

Dorothy Menasco

From: Cooper, Roberta G [EQ] [Roberta.G.Cooper@Embarq.com]
Sent: Thursday, May 01, 2008 4:14 PM
To: Filings@psc.state.fl.us
Cc: Susan Masterton
Subject: 080131-Embarq and AT&T Joint Petition
Attachments: 080131-Embarq and ATT Joint Petition.pdf

Filed on Behalf of: **Susan S. Masterton**
Senior Counsel
Embarq Florida, Inc.
1313 Blair Stone Road
Tallahassee, FL 32301
Telephone: 850/599-1560
Email: susan.masterton@embarq.com

Docket No. 080131

Title of filing: Embarq and AT&T Joint Petition

Filed on behalf of: **Embarq**

No of pages: 16

Description: Joint Petition of Embarq Florida, Inc. and AT&T Florida to Transfer Portions of AT&T Florida's Certificated Area to Embarq, and Amend Certificates

Roberta G. Cooper
 Legal Specialist
 Law & External Affairs-State External Affairs
 EMBARQ Corporation
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DOCUMENT NUMBER-DATE

03612 MAY-1 8

FPSC-COMMISSION CLERK

5/1/2008

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EMBARQ™

Embarq
Mailstop: FTLHQ0102
1313 Blair Stone Rd
Tallahassee, FL 32301
embarq.com

May 1, 2008

FILED ELECTRONICALLY

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

RE: Docket No. 080131
Joint Petition of Embarq Florida, Inc. and AT&T Florida to Transfer Portions of AT&T Florida's Certificated Area to Embarq, and to Amend Certificates

Dear Ms. Cole:

Enclosed please find the Joint Petition of Embarq Florida, Inc. and AT&T Florida to Transfer Portions of AT&T Florida's Certificated Area to Embarq, and to Amend Certificates in the above referenced docket matter.

Copies are being served on the parties in this docket pursuant to the attached certificate of service.

If you have any questions regarding this electronic filing, please do not hesitate to call me at (850) 599-1560.

Sincerely,

Susan S. Masterton

Enclosure

Susan S. Masterton
SENIOR COUNSEL
Voice: (850) 599-1560
Fax: (850) 878-0777
susan.masterton@embarq.com

DOCUMENT NUMBER-DATE

03612 MAY-18

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE
DOCKET NO. 080131**

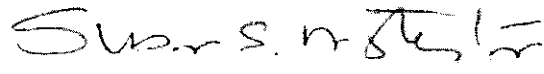
I HEREBY CERTIFY that a true and correct copy of the foregoing was served by regular U.S. Mail and electronic mail* on this 1st day of May, 2008 to the following:

Florida Public Service Commission*
Division of Competitive Markets & Enforcement
Laura King
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
lking@psc.state.fl.us

Florida Public Service Commission*
Office of the General Counsel
Rick Mann
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
hmamm@psc.state.fl.us

AT&T Florida*
E. Earl Edenfield, Jr.
Manuel A. Gurdian
c/o Gregory R. Follensbee
150 South Monroe Street, Ste. 400
Tallahassee, Florida 32301
greg.follensbee@att.com

AT&T Southeast
Lisa S. Foshee
675 West Peachtree Street
Suite 4300
Atlanta, GA 30375



Susan S. Masterton

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Petition of Embarq Florida, Inc. and BellSouth Telecommunications, Inc. d/b/a AT&T Florida to Transfer Certain Territories in Seminole County And To Amend Certificates	Docket No: 080131-TL Filed: May 1, 2008
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**JOINT PETITION OF EMBARQ FLORIDA, INC. AND AT&T FLORIDA TO
TRANSFER PORTIONS OF AT&T FLORIDA'S CERTIFICATED AREA TO
EMBARQ AND TO AMEND CERTIFICATES**

Embarq Florida, Incorporated ("Embarq") and BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T Florida") in accordance with 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 Seminole County and to amend the companies' certificates accordingly. In support of this petition, Embarq and AT&T Florida 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. Embarq 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 Statute. Embarq provides service in Florida under FPSC Certificate of Public Convenience and Necessity No. 22.

