

ORIGINAL

AUSLEY & McMULLEN

ATTORNEYS AND COUNSELORS AT LAW

227 SOUTH CALHOUN STREET
P.O. BOX 391 (ZIP 32302)
TALLAHASSEE, FLORIDA 32301
(850) 224-9115 FAX (850) 222-7560

March 9, 2007

BY HAND DELIVERY

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

RECEIVED-PPSC
07 MAR - 9 PM 12: 24
COMMISSION
CLERK

070154-7L

Re: Joint Petition of AT&T Florida and Windstream Florida, Inc. (formerly known as Alltel Florida, Inc.) to Transfer Territories in Alachua County and to Amend Certificates.

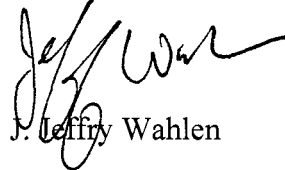
Dear Ms. Bayo:

Enclosed for filing are the original and fifteen (15) copies of Joint Petition of AT&T Florida and Windstream Florida, Inc. to Transfer Territories in Alachua County and to Amend Certificates.

Please acknowledge receipt and filing of the above by stamping the duplicate of this letter and returning the same to this writer.


Thank you for your assistance in this matter.

Sincerely,


J. Jeffrey Wahlen

Enclosures

cc: All Parties of Record

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER - DATE
02153 MAR-9 5
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Petition of AT&T Florida)
and Windstream Florida, Inc. (formerly)
known as Alltel Florida, Inc.) to)
Transfer Territories in Alachua)
County and to Amend Certificates)
_____)

Docket No. 070154-TL
Filed March 9, 2007

**JOINT PETITION OF AT&T FLORIDA
AND WINDSTREAM FLORIDA, INC. (formerly known as Alltel
Florida, Inc.) TO TRANSFER TERRITORIES IN ALACHUA
COUNTY AND TO AMEND CERTIFICATES**

BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T Florida") and Windstream Florida, Inc. (formerly known as Alltel Florida, Inc.) ("Windstream") pursuant to Rules 25-4.005 and 28.106.201, Florida Administrative Code, jointly petition the Florida Public Service Commission (the "Commission" or "FPSC") to modify certain exchange boundaries in Alachua County and to amend the companies' certificates accordingly. In support of this petition, Bellsouth and Windstream state as follows:

1. AT&T Florida is an incumbent local exchange company lawfully doing business in the State of Florida, the regulated operations of which are subject to the jurisdiction of the Commission pursuant to Chapter 364, Florida Statutes. AT&T Florida provides service in Florida under FPSC Certificate of Public Convenience and Necessity No. 8.

2. Windstream is an incumbent local exchange company lawfully doing business in the State of Florida, the regulated operations of which are subject to the jurisdiction of the Commission pursuant to Chapter 364, Florida Statutes. Windstream

provides service in Florida under FPSC certificate of Public Convenience and Necessity No. 10.¹

3. AT&T Florida's principal place of business is 675 W. Peachtree St., NE, Suite 4500, Atlanta, GA 30375.

4. Windstream's principal place of business in Florida is 206 White Avenue SE, Live Oak, Florida 32060-0343.

5. Pleadings, orders, notices and other papers filed or served on this matter should be served upon:

Bettye Willis
Windstream Florida, Inc.
4001 Rodney Parham Rd
Little Rock, AR 72212
Mailstop: 1170, B1F03-53A

Nancy Sims
AT&T Florida
150 S. Monroe Street, Suite 400
Tallahassee, FL 32301

and

and

J. Jeffrey Wahlen
Ausley & McMullen
P. O. Box 391
Tallahassee, FL 32302

James Meza III
General Counsel - FL²
Manuel A. Gurdian
AT&T Florida
c/o Nancy Sims
150 S. Monroe Street, Suite 400
Tallahassee, FL 32301

6. By this petition, AT&T Florida and Windstream seek to amend the Alachua exchange boundary to transfer the territory associated with four (4) local exchange

¹ By Order No. PSC-06-0425-PAA-TP in Docket No. 050938-TP, which became final on June 13, 2006, the Commission approved transfer of this certificate from ALLTEL Corporation to Windstream.

