: November 13, 2006

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By Petition dated October 12, 2006, Competitive Carriers of the South, Inc. ("CompSouth"), has requested permission to intervene in this proceeding. 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 member's substantial interests will be affected by this proceeding and CompSouth has standing to intervene.

Having reviewed the Petition, it appears that CompSouth's substantial interests may be affected by this proceeding. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, CompSouth 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 Competitive Carriers of the South, Inc., be and the same is hereby granted. It is further

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:

Vicki Gordon Kaufman
Moyle Flanigan Katz Raymond & Sheehan, PA
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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

By ORDER of the Florida Public Service Commission this 13th day of November, 2006.

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

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

(S E A L)

JKF

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of the Commission Clerk and Administrative Services, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.