DOCUMENT NUMBER-DATE

03612 MAY-1 8

FPSC-COMMISSION CLERK

3. AT&T Florida's principal place of business is 675 W. Peachtree St., NE, Suite 4500, Atlanta, GA 30375.
4. Embarq's principal place of business in Florida is 555 Lake Border Drive, Apopka, Florida 32713.
5. Pleadings and process in this matter may be served upon:

Susan S. Masterton
Embarq Florida, Inc.
P. O. Box 2214
MS: FLTLHO0107
Tallahassee, Florida 32316
(850) 599-1560 (telephone)
(850) 878-0777(fax)
susan.masterton@embarq.com

E. Earl Edenfield, Jr.
Manuel A. Gurdian
c/o Gregory R. Follensbee
150 South Monroe Street, Ste. 400
Tallahassee, Florida 32301
(305) 347-5558 (telephone)
(850) 222-8640 (fax)

Lisa S. Foshee
AT&T Southeast
675 West Peachtree Street,
Suite 4300
Atlanta, GA 30375

6. In this Petition, Embarq and AT&T Florida seek to amend their exchange boundaries to transfer a portion of the Provenance development currently in the AT&T Florida Oviedo Exchange to the Embarq Winter Park Exchange. The territory to be transferred consists of approximately 90 single family lots located in the Northeast Increment of the Provenance development. No subscribers reside in the areas to be transferred and the property is currently owned by the developer; therefore, no subscribers would be affected by modifying Embarq's Winter Park exchange to include this portion of the Provenance development. A Copy of the proposed service area map is attached as Exhibit "A".

7. The present boundary line bisects the planned subdivision and individual lots, rendering provision of service difficult. The proposed boundary change will better align the companies' exchange service areas, and will move the existing boundary to more readily discernible terrain features. The proposed change will permit revisions to the companies' boundaries so that they will not divide subdivisions and lots, thereby rendering the boundaries more usable in the provision and administration of service. Existing telephone service, local service rates, calling areas and calling plans will not be affected by these proposed changes since there are no existing customers in the areas to be transferred. Once the transfer is complete, telephone service, local service rates, calling areas and calling plans in the transferred area will be governed by Embarq's General Exchange Tariff.
8. There are no pending applications for basic local service held by AT&T Florida or Embarq related to the territory to be transferred.
9. AT&T Florida and Embarq do not currently hold any deposits or deposit interest as there are no subscribers in the area to be transferred.
10. No financial exchange or consideration was, or shall be, given for this proposed transfer of Certificated Areas. This Joint Petition is the only written agreement between AT&T Florida and Embarq.
11. Both AT&T Florida and Embarq have agreed that the requested transfer of service area is feasible from an economic standpoint and beneficial to the subscribers of both companies.

12. In accordance with FPSC Rule 25-4.005, Florida Administrative Code, the required Affidavit is attached to this Joint Petition as Exhibit "B." The Affidavit certifies that notice of intention to file the Petition has been given to those parties set forth in the above-cited rule. Copies of the letters referred to in the Affidavit are included as Exhibit "C." A copy of the published notice is included as Exhibit "D."
13. Upon the Commission's approval of the modifications proposed herein, the companies will file the final tariff sheets for administrative approval.

WHEREFORE, AT&T Florida and Embarq request that the Commission consider this Joint Petition and redefine the boundaries of the Petitioners' Certificates of Public Convenience and Necessity as requested in the Petition, and enter an appropriate order to effectuate such a redefinition.

Respectfully submitted this 1st day of May, 2008.

Susan S. Masterton

Susan S. Masterton
Embarq Florida, Inc.
P. O. Box 2214
MS: FLTLHO0107
Tallahassee, Florida 32316
(850) 599-1560 (telephone)
(850) 878-0777 (fax)
susan.masterton@embarq.com