² The undersigned is licensed in Louisiana only, is certified by the Florida Bar as Authorized House Counsel (No. 464260) per Rule 17 of the Rules Regulating the Florida Bar, has been granted qualified representative status by the Commission in Order No. PSC-06-0165A-FOF-OT, and has filed an Application for Qualified Representative Status for 2007 in Docket No. 070008-OT per Commission Order No. 07-0008-PCO-OT.

customers (single family homes) currently located in the AT&T Florida Gainesville Exchange to the Windstream Alachua Exchange. The territory to be transferred consists of a small pocket of territory east of I-75 that has historically been served by AT&T Florida via an overhead cable that crosses the interstate. Windstream can serve the customers without crossing the interstate in a manner that is both safe and cost-effective. A copy of a map showing the area to be transferred is attached as Exhibit "A." A legal description of Windstream's Alachua Exchange showing the proposed boundary changes in legislative format is attached hereto as Exhibit "B."

7. The present exchange and territory boundary was drawn many years ago based on section lines. The boundary change will better align the companies' exchange service areas, and will adjust the boundary to reflect I-75 as a readily discernible terrain feature.

8. As indicated in the letters attached hereto as Exhibit "C," the customers currently in AT&T Florida's territory to be served by Windstream post-approval have requested the transfer. The customers will take service under Windstream's existing tariffs and do not object to doing so. Future customers in the area to be transferred, if any, will also take service subject to Windstream's tariffs. The affected customers will be served by Windstream at prices and calling scopes as set forth in Windstream's General Subscriber Service Tariff. The affected customers are aware of the changes in calling scopes and rates and have not objected.

9. There are no pending applications for basic local service held by AT&T Florida or Windstream related to the territory to be transferred.

10. AT&T Florida does not currently hold any deposits or deposit interest for the customers in the area to be transferred.

11. Upon the Commission's approval of the modifications proposed herein, the parties will file the final tariff sheets for administrative approval.


12. No financial exchange or consideration was, or shall be, given for this proposed transfer of Certificated Areas. This Joint Application is the only written agreement between the applicants.

13. Both AT&T Florida and Windstream have agreed that the requested transfer of service area is feasible from an economic standpoint and beneficial to the subscribers of both companies.

14. Pursuant to FPSC Rule 25-4.005, the required affidavits are attached to this Joint Petition as Exhibit "D", and certify that notice of intention to file the Petition has been given to those parties set forth in the above cited rule.

WHEREFORE, Windstream and AT&T Florida request that this Joint Petition be considered, and that the FPSC redefine the boundaries of the Petitioners' Certificates of Public Convenience and Necessity as requested in the Petition, and that the FPSC enter an appropriate order to effect such a redefinition.

RESPECTFULLY SUBMITTED this 9th day of March, 2007.



J. Jeffrey Wahlen
Ausley & McMullen
P. O. Box 391
Tallahassee, FL 32302
850.425.5471 (voice)
850.222.7560 (fax)
jwahlen@ausley.com

ATTORNEYS FOR WINDSTREAM



James Meza III
Manuel A. Gurdian
c/o Nancy Sims
AT&T Florida
150 S. Monroe Street, Suite 400
Tallahassee, FL 32301
(305) 347-5558
(305) 577-4491 (fax)
James.meza@bellsouth.com
Manuel.gurdian@bellsouth.com

and

E. Earl Edenfield Jr.
AT&T Southeast
Room 4300
675 W. Peachtree Street
Atlanta, GA 30375
(404) 335-0763

ATTORNEYS FOR AT&T FLORIDA d/b/a
BELLSOUTH TELECOMMUNICATIONS,
INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing petition and attachments have been sent on this 9th day of March, 2007 to the following persons by United States Mail or Hand Delivery (*):


Charles J. Beck (*)
Office of Public Counsel
111 W. Madison, Room 812
Tallahassee, FL 32399-1400

