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**EMBARQ™**

September 23, 2008

COMMISSION  
CLERK

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

**VIA HAND DELIVERY**

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

Re: Notice of Adoption of Interconnection, Unbundling, Collocation and Resale Agreement between NuVox Communications and Embarq Florida, Inc. by FPL FiberNet, LLC

Dear Ms. Cole:

Embarq Florida, Inc. hereby provides notice to the Florida Public Service Commission of the adoption by FPL FiberNet, LLC of the Interconnection, Unbundling, Collocation and Resale Agreement for the State of Florida entered into by NuVox Communications and Embarq Florida, Inc., which was filed with the Commission in Docket No. 070239. The FPL FiberNet, LLC is adopting the agreement as provided by Section 252(i) of the Telecommunications Act of 1996.

If you have any questions on this matter, please contact me at 850-599-1560.

Sincerely,

Susan S. Masterton

cc: FPL FiberNet, LLC  
Attn: David Eckmann  
9250 West Flagler Street  
Miami, FL 33174

COM \_\_\_  
ECR \_\_\_  
GCL \_\_\_  
OPC \_\_\_  
RCP \_\_\_  
SSC \_\_\_  
SGA \_\_\_  
ADM \_\_\_  
CLK \_\_\_

Enclosure

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

DOCUMENT NUMBER-DATE

08973 SEP 23 08

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## **INTERCONNECTION AND RESALE AGREEMENT**

This Interconnection, Collocation and Resale Agreement ("Agreement"), dated September 15, 2008, is entered into by between FPL FiberNet, LLC, a Delaware corporation ("FPL"), and Embarq Florida, Inc. d/b/a Embarq, a Florida corporation, to establish the rates, terms and conditions for local interconnection, local resale and the purchase of unbundled network elements for the state of Florida. (Embarq and FPL may be referred to individually as a "Party" and collectively as the "Parties").

**NOW THEREFORE**, the Parties agree as follows:

### **1. INTERCONNECTION AND RESALE AGREEMENT**

The Parties agree that the Agreement between the Parties shall consist of the Interconnection, Collocation and Resale Agreement between NuVox Communications and Embarq Florida, Inc. d/b/a Embarq dated March 20, 2007 (the "Adopted Agreement") as it exist as of September 15, 2008.

All services provided under this Agreement will be consistent with the decisions of courts having jurisdiction over this Agreement, including but not limited to the decisions of the Court of Appeals and the United States Supreme Court.

### **2. PARTIES:**

FPL is hereby substituted in the Adopted Agreement for NuVox Communications and Embarq shall remain as the other Party to the Adopted Agreement. Except as modified herein, the Agreement shall in all other respects reflect the same terms as the Adopted Agreement.

### **3. TERM:**

This termination date of the Agreement is March 9, 2010 as set forth in the Adopted Agreement.

### **4. NOTICES:**

Except as otherwise provided, all notices and other communication hereunder shall be deemed to have been duly given when made in writing and delivered in person or deposited in the United States mail, certified mail, postage paid, return receipt requested and addressed as follows:

DOCUMENT NUMBER - DATE

08973 SEP 23 08

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If to Director of Legal & Regulatory  
CLEC: Affairs,  
FPL FiberNet, LLC  
9250 W. Flagler St.  
Miami, FL 33174

If to Director – Contract  
Embarq: Management  
Embarq  
9300 Metcalf  
Overland Park, KS 66212  
Mailstop: KSOPKB0401-413

With a FPL FiberNet, LLC  
copy to: Attn: General Counsel  
700 Universe Boulevard  
Juno Beach, Florida 33408

With a  
copy to:

**IN WITNESS WHEREOF**, the Parties hereto have caused this Agreement to be executed by their duly respective authorized representatives.

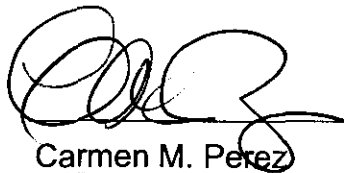
**FPL**

By:

Name :

Title:

Date:



Carmen M. Perez

President

9/13/08

**Embarq**

By:

Name:

Title:

Date:



Michael R. Hunsucker

Director – Contract  
Management

9-15-08