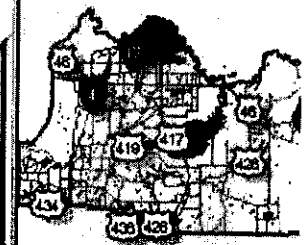
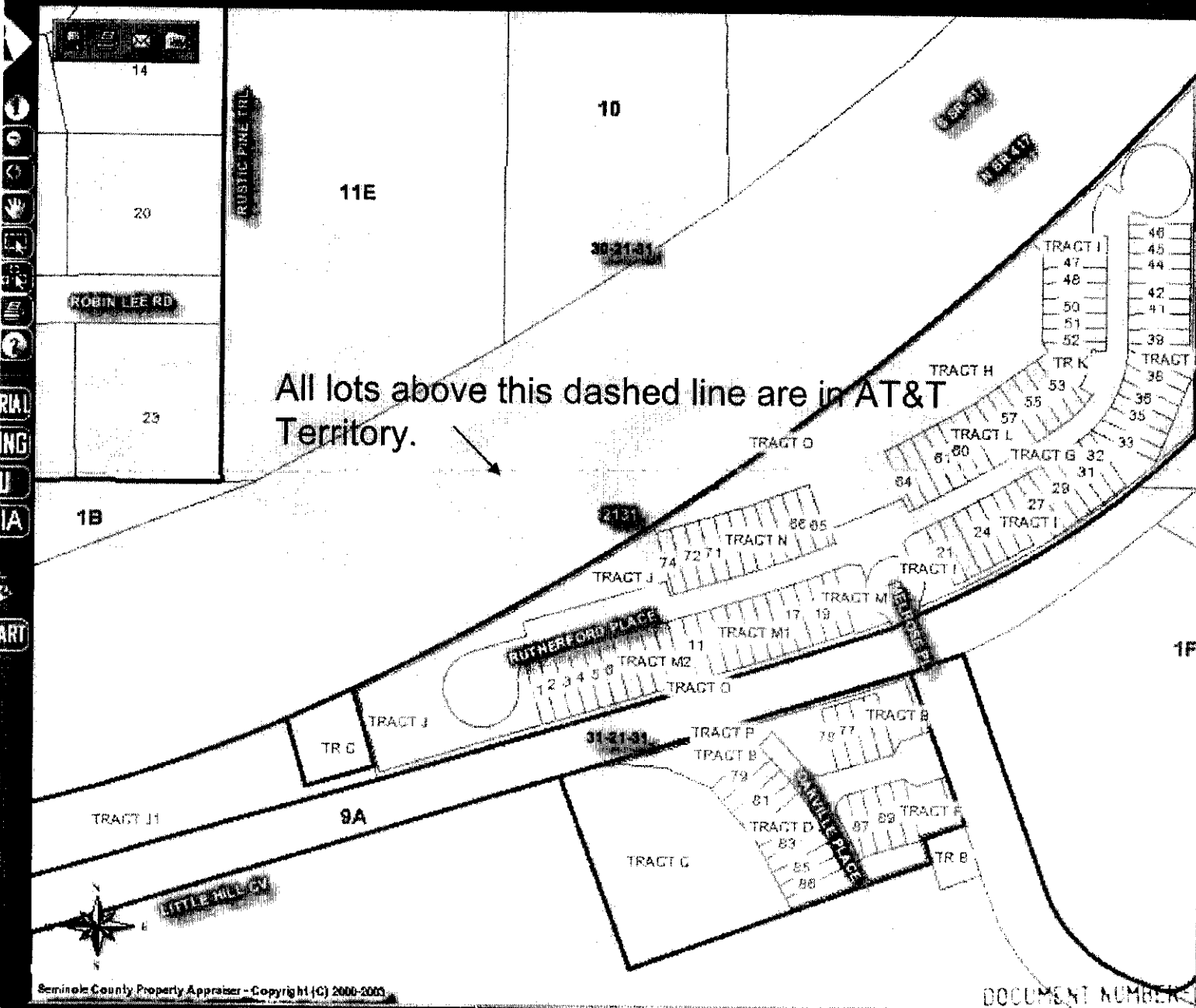
ATTORNEY FOR EMBARQ

Susan S. Masterton for Mamey Gurdian

E. Earl Edenfield, Jr.
Manuel A. Gurdian
c/o Gregory R. Follensbee
150 South Monroe Street, Ste. 400
Tallahassee, Florida 32301
(305) 347-5558 (telephone)
(850) 222-8640 (fax)

Lisa S. Foshee
AT&T Southeast
675 West Peachtree Street,
Suite 4300
Atlanta, GA 30375