Paula M. DeLaney, Chair
Alachua County Board of
County Commissioners
P. O. Box 2877
Gainesville, FL 32602-2877

James Meza III
Manuel A. Gurdian
c/o Nancy Sims
AT&T Florida
150 S. Monroe Street, Suite 400
Tallahassee, FL 32301

E. Earl Edenfield Jr.
AT&T Southeast
Room 4300
675 W. Peachtree Street
Atlanta, GA 30375

Clovis Watson, Jr.
Alachua City Manager
P. O. Box 9
Alachua, FL 32616

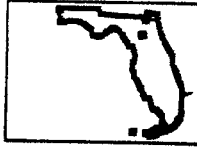


Attorney

Gainesville Exchange
State of Florida
PROPOSED

BELLSOUTH

Area of Interest



1 inch equals 2.88 miles

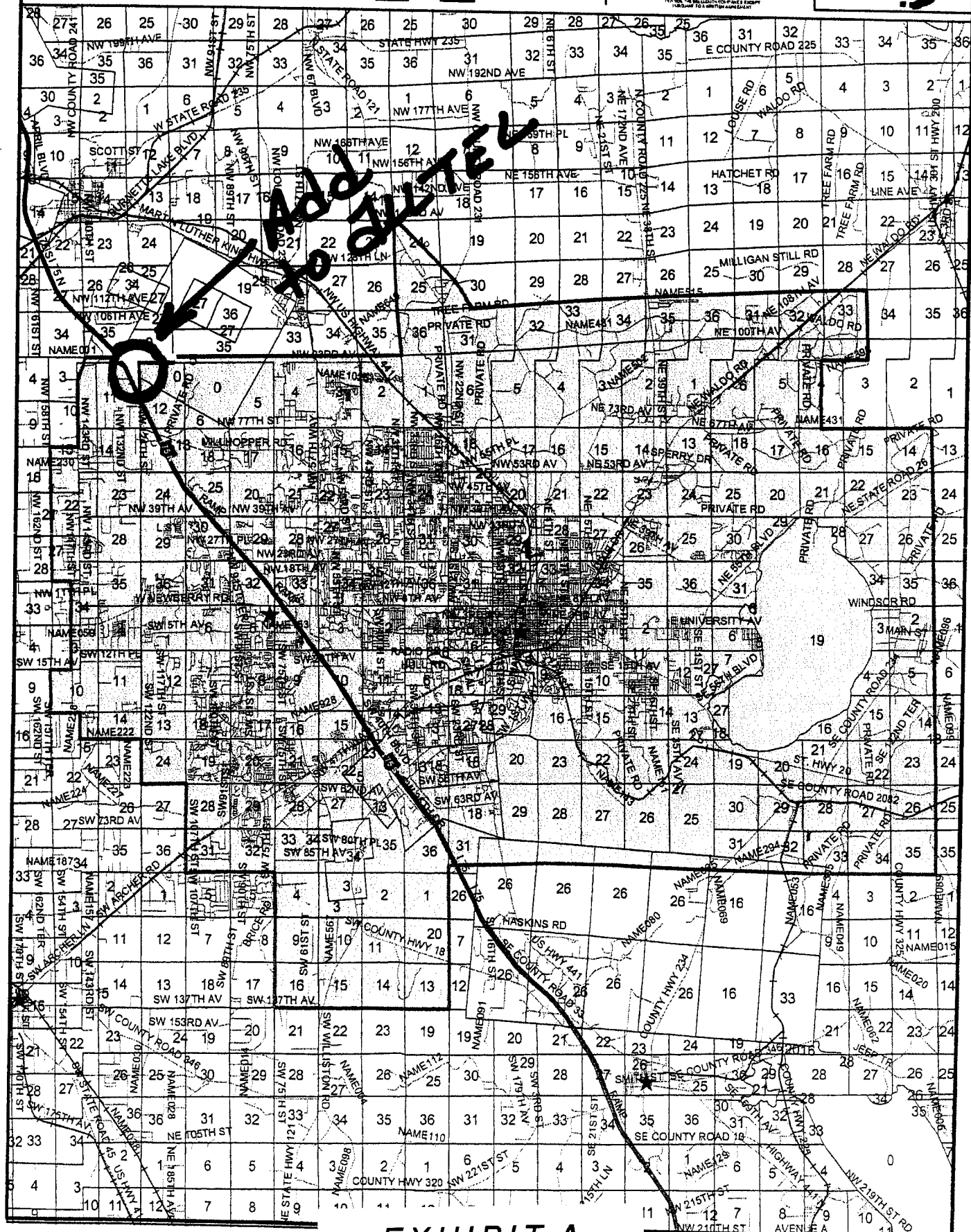


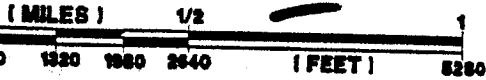
EXHIBIT A

TWP. 9S.-RNG. 18E.

