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April 1, 2008

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COMMISSION
CLERK

VIA HAND DELIVERY

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

Re: Petition for Declaratory Statement Regarding Local Exchange
Telecommunications Network Emergency 911 Service by Intrado
Communications, Inc. Docket No. 080089-TP.

Dear Ms. Cole:

Enclosed for filing in the above-referenced docket are the original and fifteen (15) copies of Windstream Florida, Inc.'s Motion to Dismiss or, in the Alternative, Deny Intrado's Amended Petition for Declaratory Statement.

CMP _____

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RCA _____

SCR _____

SGA _____

SEC _____

OTH JJW/jh _____

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

cc: Parties of Record

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DOCUMENT NUMBER-DATE

02464 APR-1 8

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for declaratory statement)
Regarding local exchange telecommunications)
Network emergency 911 service, by Intrado) Docket No. 080089-TP
Communications, Inc) April 1, 2008
_____)

**WINDSTREAM FLORIDA, INC.'S MOTION TO DISMISS OR,
IN THE ALTERNATIVE, DENY INTRADO'S
AMENDED PETITION FOR DECLARATORY STATEMENT**

Windstream Florida, Inc. ("Windstream"), by and through its undersigned counsel, hereby files this motion to dismiss or, in the alternative, deny Intrado's amended petition for declaratory statement, and says:

General

1. Windstream is a local exchange telecommunications company certificated by the Commission under Chapter 364, Florida Statutes. Windstream filed a Petition to Intervene on March 21, 2008 and an amended Petition to Intervene on April 1, 2008. Windstream files this motion subject to its pending requests to intervene.

2. Windstream is not now in an arbitration proceeding with Intrado before the Florida Public Service Commission. Windstream has been contacted by Intrado regarding an interconnection agreement, but the time for filing a petition for arbitration has not passed. Windstream does not know whether Intrado will file a petition for arbitration.

3. Windstream hereby joins in, adopts and incorporates by reference the legal arguments and positions stated in Embarq's Motion to Dismiss Or, In the Alternative, Deny Intrado's Petition For Declaratory Statement and Amended Petition for Declaratory Statement, dated March 21, 2008 ("Embarq Motion"), except for those arguments relating to pending arbitration proceedings between Embarq and Intrado, which do not apply to Windstream.

DOCUMENT NUMBER-DATE

02464 APR-18

FPSC-COMMISSION CLERK

4. Windstream hereby joins in, adopts and incorporates by reference the legal arguments and positions stated in AT&T's Motion to Dismiss and Response to Intrado's Petition for Declaratory Statement, dated March 7, 2008, and in AT&T's Motion to Dismiss and Response to Intrado's Amended Petition for Declaratory Statement, dated March 25, 2008, except for those arguments relating to pending arbitration proceedings between AT&T and Intrado, which do not apply to Windstream.

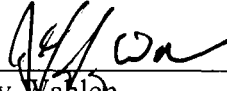
5. Windstream hereby joins in, adopts and incorporates by reference the legal arguments and positions stated in Verizon's Motion to Dismiss and Response to Intrado's Petition for Declaratory Statement, dated March 14, 2008, except for those arguments relating to pending arbitration proceedings between Verizon and Intrado, which do not apply to Windstream.

6. Since Windstream was not served with a copy of the Petition or the Amended Petition and has not seen notice of the amended petition in the Florida Administrative Weekly, the time within which to file a response or motion to dismiss in this case is not clear to Windstream. To the extent the Commission or Intrado believes that this motion is untimely, Windstream requests leave to file this motion out of time. This motion does not raise issues or make arguments not previously raised by another party to the case and Intrado has already responded to the arguments in this motion. Accordingly, Intrado will not be prejudiced by the Commission's consideration of this motion.

7. WHEREFORE, Windstream requests that the Commission Dismiss or, in the Alternative, Deny Intrado's Amended Petition for Declaratory Statement.

Respectfully submitted this 1st day of April, 2008.

WINDSTREAM FLORIDA, INC.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via U.S.

Mail (or Hand Delivery*) this 1st day of April, 2008 to the following:

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