ATTORNEYS FOR AT&T FLORIDA

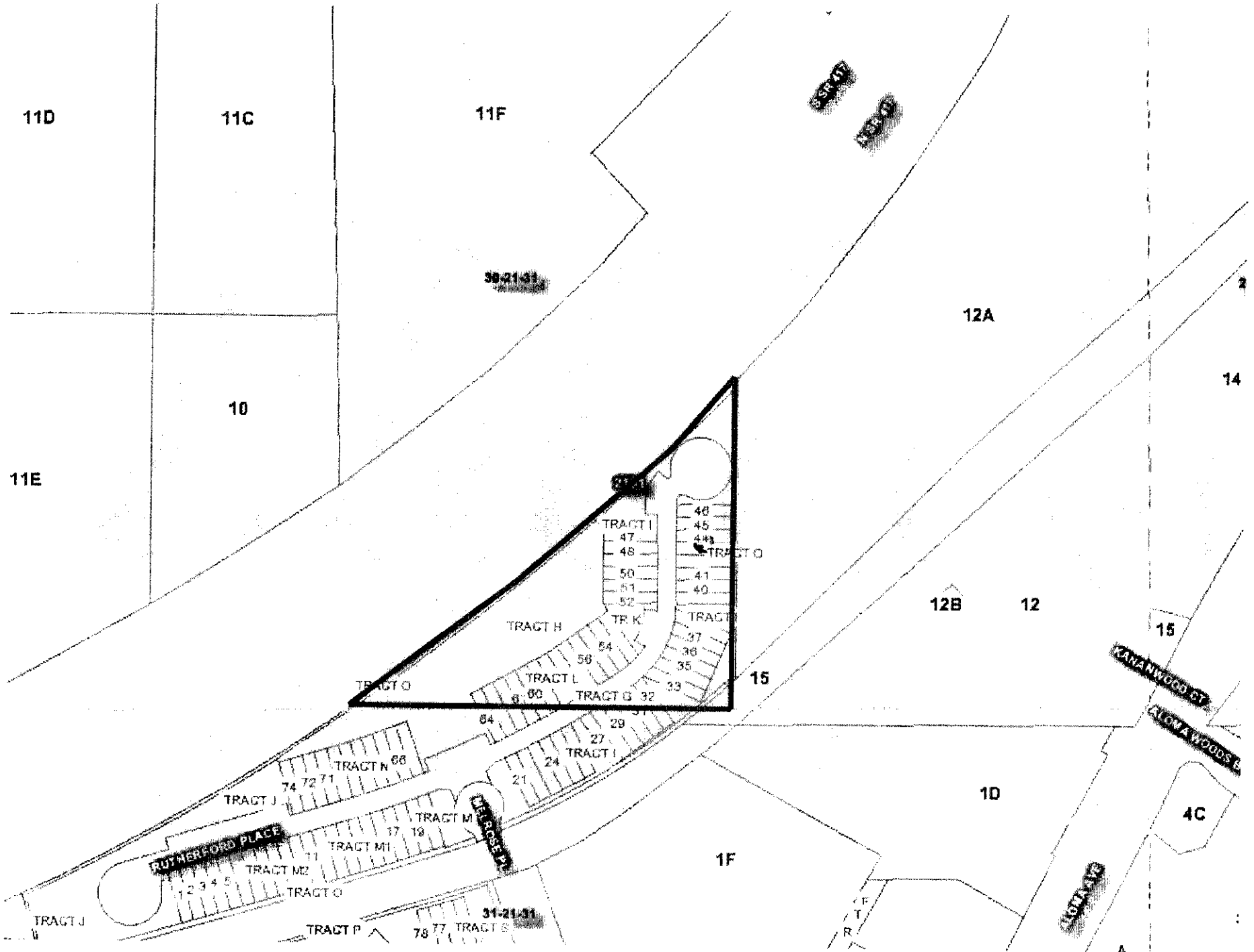


LAYERS

All layers have been organized into logical groups.
 Click on a group folder to expand it.
 Check boxes to show layers.
 Click on group or layer name for more information.

- All Layers
- Base Map
- County Boundaries
- Townships
- Sections
- Major Roads
- Streets
- Vacated R/W
- Railroads
- Lot Lines
- Subdivision Lines
- Parcel
- Parcel Anno
- Institutional
- Environmental
- School Zones
- Transit

Auto Refresh



11D

11C

11F

38-21-31

12A

10

14

11E

TRACT I
47
48
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51
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TRACT O
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12B