NORTHEAST QUARTER
ALACHUA COUNTY, FLORIDA

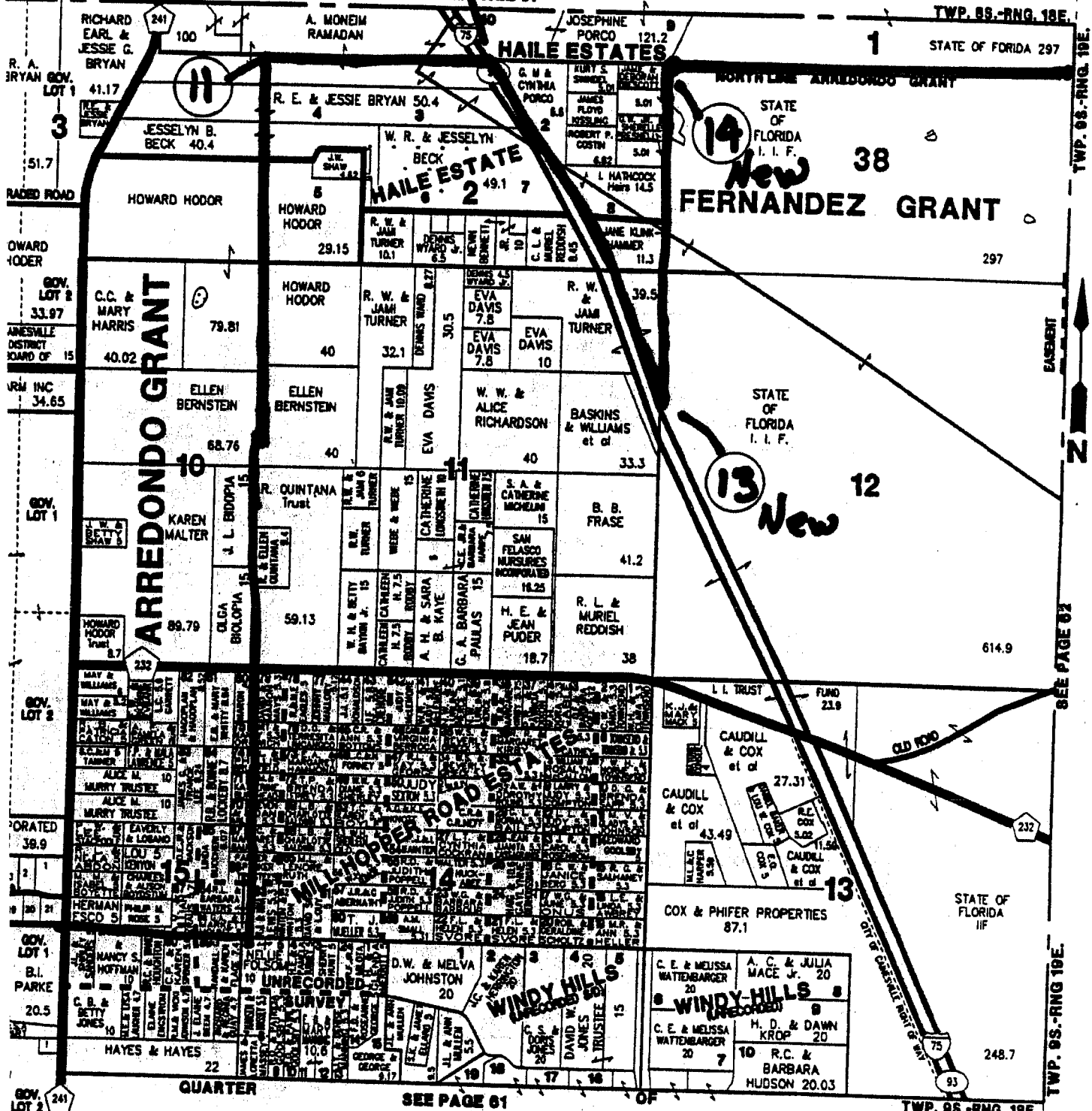
12 New

24. two - 211 tel



SEE PAGE 37

TWP. 9S.-RNG. 18E.



3

11

HAILE ESTATE
2
49.1
7

14
New
38

FERNANDEZ GRANT

12

13
New

GOV. LOT 2

ARREDONDO GRANT

STATE OF FLORIDA I. I. F.

232

232

QUARTER

SEE PAGE 61

WINDY HILLS

GOV. LOT 2
241
I. WERTZ
MIN 5.2
JP. 5.2
WILEAN
& J.A.S.
KERSON
TRUST
IDA PLATS

TWP. 9S.-RNG. 18E.



SEE PAGE 62

TWP. 9S.-RNG. 18E.

OF

DESCRIPTION OF AREA SERVED BY
WINDSTREAM FLORIDA, INC.
BY ITS ALACHUA EXCHANGE

Deleted: ALLTEL

THAT AREA LYING WITHIN THE FOLLOWING BOUNDARIES

COURSE NUMBERS

- 1 Beginning at an intersection with the east boundary of Section Fourteen (14), Township Seven (7) South, Range Nineteen (19) East, and the thread of the Santa Fe River; thence Northwesterly along the thread of the Santa Fe River to an intersection with the South bound lane of Interstate Seventy Five (I-75), Township Six (6) South, Range Eighteen (18) East;
- 2 Thence southeast along the south bound lane of Interstate Seventy Five (I-75) to an intersection with the north boundary of Section Twenty-nine (29), Township Seven (7) South, Range Eighteen (18) East;
- 3 Thence west along the north boundary of said Section Twenty-nine (29) to the northwest corner of Section Twenty-nine (29), Township Seven (7) South, Range Eighteen (18) East;
- 4 Thence south along the west boundary of said Section Twenty-nine (29) and other sections to the northeast corner of Section Nineteen (19), Township Eight (8) South, Range Eighteen (18) East;
- 5 Thence west along the north boundary of said Section Nineteen (19) and other sections to the northwest corner of Section Twenty-three (23), Township Eight (8) South, Range Seventeen (17) East;
- 6 Thence south along the west boundary of said Section Twenty-three (23) and other sections to the northeast corner of Section Ten (10), Township Nine (9) South, Range Seventeen (17) East;
- 7 Thence west along the north boundary of said Section Ten (10) to the northwest corner of the northeast quarter (1/4) of Section Ten (10), Township Nine (9) South, Range Seventeen (17) East;
- 8 Thence south along the half (1/2) section of said Section Ten (10) to the southwest corner of the southeast quarter (1/4) of Section Ten (10), Township Nine (9) South, Range Seventeen (17) East;
- 9 Thence east along the south boundary of said Section Ten (10) and other sections to the east boundary of Section Fifteen (15), Township Nine (9) South, Range Eighteen (18) East;

