

VOTE SHEET

January 23, 2007

Docket No. 060644-TL – Petition to recover 2005 tropical system related costs and expenses, by Embarq Florida, Inc.

Issue 1: What is the appropriate amount of intrastate costs and expenses related to damage caused during the 2005 tropical system season, if any, that should be recovered by Embarq, pursuant to Section 364.051(4), Florida Statutes?

Stipulated Language: For the sole purpose of this case, and without any party conceding its position on any other disputed issue in this docket, the maximum amount of intrastate costs and expenses related to the damage caused during the 2005 tropical storm season that Embarq incurred and is entitled to recover is \$13 million.

STIPULATED

COMMISSIONERS ASSIGNED: Edgar, Carter, Tew

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

00617 JAN 23 07

FPSC-COMMISSION CLERK

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Issue 2(a): What is the appropriate type and number of retail access lines, basic and nonbasic, to which any storm damage recovery may be assessed?

Recommendation: Staff recommends that for the purpose of assessing a line-item storm recovery charge to Embarq, Florida Inc.'s access lines, each retail residential (excluding Lifeline), business, payphone, key system, Centrex, and ISDN BRI line should be assessed one line-item storm recovery charge. Staff recommends that each PBX trunk line should be assessed two line-item storm recovery charges and that each ISDN PRI and DS1 should be assessed five line-item storm recovery charges. This recommendation excludes resold lines, as they will be discussed in the legal analysis part of Issue 2(b) of staff's January 16, 2007, memorandum. Staff recommends that the number of retail-only line-item storm recovery charges using Embarq's average monthly forecast is approximately 1.620 million.

APPROVED

Issue 2(b): Is a line-item charge on Embarq's wholesale UNE loop appropriate, pursuant to Section 364.051(4)(b)6, Florida Statutes and Federal Law? If yes, on which types of lines should the charge be assessed and how should the lines be counted? What is the total number of UNE loops to be assessed, if any?

Recommendation: Yes. Staff recommends that the Commission find it appropriate for Embarq to impose a line-item charge on wholesale UNE loop customers. A line-item charge on resale lines is not authorized under § 364.051, Florida Statutes. Whether a charge should be imposed on commercial agreement customers is solely governed by the agreement's language. If agreements exist that provide for storm cost recovery from resale or local platform services, the amounts generated should be counted toward the total amount of storm cost recovery approved in Issue 1 for true-up purposes.

Staff recommends a single line-item storm recovery charge be applied to each of the following UNE loop types:

- DS0 Unbundled Digital Loop
- DS1 Unbundled Digital Loop
- DS3 Unbundled Digital Loop
- DS1 and DS3 loops in EEL Combinations

Staff recommends that DS0 loops be assessed one charge, DS1 loops be assessed five charges, and DS3 loops be assessed 30 charges. The number of line-item storm recovery charges (or loop equivalents) to be assessed monthly during the anticipated recovery period of February 2007 through January 2008 is approximately 16,646.

APPROVED

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Issue 3: What is the appropriate line-item charge per access line, if any?

Recommendation: Staff recommends that the appropriate monthly line-item charge per access line is \$0.50 per month for 12 months.

APPROVED

Issue 4: If a line-item charge is approved in Issue 3, on what date should the charge become effective and on what date should the charge end?

Recommendation: If a charge is approved in Issue 3, the charge may be assessed at Embarq's earliest convenience, but no earlier than 30 days from the date of the Commission vote. The charge should be effective for 12 consecutive months. Embarq should provide staff the wording to be used on its bills regarding the storm charge prior to issuance.

MODIFIED

The surcharge approved in Issue 3 should begin no earlier than 30 days from the date the current storm surcharge expires.

Issue 5: Should this docket be closed?

Recommendation: No. Staff recommends that this docket remain open until after the end of the collection period, at which time Embarq shall file a report on the amount collected. Staff will verify that the amounts collected by Embarq do not exceed the amount authorized by this Commission. If no refund is necessary, the docket will be closed administratively.

APPROVED