12

TRACT H

TR. K

TRACT J

15

TRACT O

TRACT L

TRACT G 32

15

KANANWOOD CT

ALOMA WOODS CT

64

29

TRACT N 68

TRACT I

10

TRACT J 74 72 71

TRACT M 17 19

1F

RUTHERFORD PLACE

TRACT M1

ELMWOOD CT

TRACT M2 2 3 4 5

TRACT O

4C

31-21-31

TRACT P 78 77

TRACT S

TR. R

HOLT AVE

A



AT & T TERRITORY TO BE ANNEXED TO EMBARQ TERRITORY

DOCUMENT NUMBER DATE

03612 MAY-18

FPSC-COMMISSION CLERK

AFFIDAVIT

STATE OF FLORIDA)

COUNTY OF LEON)

In re: Joint Petition of Embarq Florida Incorporated and AT&T Florida for the transfer of certain Certificated Areas in Seminole County and to amend certificates

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

I am the Docket Manager, for Embarq Florida, Incorporated and have caused notice of the above-captioned petition to be provided as follows:

1. To the governing bodies of the county listed on the attached;
2. To Charles J. Beck, Public Counsel;
3. To Ann Cole, 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.

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



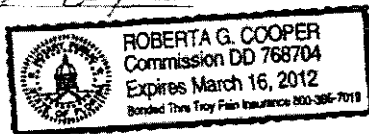
 Harvey Spears

WITNESS my hand and seal this 17th day of April, A. D., 2008

Signature 

Notary Public

State of Florida



My Commission Expires:



EMBARQ™

Embarq
Mailstop: FLTLHO0102
1313 Blair Stone Rd
Tallahassee, FL 32301
embarq.com

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February 27, 2008

Cynthia Coto, County Manager Seminole County
County Manager's Office
1101 East First Street
Sanford, Florida 32771

Dear Ms. Coto:

Embarq Florida, Incorporated (Embarq) and AT&T Florida (AT&T) intend to file a joint petition with the Florida Public Service Commission to request a transfer of certain territories in Seminole County from the certificated area of AT&T to that of Embarq. The boundary change will better align the companies' exchange service areas; thereby rendering the boundary more usable in the provision of service.

The proposed boundary change includes:

Transferring a portion of the Provenance development from the AT&T Oviedo Exchange to the Embarq Winter Park Exchange.

There are no customers currently being served in the areas to be transferred.

This notification is to fulfill the requirements of Florida Public Service Commission Rule 25-4.005, Transfer of Certificate of Public Convenience and Necessity as to All or Portion of Service Area.

If you have any questions, please contact me at 850/599-1560 or Harvey Spears at 850/599-1401.

Sincerely,

Susan S. Masterton

cc: Manuel Gurdian, ATT
Harvey Spears, Embarq

Susan S. Masterton
SENIOR COUNSEL
Voice: (850) 599-1560
Fax: (850) 878-0777
susan.masterton@embarq.com

DOCUMENT NUMBER: 03612 MAY -18
COMMISSION CLERK

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EMBARQ™

Embarq
Mailstop: FTLH00102
1313 Blair Stone Rd
Tallahassee, FL 32301
embarq.com

February 27, 2008

Tammy Conception, City Manager
Oviedo City Hall
400 Alexandria Blvd.
Oviedo, FL 32765

Dear Ms. Conception:

Embarq Florida, Incorporated (Embarq) and AT&T Florida (AT&T) intend to file a joint petition with the Florida Public Service Commission to request a transfer of certain territories in Seminole County from the certificated area of AT&T to that of Embarq. The boundary change will better align the companies' exchange service areas; thereby rendering the boundary more usable in the provision of service.

The proposed boundary change includes:

Transferring a portion of the Provenance development from the AT&T Oviedo Exchange to the Embarq Winter Park Exchange.

There are no customers currently being served in the areas to be transferred.

This notification is to fulfill the requirements of Florida Public Service Commission Rule 25-4.005, Transfer of Certificate of Public Convenience and Necessity as to All or Portion of Service Area.

If you have any questions, please contact me at 850/599-1560 or Harvey Spears at 850/599-1401.

Sincerely,

Susan S. Masterton

cc: Manuel Gurdian, ATT
Harvey Spears, Embarq

Susan S. Masterton
SENIOR COUNSEL
Voice: (850) 599-1560
Fax: (850) 878-0777
susan.masterton@embarq.com

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EMBARQ™

Embarq
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1313 Blair Stone Rd
Tallahassee, FL 32301
embarq.com

February 27, 2008

Mr. Charles J. Beck, Public Counsel
Office of the Public Counsel
111 West Madison Street, Room 812
Tallahassee, Florida 32399-1400

Dear Mr. Beck:

Embarq Florida, Incorporated (Embarq) and AT&T Florida (AT&T) intend to file a joint petition with the Florida Public Service Commission to request a transfer of territories in Seminole County from the certificated area of AT&T to that of Embarq. The present boundary bisects planned subdivisions and individual lots in the Provenance development. The boundary change will better align the companies' exchange service areas; thereby rendering the boundary more usable in the provision of service.