COURSE NUMBERS

- 10 Thence north along the east boundary of said Section Fifteen (15) and other sections to the Township line dividing Townships Eight (8) and Nine (9) South, Range 18 (18) East;
- 11 Thence east along the Township line dividing Townships Eight (8) and Nine (9) South to the east right-of-way of Interstate Seventy-five (I-75), Section two (2), Township Nine (9) South, Range Eighteen (18) East;
- 12 Thence south along the east right-of-way line of Interstate Seventy-five (I-75), Section Two (2), Township Nine (9) South, Range Eighteen (18) (18) East, to an intersection with the east boundary line of Section Eleven (11), Township Nine(9) South, Range Eighteen (18) East;
- 13 Thence north along the east boundary of said Section eleven 911) and other Sections to the Township line dividing Townships Eight (8) and Nine (9);
- 14 Thence east along the Township line dividing Townships Eight (8) and Nine (9) South to the southeast corner of Section thirty-five (35), Township Eight (8) South, Range Nineteen (19) East;
- 15 Thence north along the east boundary of said Section Thirty-five (35) and other sections to the northwest corner of Section Twenty-four (24), Township Eight (8) South, Range Nineteen (19) East;
- 16 Thence southeast through said Section Twenty-four (24) to the southeast corner of Section Twenty-four (24), Township Eight (8) South, Range Nineteen (19) East;
- 17 Thence north along the east boundary of said Section Twenty-four (24) and other sections to the southwest corner of Section Six (6), Township Eight (8) South, Range Twenty (20) East;
- 18 Thence east along the south boundary of said Section Six (6) to the southeast corner of the southwest quarter (1/4) of the southwest quarter (1/4) of Section Six (6), Township Eight (8) South, Range Twenty (20) East;
- 19 Thence north along quarter (1/4) of said Section Six (6) to the northeast corner of the northwest quarter (1/4) of the northwest quarter (1/4) of Section Six (6), Township Eight (8) South, Range Twenty (20) East;

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Deleted: thirty-five 935),
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Deleted: and other sections to the southwest corner of section thirteen (13), township eight (8) south, range nineteen (19) east;
Deleted: run southeast to the southeast corner of section twenty-four (24), township eight (8) south, range nineteen (19) east;
Deleted: north along the range
Deleted: line, dividing ranges nineteen (19) and twenty (20) east, township eight (8) south, to the southwest corner of section six (6), township eight (8) south, range twenty (20) east;

COURSE NUMBERS

- 20 Thence west along the north boundary of said Section Six (6) and Section One (1) to the southeast corner of Section Thirty-five (35), Township Seven (7) South, Range Nineteen (19) East;

- 21 Thence north along the east boundary of said Section Thirty-five (35) and other sections to an intersection with the thread of the Santa Fe River in Township Seven (7) South, Range 19 East, which is the point of beginning, said area lying and being in Alachua County, Florida.

John Stanley
9010 NW 39th Ave
Gainesville, FL 32606-5641

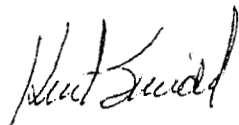
July 12, 2005

Dear Mr. Stanley,

I am writing this letter to ask you to research the area we are in and see if DSL is going to be available to us in the very near future. We have been told from the operator's in Louisiana that we would be the last of the line for Bell South to offer us this service. However, everyone with the exception of 1 or 2 people in our neighborhood area are on Alltel and have DSL. If you are unable to provide us with this service then we would ask to be transferred to Alltel.

The address is as follows:
12528 NW 109th Lane
Alachua, FL 32615
(352)-332-6313
(352)-331-3232

Thank You



12534 N.W. 109th Lane
Alachua Fla 32615

352-331-3215

352-374-5084

EXHIBIT C

Alltel
P.O. Box 698
Alachua, FL 32616

To Whom It May Concern:

We are currently customers of Bell South and are interested in getting DSL. After discussion with them we were told that this would not be possible as Bell South customers. After writing a letter to a Mr. Stanley asking to be released as their customer I was contacted by phone and told that we could do that.

So, I would at this time like to be transferred to Alltel to become one of your customers.

Thanks for your help with this matter.



