



September 11, 2007

Commissioner Deborah Taylor Tate
Federal Communications Commission
445 12th Street, SW, Portals II, Room 8-A204
Washington, DC 20554

701 Pennsylvania Ave, NW
Suite 820
Washington, DC 20004
www.EMBARQ.com

EX PARTE SUBMISSION

Re: Petition of the Embarq Local Operating Companies for Forbearance from Application of Computer Inquiry and Certain Title II Common-Carriage Requirements (WC Docket No. 06-147).

Dear Commissioner Tate:

We are responding to your request that Embarq identify which of the services for which it seeks forbearance in this docket are used for “interstate, inter-exchange services” and which are used for “interstate, access services.” Based on our understanding of these service categories, the Embarq Local Operating Companies do not offer any interstate, inter-exchange services. In fact Section 64.1903 of the Commission’s rules generally requires Embarq to offer these services within its region through a separate affiliate,¹ so they are excluded from Embarq’s Forbearance Petition in this docket (the “Petition”).

The record in this docket, demonstrates that Embarq faces substantial and growing competition in markets for the packet-based services that are the subject of the Petition. Indeed, Embarq believes that it has provided the Commission with compelling evidence that would justify a grant of forbearance along the lines afforded ACS of Anchorage three weeks and one day ago.² Therefore Embarq reiterates its request that the Commission grant forbearance from all of the services covered by the Petition, without regard to whether they may be used for “interstate, inter-exchange services” and which are used for “interstate, access services.”

Pursuant to Section 1.1206(b) of the Commission’s rules, one copy of this ex parte submission is being filed electronically in the above-referenced docket. Please call me if you have any questions.

Sincerely,

Jeffrey S Lanning
Director – Federal Regulatory

cc: Chris Moore, Ian Dillner, Scott Deutchman, Scott Bergmann, John Hunter

¹ As Embarq explained in its comments in the proceeding that led to in-region, inter-exchange relief for the Bell Operating Companies, this rule no longer makes sense in light of market conditions.

² *Petition of ACS of Anchorage for Forbearance*, WC Docket No. 06-109, Memorandum Opinion and Order, ___ FCC Red ____, FCC 07-149 (Aug. 20, 2007)