The proposed boundary change includes:

Transferring a portion of the Provenance development from the AT&T Oviedo Exchange to the Embarq Winter Park Exchange.

There are no customers currently being served in the areas to be transferred.

This notification is to fulfill the requirements of Florida Public Service Commission rule 25-4.005, Transfer of Certificate of Public Convenience and Necessity as to All or Portion of Service Area.

If you have any questions, please contact me at 850/599-1560 or Harvey Spears at 850/599-1401.

Sincerely,

Susan S. Masterton

cc: Manuel Gurdian, ATT
Harvey Spears, Embarq

Susan S. Masterton
SENIOR COUNSEL
Voice: (850) 599-1560
Fax: (850) 878-0777
susan.masterton@embarq.com

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

February 27, 2008

Ms. Beth Salak, Director
Division of Competitive Markets and Enforcement
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida, 32399-0850

Dear Ms. Salak:

Embarq Florida, Incorporated (Embarq) and AT&T Florida (AT&T) will be jointly petitioning the Florida Public Service Commission in the near future for approval to transfer portions of AT&T's certificated area to that of Embarq. The proposed boundary change includes portions of the Provenance development in Embarq's Winter Park Exchange and AT&T's Oviedo Exchange.

Florida Public Service Commission Rule No.25-4.005 provides under paragraph (1) (c) that notice of the proposed transfer must be provided to each subscriber "by written notice subject to Commission approval, issued to each subscriber in the area to be transferred....." There are no customers currently being served in the areas to be transferred; therefore, customer notice will not be provided.

If you have any questions, please contact me at 850/599-1560 or Harvey Spears at 850/599-1401.

Sincerely,

Susan S. Masterton

cc: Manuel Gurdian, ATT
Ann Cole, FPSC
Harvey Spears, Embarq

Susan S. Masterton
SENIOR COUNSEL
Voice: (850) 599-1560
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Orlando Sentinel

Published Daily

State of Florida }
COUNTY OF ORANGE } S.S.

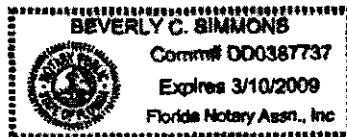
Before the undersigned authority personally appeared Deborah M. Toney, who on oath says that he/she is the Legal Advertising Representative of Orlando Sentinel, a daily newspaper published at Altamonte Springs in Seminole County, Florida; that the attached copy of advertisement, being a Public Notice in the matter of EXCHANGE BOUNDRIES In the Seminole Court, was published in said newspaper in the issue; of 03/26/08, 03/27/08

Affiant further says that the said Orlando Sentinel is a newspaper published at Altamonte Springs, in said Seminole County, Florida, and that the said newspaper has heretofore been continuously published in said Seminole County, Florida, each Week Day and has been entered as second-class mail matter at the post office in Altamonte Springs in said Seminole 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/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

The foregoing instrument was acknowledge before me this 28TH day of March, 2008, by Deborah M. Toney, who is personally known to me and who did take an oath.

[Handwritten signature]
[Handwritten signature: Beverly C. Simmons]

(SEAL)



Order# 645673

PUBLIC NOTICE

Notice is hereby given of the intent of AT&T Florida (AT&T) and Embarras Florida, Incorporated (Embarras) to jointly petition the Florida Public Service Commission to modify exchange boundaries as shown below:

- Transferring a portion of the Providence development from the AT&T Oviedo Exchange to the Embarras Winter Park Exchange.

The present boundary bisects planned subdivisions and individual lots in the development. The boundary change will better align the companies' exchange service areas thereby rendering the boundary more usable in the provision of service. The telephone service, local service, tolls, call-in and call-out, calling plans for existing customers will not be affected by these proposed changes.

AT&T Florida
(407) 227-3328

Embarras Florida, Incorporated
1-888-336-1051

CSE645673 2/26, 27, 2008