Kurt Swindel

10534 N.W. 109th / AVE

Alachua Fl. 32615

352-331-3215

352 374-5084

Donald M. Odom Jr.
Robin B. Odom
12538 NW 109th Lane
Alachua, FL 32615

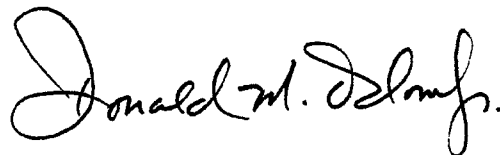
Alltel
P. O. Box 698
Alachua, FL 32616

January 24, 2006

To Whom It May Concern:

We are currently customers of Bell South and our phone number is 352-333-8196. We would like to have the DSL service offered through your company. We have been told that we can not get the DSL service through Bellsouth because of where we live. We would like to transfer to Alltel so that we can get the DSL service. Thanks for your help.

Home: 352-333-8196
Work: 386-462-3276

A handwritten signature in black ink that reads "Donald M. Odom Jr." with a stylized, cursive script.

Donald M. Odom Jr. Inc.

P.O. Box 1394
Alachua, Fl 32616-1394

April 17, 2006

Mr. John Stanley
BellSouth corp.
9010 Nw 39th Avenue
Gainesville, Fl 32616-5641

Dear Mr. Stanley:

I, and several of my neighbors, have pursued on many occasions, the acquisition of DSL service for our area. As you are well aware, dial-up internet service is slow and cumbersome. Needless time and energy is wasted when trying to access the internet. Also, with dial-up service, we are tied to a desk top computer system. Representatives at BellSouth, have repeatedly told us that our little area is not slated for "DSL" in the foreseeable future. We would appreciate an update on the time-frame for the availability of this service.

Directly north of our little area, is the terminal end of the Alltel line. All these individuals do have DSL internet access. The last address served by Alltel on this line is: 12704 Nw 109th Lane, Alachua, Fl 32615.

If BellSouth can not provide us with this advancement, then I, and three of my neighbors ask to be transferred to Alltel.

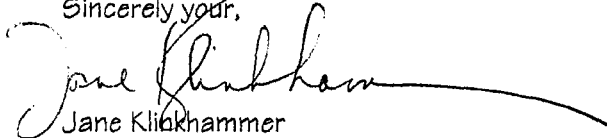
It is with great regret that I make this request, as BellSouth has provided us with excellent service over the years. I have been a BellSouth/ATT customer in the Alachua area for almost 30 years.

My physical address is: 12426 Nw 109th Lane
Alachua, Fl 32615

My land-based phone number is: (352) 332 9941

I would appreciate your assistance in this matter.
Thank you in advance for your help.

Sincerely your,


Jane Klickhammer

Oliver & Sherelle Kendrick
12528 NW 109th Lane
Alachua, FL 32615

Alltel
P.O. Box 698
Alachua, FL 32616

December 19, 2005

To Whom It May Concern:

We are currently customers of Bell South and are interested in getting DSL. After discussion with them we were told that this would not be possible as Bell South customers. After writing a letter to a Mr. Stanley asking to be released as their customer I was contacted by phone and told that we could do that.

So, I would at this time like to be transferred to Alltel to become one of your customers.

Thanks for your help with this matter.



Sherelle Kendrick
(352)332-6313
(352)331-3232

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF DUVAL

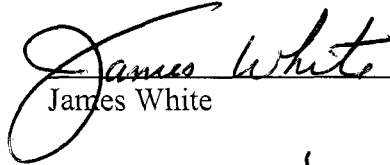
In re: Joint Petition of BellSouth Telecommunications, Inc. and Windstream Florida, Inc. (formerly known as Alltel Florida, Inc.) to Transfer Territories in Alachua County and to Amend Certificates.

BEFORE ME, the undersigned authority, personally appeared James White, who being duly sworn, deposes and says:

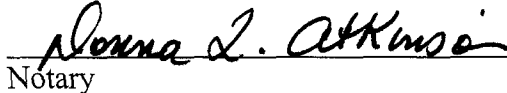
I am the Vice President Government Affairs, for Windstream Florida, Inc. and have caused notice of the above-captioned petition to be provided as follows:

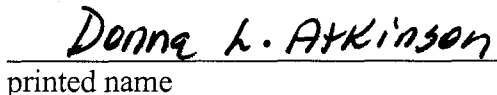
1. To the governing body of Alachua County, Florida, i.e., the Board of County Commission and the City of Alachua, Florida;
2. To Charles J. Beck, Office of Public Counsel;
3. To Blanca S. Bayo, Director, Records and Reporting for the Florida Public Service Commission; and
4. Through two separate legal advertisements in a newspaper of general circulation in the area affected at least two weeks prior to the filing of this Joint Petition. See attached.

