

Ruth Nettles

From: Scobie, Teresa A (TERRY) [terry.scobie@verizon.com]
Sent: Wednesday, February 18, 2009 4:00 PM
To: Filings@psc.state.fl.us
Cc: Beth Keating; Carolyn Ridley; Chris Savage; David Christian; David Konuch; De O'Roark; Demetria Clark; Frank App; Howard Adams; Marva Johnson; Beth Salak; Charles Murphy; Chris McDonald; Floyd Self; Samuel F. Cullari
Subject: Docket Nos. 070691-TP/080036-TP - Verizon Florida LLC's Response to Notice of Supplemental Authority and Request for Order
Attachments: 070691 080036 VZ FL Response to Notice 2-18-09.pdf



The attached filing is submitted in Docket Nos. 070691-TP/080036-TP on behalf of Verizon Florida LLC by

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The attached .pdf document consists of a total of 5 pages - cover letter (1 page), Response to Notice (2 pages) and Certificate of Service (2 pages).

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2/18/2009

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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February 18, 2009 – **VIA ELECTRONIC MAIL**

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

Re: Docket No. 070691-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 Bright
House Networks Information Services (Florida), LLC and its affiliate, Bright
House Networks, LLC

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 matters is Verizon Florida LLC's Response
to Notice of Supplemental Authority and Request for Order. 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

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint and request for emergency relief) Docket No. 070691-TP
against Verizon Florida LLC for anticompetitive) Filed: February 18, 2009
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 Bright House Networks)
Information Services (Florida), LLC and its affiliate,)
Bright House Networks, LLC)

In re: Complaint and request for emergency relief) Docket No. 080036-TP
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)

**VERIZON FLORIDA LLC'S RESPONSE TO NOTICE OF
SUPPLEMENTAL AUTHORITY AND REQUEST FOR ORDER**

In its Notice of Supplemental Authority and Request for Order, the Bright House parties suggested that Docket No. 070691-TP could be dismissed if Verizon Florida LLC ("Verizon") does not intend to seek review of the court's decision in *Verizon California, Inc. v. FCC*, No. 08-1234 (D.C. Cir. Feb. 10, 2009). While the date to seek further review of that decision has not passed, Verizon does not currently contemplate requesting such review. We note, however, that cable companies such as Bright House regularly engage in retention marketing efforts for video customers that directly parallel the challenged practices at issue here, and reserve our right to seek relief in an appropriate forum to ensure that they are subject to the same rules.

The complaints in Docket Nos. 070691-TP and 080036-TP therefore should be dismissed.

DOCUMENT NUMBER-DATE

01363 FEB 18 8

FPSC-COMMISSION CLERK

Respectfully submitted on February 18, 2009.

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Attorney for Verizon Florida LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the foregoing were sent via electronic mail on
February 18, 2009 to:

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