

**Ruth Nettles**

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**From:** terry.scobie@verizon.com  
**Sent:** Monday, February 04, 2008 1:57 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Chris McDonald; David Christian; de.oroark@verizon.com; demetria.g.clark@verizon.com; jctaylor@carrallison.com; pwiggins@state.psc.fl.us; samuel\_cullari@comcast.com; wgraham@carrallison.com  
**Subject:** Docket No. 080036-TP - Verizon Florida LLC's Motion to Dismiss and Request for Oral Argument  
**Attachments:** 080036 VZ FL Request for Oral Argument 2-4-08.pdf; 080036 VZ FL Motion to Dismiss 2-04-08.pdf



The attached filings are submitted in Docket No. 080036-TP on behalf of Verizon Florida LLC by

Dulaney L. O'Roark  
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The first document consists of a total of 3 pages (cover letter-1 page, Request for Oral Argument-1 page, and Certificate of Service-1 page). The second document consists of a total of 20 pages (cover letter-1 page, Motion to Dismiss-18 pages, and Certificate of Service-1 page).

**Terry Scobie**  
**Executive Adm. Assistant**  
**Verizon Legal Department**  
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DOCUMENT NUMBER-DATE

00885 FEB-4 08

FPSC-COMMISSION CLERK

Dulaney L. O'Roark III  
Vice President & General Counsel, Southeast Region  
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February 4, 2008 – **VIA ELECTRONIC MAIL**

Ann Cole, Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Docket No. 080036-TP  
Complaint and request for emergency relief against Verizon Florida LLC for  
anticompetitive behavior in violation of Sections 364.01(4), 364.3381, and  
364.10, F.S., and for failure to facilitate transfer of customers' numbers to  
Comcast Phone of Florida, LLC d/b/a Comcast Digital Phone

Dear Ms. Cole:

Enclosed for filing in the above-referenced matter is Verizon Florida LLC's Request for Oral Argument. Service has been made as indicated on the Certificate of Service. If there are any questions regarding this filing, please contact me at (678) 259-1449.

Sincerely,

s/ Dulaney L. O'Roark III

Dulaney L. O'Roark III

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Enclosures

DOCUMENT NUMBER-DATE

00885 FEB-4 8

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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Complaint and request for emergency relief ) Docket No. 080036-TP  
against Verizon Florida LLC for anticompetitive ) Filed: February 4, 2008  
behavior in violation of Sections 364.01(4), 364.3381, )  
and 364.10, F.S., and for failure to facilitate transfer )  
of customers' numbers to Comcast Phone )  
of Florida, LLC d/b/a Comcast Digital Phone )  
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**VERIZON FLORIDA LLC'S REQUEST FOR ORAL ARGUMENT**

Pursuant to Rule 25-22.0022, Verizon Florida LLC ("Verizon") requests that the Commission hear oral argument on Verizon's Motion to Dismiss Complaint or, in the Alternative, Stay Proceedings. Verizon respectfully submits that oral argument would help the Commission in developing a complete understanding of how Florida law concerning retention marketing applies to facilities-based competition. Oral argument also would assist the Commission in determining whether a stay is appropriate in light of Comcast's parallel challenge to Verizon's retention marketing program at the FCC.

Respectfully submitted on February 4, 2008.

By: s/ Dulaney L. O'Roark III  
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Attorney for Verizon Florida LLC

DOCUMENT NUMBER-DATE

00885 FEB-4 08

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that copies of the foregoing were sent via electronic mail and U. S. mail on February 4, 2008 to:

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s/ Dulaney L. O'Roark III