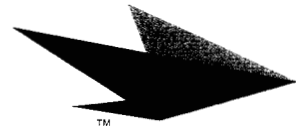


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EMBARQ™

Embarq Corporation
Mailstop: FLTLH00102
1313 Blair Stone Rd.
Tallahassee, FL 32301
EMBARQ.com

April 23, 2007

Ms. Ann Cole
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RECEIVED - FPSC
07 APR 23 PM 4:13
COMMISSION
CLERK

CMP 1 Re: Docket No. 060767-TP; CLAIM OF CONFIDENTIALITY

COM Dear Ms. Cole:

CTR
ECR Enclosed for filing are the original of the confidential documents listed below. Embarq
GCL 1 claims that this information is proprietary confidential business information in
accordance with Section 364.183(1), Florida Statutes.

OPC The information for which confidentiality is being claimed is as follows:

- RCA
SCR • Highlighted Information in Interrogatories – No. 38

SGA This Notice requires that the information be treated as confidential while on file at the
SEC Florida Public Service Commission and further that the information be returned as
required by Section 364.183, F.S.

OTH 1 *Local records*
Please acknowledge receipt and filing of the above by stamping the duplicate
copy of this letter and returning the same to this writer. Thank you for your assistance in
this matter.

Sincerely,

Susan S. Masterton

Susan S. Masterton

This claim of confidentiality was filed by or on behalf of a "telco" for Confidential DN 03453-07. The document is in locked storage pending advice on handling. To access the material, your name must be on the CASR. If undocketed, your division director must provide written permission before you can access it.

RECEIVED & FILED
[Signature]
FPSC-BUREAU OF RECORDS

Susan S. Masterton
COUNSEL
LAW AND EXTERNAL AFFAIRS-REGULATORY
Voice: (850) 599-1560
Fax: (850) 878-0777
03452 APR 23 5
FPSC-COMMISSION CLERK

35. For each transit rate Embarq is charging Florida CLECs, please identify the individual rate being assessed. Please identify which rates are TELRIC-based versus market-based.

Response: Please see the attached spreadsheet "Transit rates.xls".

36. Please identify the transit rate included in ICAs between Embarq and each CLEC in Florida.

Response: Please see the attached spreadsheet "Transit rates.xls".

37. a. Please identify each CLEC with which Embarq has a currently effective ICA in Florida that provides transit charges.

Response: Please see the attached spreadsheet "Transit rates.xls".

b. For each such CLEC identified in (a), please indicate the transit rate being charged and the effective date of the ICA.

Response: Please see the attached spreadsheet "Transit rates.xls".

c. Please identify which rates are TELRIC-based versus market-based.

Response: Please see the attached spreadsheet "Transit rates.xls".

38. For each CLEC with which Embarq transits traffic, please state the number of minutes of transit traffic delivered by such CLEC to Embarq in Florida during December 2006.

Response:

	MOU
COMCAST PHONE	██████████
BELLSOUTH TELECOMM	██████████
BUSINESS TELECOM INC	██████████
COX COMMUNICATIONS	██████████
ITC DELTACOM	██████████
T3 COMMUNICATIONS	██████████
FLORIDA MULTIMEDIA	██████████
FLORIDA DIGITAL NETWORK	██████████
ADELPHIA BUSINESS SOLUTIONS (TELCOVE)	██████████
INTERMEDIA COMMUNICATIONS INC	██████████
AT&T COMMUNICATIONS	██████████
LEVEL 3 COMMUNICATIONS	██████████
MFS INTELENET (MCI WORLDCOM)	██████████
NEWSOUTH COMMUNICATIONS (NUVOX)	██████████
ORLANDO TELEPHONE	██████████

PAETEC COMMUNICATIONS	████████
AT&T LONG DISTANCE	████████
TALLAHASSEE TELEPHONE EXCHANGE	████████
TIME WARNER TELECOM	████████
AT&T LOCAL SERVICES	████████
XO COMMUNICATIONS	████████
US LEC CORP	████████
DAYSTAR COMMUNICATIONS (THE ULTIMATE CONNECTION)	████████
VOLO COMMUNICATIONS	████████
MCI METRO	████████

39. In determining a market-based rate for transit service in this arbitration, what should the Commission consider?

Response: The Commission should consider its precedent from the recent Florida order relating to BellSouth’s transit traffic obligations (Order No. PSC-06-0776-FOF-TP in Docket Nos. 050119-TP and 050125-TP) in which the FPSC determined that transit traffic was not a §251 requirement. The Commission should also consider the staff’s recommendation that BellSouth’s market-based rate, which reflects the value-added services associated with providing an intermediary function, should be considered a “just and reasonable” rate.

40. Referring to witness Fox’s rebuttal testimony, page 9, lines 2-6, the witness states that “Embarq’s proposed rate of \$.005 reflects a considerably smaller multiple (approximately 1.75) of its Commission-approved rate than the rate suggested by staff and recognized by the Commission as an upper limit of a just and reasonable market-based rate for BellSouth.”

a. Does “its Commission-approved rate” refer to the rate approved for Embarq or for BellSouth?

Response: It refers to Embarq’s Commission approved rate of \$.002867 which is a sum of Embarq’s common transport and tandem switching rate elements.

b. What is the Commission-approved rate for Embarq?

Response: \$.002867

41. On page 10 of Verizon Access witness Price’s rebuttal testimony, lines 19-25, the witness states that Verizon Access is willing to revise its definition of “VoIP” to make clear that VoIP traffic is not intended to include IP-in-the-middle traffic. Does Embarq agree with this revised definition? If negative, please indicate the specific disagreement.

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: 4-23-07
TO: Arian Masterton
FROM: T. Henry, Division of the Commission Clerk &
Administrative Services
RE: **Acknowledgment of Receipt of Confidential Filing**

03453-07

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket No. 060767-TP or (if filed in an undocketed matter) concerning Doc # 38, and filed on behalf of Embarg / Masterton. The document will be maintained in locked storage.

Any questions regarding this matter should be directed to Marguerite Lockard at (850) 413-6770.

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