These notices have been given pursuant to Section 364.335, Florida Statutes, and Rule 25-4.005, Florida Administrative Code.


James White

The foregoing instrument was acknowledged before me this 2nd day of March, 2007, by JAMES WHITE, who is personally known to me.


Notary


printed name

Title, Rank, or Social Security Number

DONNA L. ATKINSON
MY COMMISSION # DD 336599
EXPIRES August 28, 2008
Notary Public Underwriters

G 147887
NO _____

THE GAINESVILLE SUN

Published Daily and Sunday
GAINESVILLE, FLORIDA
STATE OF FLORIDA
COUNTY OF ALACHUA

Ernest Blake, III

Before the undersigned authority appeared.....

Legal Advertising Coordinator

Who on oath says that he is.....of THE GAINESVILLE SUN, a daily

newspaper published at Gainesville in Alachua County, Florida, that the attached copy of advertisement,
being

PUBLIC NOTICE

.....
BellSouth Telecommunications, Inc. (BellSouth) and Windstream Florida, Inc. (Windstream)
intend to jointly petition the Florida Public Service Commission to modify exchange boundaries
In the matter of

in the.....Court, was published in said newspaper in the issues of
JANUARY 28TH AND JANUARY 29,
..... 2007

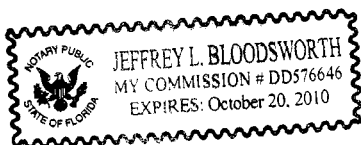
Affidavit further says that the said THE GAINESVILLE SUN is a newspaper published at Gainesville,
in said Alachua County, Florida, and that the said newspaper has heretofore been continuously published
in said Alachua County, each day, and has been entered as second class mail matter at the post office in
Gainesville, in Said Alachua County, Florida, for a period of one year next preceding the first publication
of the attached copy Of advertisement; and affiant further says that he has neither paid nor promised any
person, firm or corporation any discount for publication in the said newspaper.

Sworn to and subscribed before me this

31st day of Jan.....A.D., 2007

Jeffrey L. Bloodsworth
(seal) Notary Public

Ernest Blake, III



Public Notice

Notice is hereby given that in the next 45 days BellSouth Telecommunications, Inc. (BellSouth) and Windstream Florida, Inc. (Windstream) intend to jointly petition the Florida Public Service Commission to modify exchange boundaries as shown below:

Transferring a portion of the Haile Estates Development on the east side of I-75 in Township 9 South Range 18 East in Alachua County, Florida from BellSouth's Gainesville exchange to Windstream's Alachua Exchange.

The territory to be transferred consists of a small pocket of territory east of I-75 that has historically been served by BellSouth via an overhead cable that crosses the interstate (Territory). Windstream can serve the customers in the Territory in a manner that is both safe and cost-effective.

The telephone service local service rates, calling areas and calling plans for the Territory will change and be governed by Windstream's General Subscriber Services Tariff.

BellSouth and Windstream may be contacted about this notice at the numbers shown below:

BellSouth - (850) 577-5525

Windstream (800) 347-1991 (residential customers)
(800) 843-1991 (business customers)

January 28 and 29, 2007

Public Notice

Notice is hereby given that in the next 45 days BellSouth Telecommunications, Inc. (BellSouth) and Windstream Florida, Inc. (Windstream) intend to jointly petition the Florida Public Service Commission to modify exchange boundaries as shown below:

Transferring a portion of the Haile Estates Development on the east side of I-75 in Township 9 South Range 18 East in Alachua County, Florida from BellSouth's Gainesville exchange to Windstream's Alachua Exchange.

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January 28 and 29, 2007